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OFFICIAL REPORT
(HANSARD)

Thursday, June 16, 1994

Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

Thursday, June 16, 1994

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

INTEGRITY IN GOVERNMENT

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, I rise today to talk about trust; the trust citizens place in their government, the trust politicians earn from the public, the trust in institutions that is as vital to a democracy as the air we breathe, a trust that once shattered, is difficult, almost impossible to rebuild.

Since our election in October no goal has been more important to this government, or to me personally as Prime Minister, than restoring the trust of Canadians in their institutions.

When we took office there was an unprecedented level of public cynicism about our national institutions and the people to whom they were entrusted by the voters. The political process had been thrown into disrepute. People saw a political system which served its own interests and not those of the public. When trust is gone the system cannot work.

[*Translation*]

That is why we have worked so hard to re–establish those bonds of trust. The most important thing we have done is to keep our word. We said we would cancel the helicopter contract and we did. We had to be satisfied that NAFTA would meet our concerns before it was finalized and we were.

We said we would create a $6 billion infrastructure program with all three orders of government and we have.

We brought in a budget that restores hope for Canadians while meeting our campaign commitment of reducing the deficit to 3 per cent of the Gross Domestic Product (GDP) and we did; and we have addressed the stabilization of Canada's fisheries—particularly the Atlantic fisheries—and foreign overfishing as we said we would.

Honouring the promises we made is a key part of restoring the trust of Canadians. We have also worked hard to restore trust by restoring relevance to the House of Commons. We have given MPs a larger role in drafting legislation and greater influence over government expenditures.

For the first time ever, MPs debated the budget before it was tabled. We have also had policy debates on issues like cruise missile testing. We have had two debates, here in this House, about what should be the government's position on Canada's presence in the former Yugoslavia. Everyone agrees that those discussions have produced positive results; and they took place before the government made a decision.

[*English*]

Finally, we have worked to restore trust by showing Canadians that as far as this government is concerned, integrity is more than just nice words or photo ops, it is a way of life.

There is no better example of this than our cancellation of the Pearson airport deal. We sent out a strong, clear message that the integrity of this country's institutions is not for sale, that this government and this Parliament would serve the interests of all Canadians, not the interests of the privileged few, no matter how well connected.

Keeping our promises, giving a meaningful voice to the elected representatives in this House and putting an end to the politics of cronyism and secret back door deals is how this government has been restoring faith and trust among Canadians.

(1010)

I am pleased to announce today that we are continuing to re–establish trust by delivering on a number of key commitments we made to Canadians during the election and by taking unprecedented action to open up the process of government in Ottawa.

Today we are introducing amendments to strengthen the Lobbyists Registration Act. These improvements are in line with the unanimous June 1993 report of the House of Commons Standing Committee on Consumer and Corporate Affairs respecting the Lobbyists Registration Act.

These changes will force lobbying out from the shadows into the open and make it clear to everyone who is representing whom, on which issue, and what they are doing.

[*Translation*]

We have no disagreement with individuals or companies that choose to have someone represent them. That is their business and their right. But Canadians nonetheless have a right to know who is trying to influence elected and public officials.

Deals like the Pearson Airport deal must never be allowed to happen again. That is why, through our changes to the Lobbyists Registration Act, we will be able to force the disclosure of lobbying fees related to government contracts.

That is why we are building in tough penalties—up to and including prison sentences—for those who break these new rules. That is why we are prohibiting the inclusion of contingency fees in lobbyists' contracts. That is why we are appointing an official who will have the teeth to investigate and take action.

[*English*]

I am pleased to announce today the appointment of Canada's first ethics counsellor, the current assistant deputy registrar general, Mr. Howard Wilson. Mr. Wilson's experience and his well–earned reputation for probity and integrity make him an ideal choice for this important post.

The ethics counsellor will oversee and enforce both the strengthened Lobbyists Registration Act and a revised, more comprehensive conflict of interest code that will replace the old conflict of interest guidelines.

We have broadened the powers and responsibilities of the ethics counsellor from what we laid out in the red book. In the red book, the ethics counsellor was to deal with the activities of lobbyists, but as we started examining implementation, it became clear that this will only address half of the problem, basically from the outside in.

We wanted to be sure that our system would also be effective at withstanding lobbying pressure from the inside. That is why we have decided to expand the role of the ethics counsellor to include conflict of interest.

[*Translation*]

By merging the Ethics Counsellor's function with the Assistant Deputy Registrar General's existing role in enforcing guidelines on conflict of interest, we will have both a stronger and a more unified oversight role, one with real teeth and strong investigative powers. We will also avoid the wasteful overlap and duplication inherent in creating an entirely new office.

We also said in the red book that we wanted a Code of Conduct for Members of Parliament and Senators. This Code would guide their dealings with lobbyists. We will ask a Committee of Parliament to take this matter on and have a Code of Conduct in place as soon as possible, because I feel that MPs themselves must take responsibility for those decisions, as I myself have taken responsibility for the activities of the government, lobbyists, parliamentary secretaries and others.

(1015)

We also consulted with the Leader of the Opposition and the leader of the Reform Party on the choice of the Ethics Counsellor a few weeks ago, and I know that they look forward to this person's annual reports to Parliament as much as I do. They know, as we all do, that trust in the institutions of government is not a partisan issue, but something all of us elected to public office have an obligation to restore.

I know they will work as hard as we will on this side of the House to build on the renewed trust Canadians are showing in Parliament and in the political process.

[*English*]

The steps we have announced today are important. They will go a long way toward guarding against the excesses of the past and making the system more transparent and open.

There can be no substitute for responsibility at the top. The Prime Minister sets the moral tone for the government and must make the ultimate decisions when issues of trust or integrity are raised. That is what leadership is all about.

As Harry Truman put it, the buck stops here. I vow to you, to this House, to Canadians, that I will never abdicate that responsibility. I will never pass the buck.

Of all the lessons we learn in life, many of the most valuable are the ones we learn at a young age from our parents. My father taught me early on that nothing, not wealth, nor social status, nor fame, nor glory, is more important than your good name.

In the end, it is all that we really have. It cannot be bartered or traded. When it is gone, it can never come back. My father's teaching has also been the credo of my political life. For more than 30 years it has served me quite well.

What is true for an individual is also true for a government. We pledge to you and to all Canadians that we will guard our good name with all that we can and that we will not betray the hopes so many Canadians have vested in us.

At the end of the first part of the session, I would like to pay tribute to all members of Parliament.

[*Translation*]

After a long career in politics, and in spite of some pretty tough debates and some pretty exciting Question Periods, I think that is what observers are saying; I would like to thank the Leader of the Opposition and his party—

[*English*]

I would like to say thank you to the Reform Party and its leader. This Parliament has operated a a level that was not known before. It is my duty to thank all members of Parliament, the Leader of the Opposition and the leader of the Reform Party for having helped us to achieve that.

[*Translation*]

I think the finest compliment this Parliament has received since we opened this session in the middle of January was the poll taken by an American firm and reported in the newspapers here in Canada a few weeks ago.

(1020)

A poll was taken in April in the world's nine largest democracies, including Mexico, the United States, Canada, Great Britain, France and Germany. Canadians were the ones who said they had the most trust in their government.

[*English*]

That poll is a compliment to all of us and we should take credit for it. During the campaign when I was trying to get candidates sometimes people were very reluctant to run in politics because of the disrepute unfortunately into which the profession had slipped. Today we have managed to restore the prestige of this institution. It is a credit to all members of Parliament who were elected, whatever their political opinions and options.

Public service is a great calling. Public service is a very honourable profession. A public calling is the desire of all of us to try to make society better for all our citizens. I have been a professional politician and I am very proud of it. I could not have had a better career because perhaps in my riding or travelling in the nation I have been able to do something good, making some progress in the quality of life. Every member of Parliament will have this experience.

I am telling hon. members that when they are alone and they think about it they will feel good that perhaps some people are happier because we have offered our service.

Some hon. members: Hear, hear.

[*Translation*]

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, nothing makes the job of a leader of the opposition who plans to criticize the government more difficult than being complimented by the Prime Minister first.

I would like to start by thanking the Prime Minister and expressing my appreciation for the opportunity he has given this House and Parliament as a whole of joining in consideration of an extremely important issue, the proposed legislation on lobbyists and the tightening up and improving of ethical standards in public life. I fully endorse, I echo, the Prime Minister's remarks just now on the need to maintain and promote respect for our institutions and especially for the institution of Parliament.

Parliament is the ultimate forum where democracy can speak out rationally, respectful of the value of others. It is here that our problems, whatever they are, must be solved, and solved in the right way. To this extent, the steps the government is proposing to take—with the opposition's co–operation, I am sure—to tighten up and strengthen standards of conduct within the federal administration, and on the federal scene, are most welcome.

I want to make clear right away that we fully support the appointment of Mr. Howard Wilson as Ethics Counsellor. We are aware that Mr. Wilson has had a praiseworthy career in the federal Public Service and that we can have every confidence in his ability to take the helm in this matter at a critical time.

Second, we are also fully in favour of the proposed combining of the duties and responsibilities of the Ethics Counsellor. It seems to me that the government is right to want to avoid duplication and to safeguard consistency and greater effectiveness in the implementation of provisions ensuring respect for ethical standards, especially as regards lobbyists.

(1025)

I want to add that we also support—it gets tiring to keep repeating that the opposition agrees with the government—we also support the creation of a joint committee of the House and the Senate to define a code of conduct for MPs and senators, for everyone, in fact, who is not already covered by the existing guidelines, which are, I understand, going to be broadened and tightened up for senior public servants and ministers.

Now we have reached the nub of the matter before us this morning, the Lobbyists Registration Act. During the election campaign the government made a commitment to strengthen controls and improve the Act. The Act was a commendable first step, but it proved in practice to be too weak. A House committee considered the matter for quite a long time, worked hard under the chairmanship of MP Felix Holtmann, and tabled a report last June that found there was a need to change things to improve the Act. The government adopted the committee's proposal, since as we all know the red book promised that its recommendations would be implemented.

First, as far as the Ethics Counsellor is concerned, the powers of investigation attributed to him strike us as appropriate, a step in the right direction. If an Ethics Counsellor can on his own initiative launch investigations as soon as he has reason to suspect that a violation has been committed, that is a step in the right direction. Our examination has been purely preliminary;

naturally as the proceedings on the legislation unfold we will go into greater detail.

I understand that the Ethics Counsellor will be given powers of investigation, so that he will be able to summon witnesses, compel them to testify, and under oath, and that the evidence he obtains in this way will be admissible in court if a criminal offence has occurred. These provisions are more or less the same as the rules of evidence in the case of depositions to commissions of inquiry.

This having been said, I want to go on to some remarks that I think are very important, on the need to improve the legislation, because this bill has some serious shortcomings. I think the government can be persuaded of this. It is the opposition that will have to do this. We will of course have an opportunity to work with government MPs and we think we can persuade the government to change the legislation in a number of ways.

First, the Ethics Counsellor must be appointed not by the government but by the House of Commons. The government should have to submit Mr. Wilson's name to us. We know we will approve, it is not the individual who is at issue, we are committed to supporting his appointment. But the Ethics Counsellor should hold his mandate from Parliament. That would considerably increase his authority, his powers and his ability to intervene directly in anything related to the way government operates.

Remember, this is no ordinary appointment. This is the person who will have the authority to intervene in the way government manages its affairs, in Cabinet ministers' personal ethical conduct vis–à–vis their public responsibilities, even in decisions the Prime Minister might make; the person who will be able to make sure that the conduct of whatever Prime Ministers the future may produce will be consistent with the ethical standards that have been set.

So the person holding this position will be that much more comfortable, and the public will be that much more confident that he will carry out his duties as he should, if he is under the ultimate authority of Parliament. That is why I would urge the Prime Minister to consider the need, as I see it, to submit this appointment to Parliament as a government recommendation to be endorsed by Parliament, so that the Ethics Counsellor would be answerable directly to Parliament.

I do not want to run out of time before I have a chance to discuss two shortcomings in the bill that are, in my opinion, very serious. First, it maintains the distinction between two categories of lobbyists.

(1030)

Reading the Standing Committee's report of last June, it is clear that the fundamental criticism the Committee made of the existing legislation—and there were Liberals on that Committee—was that the distinction between the two levels of lobbyists ought to be done away with, that a preferential system should not be maintained for lobbyists employed by big corporations over professional lobbyists.

The Act distinguishes between firms of lobbyists that identify themselves as such and take ad hoc contracts to make representations to the government and influence decisions, and other lobbyists, known as in–house lobbyists, whose official title might be ''Vice President for Government Affairs'' with a big company, and who might be based here in Ottawa, doing exactly the same work as professional lobbyists.

The existing legislation, which the bill being tabled this morning is supposed to amend and improve, provides that the lobbyists in this second category, the ones who work full–time and on salary for big corporations, do not have the same obligations. And when I skim quickly through the bill, as I said before, the distinction in requirements is still there.

For example, a Vice President for Government Affairs based here in Ottawa and working for a big company, whose sole job it is to lobby on his company's behalf, would not be obliged to divulge what contract he wants to obtain when he meets with senior public servants.

He is obliged to divulge the program and the type of legislation, but the others, the professional lobbyists, are obliged to divulge the contract. People are indicating to me that I am wrong. We will see. It often happens that people tell me I am wrong, but we will see as the proceedings unfold.

A second and I would say more serious, more fundamental shortcoming, is that lobbyists should be obliged, just as they used to be, to divulge the target of their interventions: whom are they going to approach? That way we know the nature of the role they are going to play. The Act simply says they have to divulge the names of departments and government bodies, but it is absolutely essential that they say which minister they are going to see.

Is a particular lobbyist going to see this or that senior government member, who may be in a position to exercise greater influence, for example, because he has something to do with campaign funds? It is important to know these things. It is the very essence of the legislation, it goes to the very heart of its effectiveness and the goal it is trying to achieve, that it should spell out very clearly, much more clearly than this bill does, in any event, the requirement that the individuals, the decision–makers who are going to be approached by lobbyists in the

course of their representations on behalf of their clients, be identified.

So there is plenty of work to be done. We are very pleased that this House has the opportunity to do it. We are going to work closely with other parliamentarians. We are not resigned to failing to convince the government of the need for improvements. I am sure that the government is open to these suggestions and that we will be able to give the people of Canada and Quebec a law that will assure them that there is a group of people in the federal Parliament who are working for their well–being and giving them every guarantee of doing so with the most scrupulous honesty.

[*English*]

Mr. Ken Epp (Elk Island): Mr. Speaker, the right hon. Prime Minister has correctly identified a need for trust in government. We too have found that many Canadians are disillusioned with government and cynical with its processes. But the question I want to ask is whether the statement of the government today is going in the right direction and whether it is going far enough.

Before I comment on the Prime Minister's speech I would like to make a comment on the process that has been going on here with respect to this legislation. I have found it extremely frustrating to try to build the response I am giving now because of the guarded secrecy which has surrounded this issue until today. I challenge the wisdom of operating in secret to this degree especially since the topic of the day is openness.

The Prime Minister has outlined some of the achievements of his government so far. There have been some minor cosmetic changes, some symbolism, but not much substance. The right words are being used but they have not in my opinion delivered anything substantial to this point.

(1035)

The Prime Minister indicates that they have given MPs a larger role in drafting legislation and greater influence over government expenditures. Then he goes on to say that for the first time, MPs debated the budget before it was tabled.

If the question is whether the people of Canada through their elected representatives have power to control government overspending, the answer is a resounding no. We did in fact have an opportunity to speak, but no one heard. We gave many well documented facts and figures and they were ignored.

The government is continuing on its path to increasing debt despite the protests of the taxpayers who can see clearly that this is wrong.

No, there is little here beyond the fluff of correct terminology. There is not yet any substance to a promise of more open, more responsive, and more representative government.

The Prime Minister made mention of the Pearson airport deal. Indeed, this deal stands as a monument to the evil of backroom dealings without accountability. We must commend the government for taking prompt action to bring that deal to a halt, but now what is happening?

The Reform Party moved an amendment to the bill which would require full disclosure of any agreements entered into to terminate the Pearson deal. We felt that Canadian taxpayers should know the amounts paid and the recipients of those payments. Yet every Liberal in this House voted against that amendment, defeating it and preventing Canadians from possibly ever knowing what kind of backroom deals the present government engaged in to bring this project to a halt.

I seriously doubt that the measures being proposed today would have the effect of being able to prevent another deal like the Pearson deal.

The government is proposing to send this bill to committee right away. Hopefully all the members of that committee will have meaningful and substantial input into its final wording and impact. However, I want to remind the members of this House and all Canadians that this process was completed last year and the results of the Holtmann report have not been implemented.

I can only wish and hope that the government will not waste a bunch of time repeating the whole process. The red book promised: ''A Liberal government will move quickly and decisively in several ways to address these concerns about conflict of interest, influence peddling and selling access''.

The response we have today from the government is a beginning. It seems to me that the measures taken are woefully inadequate. We will be watching with interest to see if this committee work will result in a report which will actually be implemented in legislation, or if it will be like the previous efforts, much work for the backbenchers with little or no tangible results. We will be watching to see if the new committee will expand on the work of the Holtmann report and whether the government will implement its recommendations.

I note just in passing that among other things the Holtmann report has one chapter with six recommendations to remove the distinction between tier one and tier two lobbyists. I have not yet seen the bill because of the secrecy I was speaking of earlier, but I was informed just before I came in that this new bill does not even mention distinguishing between tier one and tier two. Maybe it is the lobbying of the lobbyist groups themselves that prevented this from getting in.

The Prime Minister has announced the appointment of an ethics counsellor to oversee and enforce the strengthened Lobbyists Registration Act. Since we know very little about the individual named, it is prudent on our part to wish him well. We will be watching his work with great interest.

Finally, I would like to ask a few questions, not to embarrass the Prime Minister or the government but to challenge them to really deliver what Canadians are expecting.

If the Prime Minister says: ''No goal is more important to this government than restoring the trust of Canadians'', then why is this government spending dollars hand over fist in the Prime Minister's riding for a theme park? Why is this government conducting polls in private, released only when a minister gives approval? Why is this government giving fat advertising contracts to old political buddies? Why is this government continuing to hedge and waffle on the much demanded overhaul of the MPs pension plan? These are items which would produce great leaps in the increase in trust by Canadians in their government.

(1040)

Would it not be better if we had a government in which the members of Parliament were actually empowered to do what they were elected to do, to represent their constituents in a meaningful, effective way?

Would it not be better if all of us who are charged with the responsibility of forming government policy would do as I always do when approached by a lobbyist? I tell them that my constituents, the people who elected me, are my lobby group. I take my direction from them.

* * *

COMMITTEES OF THE HOUSE

HUMAN RESOURCES DEVELOPMENT

Mr. Francis G. LeBlanc (Cape Breton Highlands—Canso): Mr. Speaker, I have the honour to present the fifth report of the Standing Committee on Human Resources Development regarding Bill C–216, a private member's bill standing in the name of my colleague, the hon. member for Restigouche—Chaleur. The committee has examined the bill and has agreed to report it without amendment.

* * *

[*Translation*]

COMMITTEES OF THE HOUSE

OFFICIAL LANGUAGES

Mrs. Pierrette Ringuette–Maltais (Madawaska—Victoria): Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Official Languages.

This first report is intended to be an interim report; we met with 11 witnesses. In September, we intend to meet with many additional witnesses and place more specific emphasis on certain crown corporations that will have to provide information on their programs regarding Canada's official languages.

LOBBYISTS REGISTRATION ACT

Hon. John Manley (Minister of Industry) moved for leave to introduce Bill C–43, an act to amend the Lobbyists Registration Act and to make related amendments to other acts.

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

* * *

[*English*]

PETITIONS

MILITARY MARCHING NAVY BAND

Ms. Susan Whelan (Essex—Windsor): Mr. Speaker, pursuant to Standing Order 36, I am tabling a petition signed by residents of Victoria, British Columbia which the hon. member for that riding has passed along to me.

This petition signed by hundreds of Victoria residents calls for the reinstatement of the Military Marching Navy Band at CFB Esquimalt or the relocation of one of the four remaining military bands.

The petitioners point out that in the absence of the navy band, western Canada will be without a military band as the nearest band is in Winnipeg.

ASSISTED SUICIDE AND EUTHANASIA

Mr. Randy White (Fraser Valley West): Mr. Speaker, I have the privilege of presenting a petition, which I wholeheartedly support, from constituents of Fraser Valley West.

The petition asks that Parliament ensure that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no changes in the law which would sanction or allow the aiding or abetting of suicide or active or passive euthanasia.

YOUTH

Mr. Ronald J. Duhamel (St. Boniface): Mr. Speaker, I have a petition which indicates that most people would acknowledge that young people are the country's greatest asset. Most people would recognize the number of pressures young people have encountered, for example, the breakdown in the traditional family structure, urban decay, youth unemployment, and difficulty in accessing the appropriate education.

(1045)

These petitioners also ask that whatever social policy changes occur and whenever there is a reduction of the deficit including the debt that it must not be without recognizing the realities of these particular challenges to our young people.

[*Translation*]

They also say that job creation must continue to be the government's first priority.

[*English*]

EUTHANASIA

Mrs. Sharon Hayes (Port Moody—Coquitlam): Mr. Speaker, it is my honour, pursuant to Standing Order 36, to present a petition from residents of the Port Moody–Coquitlam area.

The petitioners state they are concerned about the issue of euthanasia. Human life is sacred. Using active measures to bring about the death of an individual would lead to frightening situations in which individuals no longer deemed useful to society could be at risk in the hands of others.

We are against any act of Parliament that would legalize euthanasia.

I am pleased to present this and totally support it.

ETHANOL

Mr. Rex Crawford (Kent): Mr. Speaker, I am honoured once again to rise in the House, pursuant to Standing Order 36, to present a petition on behalf of the constituents of my riding who state an ethanol industry will provide definite stability for Canadian agriculture and the Canadian economy in general.

Whereas ethanol is one of the most environmentally friendly fuels available, whereas Chatham, Ontario was recently selected as the first site for a major ethanol plant, 20 times larger than any in Canada today, creating approximately 1,100 person years of work and contributing an estimated $125 million annual economic impact; wherefore the undersigned petitioners humbly pray and call upon Parliament to maintain the present exemption on the excise portion of ethanol for a decade, allowing for a strong and self–sufficient ethanol industry in Canada.

HUMAN RIGHTS

Mr. Monte Solberg (Medicine Hat): Mr. Speaker, I rise today to present a petition signed by numerous members of my riding of Medicine Hat. The petitioners call upon Parliament not to amend the human rights code, the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way which would tend to indicate societal approval of same sex relationships or homosexuality, including amending the human rights code to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

Mr. Jim Karygiannis (Scarborough—Agincourt): Mr. Speaker, it gives me great pleasure to present a similar petition to my friend's across the way which asks not to amend the human rights code, the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way which would tend to indicate societal approval of same sex relationships or homosexuality, including amending the human rights code to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

Mr. John O'Reilly (Victoria—Haliburton): Mr. Speaker, I have a petition which has been duly certified by the clerk of petitions and is signed by constituents of my riding of Victoria—Haliburton.

The signatures come from such places as Haliburton, Minden, Eagle Lake, West Guilford, Tory Hill, asking that Parliament not approve same sex relationships.

GUN CONTROL

Ms. Bonnie Brown (Oakville—Milton): Mr. Speaker, it is my honour to present a petition which has been duly certified by the clerk and signed by 840 residents of my constituency, Oakville—Milton.

The petitioners call on the government to ban the sale and/or possession of all firearms with the exception of those for duly appointed law enforcement officials and further to amend the Criminal Code of Canada to increase penalties whenever firearms are used.

This petition was initiated by students who attend St. Thomas Acquinas High School in Oakville. I commend their efforts and their participation in the democratic process.

JUSTICE

Mr. Morris Bodnar (Saskatoon—Dundurn): Mr. Speaker, I have two petitions in the same form requesting that section 745 of the Criminal Code which allows a review of parole eligibility on first degree murder from 25 years to 15 years be repealed.

The signatories are from British Columbia, Saskatchewan, Quebec and Ontario.

* * *

(1050)

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Shall the questions be allowed to stand?

Some hon. members: Agreed.

[Translation]

The Deputy Speaker: I wish to inform my colleagues that, pursuant to Standing Order 33(2)(*b*), because of the ministerial statement, Government Orders will be extended 35 minutes.

GOVERNMENT ORDERS

[*English*]

PEARSON INTERNATIONAL AIRPORT AGREEMENTS ACT

The House resumed from June 15 consideration of the motion that Bill C–22, an act respecting certain agreements concerning the redevelopment and operation of terminals 1 and 2 at Lester B. Pearson International Airport, be read the third time and passed.

The Deputy Speaker: Pursuant to an order made Wednesday, June 15, 1994, the House will now proceed to the taking of the deferred divisions on the motion at the third reading stage of Bill C–22, an act respecting certain agreements concerning the redevelopment and operation of terminals 1 and 2 at Lester B. Pearson International Airport.

Call in the members.

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

(*Division No. 58*)

YEAS

Members

Adams
Anawak
Assadourian
Baker
Barnes
Bellemare
Bernier (Beauce)
Bevilacqua
Blaikie
Bodnar
Boudria
Brushett
Bélair
Calder
Catterall
Chan
Collenette
Comuzzi
Cowling
Culbert
Dhaliwal
Duhamel
Easter
Finlay
Fry
Gallaway
Goodale
Guarnieri
Hubbard
Iftody
Jackson
Karygiannis
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint–Paul)
Loney
MacLaren (Etobicoke North)
Maheu
Allmand
Arseneault
Axworthy (Winnipeg South Centre)
Bakopanos
Beaumier
Berger
Bethel
Bhaduria
Blondin–Andrew
Bonin
Brown (Oakville—Milton)
Bryden
Caccia
Campbell
Cauchon
Cohen
Collins
Copps
Crawford
DeVillers
Dromisky
Dupuy
Eggleton
Fontana
Gagliano
Gerrard
Gray (Windsor West)
Harper (Churchill)
Ianno
Irwin
Jordan
Keyes
Knutson
Lastewka
LeBlanc (Cape Breton Highlands—Canso)
MacAulay
MacLellan (Cape Breton—The Sydneys)
Malhi
Maloney
Marchi
Martin (LaSalle—Émard)
McCormick
McKinnon
McLellan (Edmonton Northwest)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Murray
O'Brien
Ouellet
Patry
Peterson
Pickard (Essex—Kent)
Reed
Ringuette–Maltais
Rock
Serré
Simmons
Speller
Steckle
Stewart (Northumberland)
Telegdi
Thalheimer
Torsney
Vanclief
Whelan
Young
Manley
Marleau
Massé
McGuire
McLaughlin
McTeague
Milliken
Minna
Murphy
Nault
O'Reilly
Parrish
Peters
Phinney
Pillitteri
Rideout
Robichaud
Scott (Fredericton—York Sunbury)
Shepherd
Skoke
St. Denis
Stewart (Brant)
Szabo
Terrana
Tobin
Valeri
Volpe
Wood
Zed—134

NAYS

Members

Abbott
Asselin
Bellehumeur
Bergeron
Bernier (Mégantic—Compton—Stanstead)
Breitkreuz (Yellowhead)
Brien
Bélisle
Caron
Crête
Dalphond–Guiral
Debien
Deshaies
Duceppe
Duncan
Fillion
Gagnon (Québec)
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hayes
Hill (Macleod)
Jacob
Kerpan
Langlois
Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)
Leroux (Richmond—Wolfe)
Marchand
Mayfield
Meredith
Nunez
Plamondon
Péloquin
Ringma
Sauvageau
Silye
St–Laurent
Strahl
Tremblay (Rimouski—Témiscouata)
White (Fraser Valley West)
Ablonczy
Bachand
Benoit
Bernier (Gaspé)
Bouchard
Breitkreuz (Yorkton—Melville)
Brown (Calgary Southeast)
Canuel
Chatters
Cummins
Daviault
de Savoye
Dubé
Dumas
Epp
Forseth
Gauthier (Roberval)
Grubel
Guimond
Harper (Calgary West)
Harris
Hermanson
Hoeppner
Johnston
Lalonde
Laurin
Lebel
Lefebvre
Loubier
Martin (Esquimalt—Juan de Fuca)
Mercier
Morrison
Picard (Drummond)
Pomerleau
Ramsay
Rocheleau
Schmidt
Solberg
Stinson
Thompson
Venne
Williams—84

PAIRED MEMBERS

Anderson	Chrétien (Frontenac)
Dingwall	Godin
Hickey	Leroux (Shefford)
Paré	Proud
Tremblay (Rosemont)	Ur

(1120)

[*Translation*]

The Deputy Speaker: I declare the motion carried.

(Bill read the third time and passed.)

[*English*]

Mr. Harb: Mr. Speaker, I rise on a point of order. I just want to ensure that the record shows the reason I did not vote was that I did not arrive at my seat on time. Had I arrived on time to vote, I would have voted with my party without hesitation.

* * *

[*Translation*]

CANADA STUDENT FINANCIAL ASSISTANCE ACT

The House proceeded to consideration of Bill C–28, an act respecting the making of loans and the provision of other forms of financial assistance to students, to amend and provide for the repeal of the Canada Student Loans Act, and to amend one other Act in consequence thereof, as reported (with amendments) from the committee.

SPEAKER'S RULING

The Deputy Speaker: Colleagues, there are three amendments on the *Notice Paper* concerning the report stage of Bill C–28, An Act respecting the making of loans and the provision of other forms of financial assistance to students, to amend and provide for the repeal of the Canada Student Loans Act, and to amend one other Act in consequence thereof.

Motion No. 1 will be debated and voted upon separately.

Motion No. 2 will be debated and voted upon separately.

Motion No. 3 will be debated and voted upon separately.

MOTIONS IN AMENDMENT

Mr. Antoine Dubé (Lévis) moved:

Motion No. 1

That Bill C–28, in Clause 3, be amended by replacing lines 34 to 46, on page 2 and lines 1 and 2, on page 3, with the following:

''3.(1) The appropriate authority for a province may designate as designated educational institutions any institutions of learning in or outside of Canada that offer courses at a post–secondary school level, or any class of such institutions.''

He said: Mr. Speaker, the first amendment moved by the Opposition is meant to improve the bill so that it will become slightly more acceptable to Quebecers and to all Canadians, particularly to young Canadians.

(1125)

Mr. Speaker, you have already read the motion but I think a second reading would be welcome since all the commotion following the vote made it hard to hear.

It is being proposed that clause 3 of the bill be amended by replacing lines 34 to 46, on page 2, and lines 1 and 2, on page 3, with the following:

''3.(1) The appropriate authority for a province may designate as designated educational institutions any institutions of learning in or outside of Canada that offer courses at a post–secondary school level, or any class of such institutions.''

We have moved this amendment because the other amendment made by the bill was divided into two sections whereas, in our view, it defines the role of the appropriate authority for a province.

We would have preferred by far the old section in the existing act where, for the purposes of the present act, the appropriate authority was defined as a person, an organization or any other authority designated as such by the Lieutenant Governor in Council of the province.

Unfortunately, this was defeated in committee. But it is most appropriate to highlight the change it has brought. Until the bill is enacted, designation of the appropriate authority is made by the Lieutenant Governor in Council of the province concerned, that is by the province's Minister of Education.

What is new here is that the designation would be made by the federal minister designated by the Governor in Council. It says ''the Minister'' because ministerial structures are undergoing so many changes that it is preferable not to say which minister. But, in this case, it is the Minister of Human Resources Development.

This means that, ultimately, our federal Minister of Human Resources Development will become almost a federal minister of education. I wish to remind this House once more—as I did during first reading—that, under the Constitution, education is an area of exclusive provincial jurisdiction. It is important to keep this in mind.

What in fact have we just learned? That the appropriate authority for the province will be designated by the federal minister in order to accomplish two things essentially: first, to designate or not to designate post–secondary institutions in or outside of Canada and, second, to deliver eligibility certificates to students entitled to federal financial assistance.

In my view, designating institutions and delivering eligibility certificates are definitely two educational matters, the responsability for which normally belongs to the provinces.

It is becoming increasingly clear that there are two nations in this country. Some provinces do not mind much that a federal minister would be responsible for educational matters. However, education is very precious to Quebec as it is at the very root of the development of our culture and our identity. We are witnessing another attempt by the government to interfere in an area of provincial jurisdiction.

(1130)

I would like to remind the House that, during the election campaign, the Liberal members and the Prime Minister himself said that they would not talk about the Constitution. This was reassuring for some maybe, but what is happening in reality?

They say they do not want to talk about it, but they are almost changing the Constitution through administrative agreements, by increasing the role of a federal minister in the field of education. As far as the Official Opposition is concerned, we would have preferred them to talk about the Constitution and we would have hoped that the present government would not go against the spirit of the Constitution, at least in the field of education.

How must we interpret such a strong desire on the part of the federal government, on the part of the Minister of Human Resources Development, for that minister to be the one who designates the appropriate authority from now on? There is a connection with the employment and learning strategy that he himself announced on April 15, and student loans can now be seen to be the fourth element of that strategy.

This is the first piece of legislation put forward by the government which relates to this employment and learning strategy. That is a new term, a play on words: learning is essentially education. We believe that behind this aspect of the strategy—and this is reflected in the press release—the government is barely hiding the fact that it wants to impose on the provinces national, meaning Canadian, standards of education.

From Quebec's standpoint, from the Official Opposition's standpoint, that is unacceptable. For us, what is national applies to Québec, to the nation of Québec, and the concept of ''Canadian standards'' flies in the face of the attachment of the people of Québec to their culture, to their education. That is why the members of the Committee, with the help of other members, fought relentlessly against this will to centralize.

But, since there are only a few hours left, we have to recognize that we failed to make the government back down. I would like to point out other centralizing initiatives. There is the one that I have just talked about, but there is another one. The federal government not only interferes with provincial jurisdictions, it gives itself increased discretionary authority, an authority which is almost without precedent in that a minister will be able to intervene, to manage by regulation. And that is quite important because we see what role he has in mind for the appropriate authority.

The second amendment is also about this, but the appropriate authority will play a key role and it will be completely controlled by the minister himself without any right of appeal. At least, the bill makes no mention of a right of appeal. Maybe the regulations will, but when one makes a law, one must foresee all the possibilities, even changes of minister, even changes of government.

In a democratic society, a law must be as clear and precise as possible, especially in areas like education, which lends itself to conflicting interpretations, to hesitations, to pulling and tugging, all of which is detrimental to both levels of government.

(1135)

I think that Quebecers and Canadians—when the Prime Minister was saying that he did not want to hear any talk about the Constitution, that was not quite it—want to avoid duplication, having two governments that want to do the same thing in the same fields, when there is so much to be done in terms of jobs and economic development.

We see a government that wants to reduce its funding in the fields of health care, social services, education and postsecondary education. Yet, while it is reducing its financial contribution, it is increasing its desire to control, its desire to run everything from Ottawa, in a field that Quebec jealously guards: education.

Education is a major portfolio, it is important in defining an employment strategy, it is important for the future of young people and for the entire community.

[*English*]

The Deputy Speaker: The Parliamentary Secretary to the Minister of Human Resources Development. I should make it clear that the debate is to complete Motion No. 1. Then we will go to Motion No. 2.

Mr. Maurizio Bevilacqua (Parliamentary Secretary to Minister of Human Resources Development): Mr. Speaker, I listened with a great deal of interest to the hon. member from the Bloc Quebecois.

I heard many of the arguments and points which he raised during his intervention at the committee. I must say that the comments at times steered away from the content of the amendment which he was making. He spent a great deal of time talking about the constitutional impact of the changes to the Canada student loans. It is unfortunate that the members of the Bloc Quebecois cannot appreciate the fantastic results we have received in co–operating with the province of Quebec for over 30 years in providing important financial aid to students.

Regardless of where they come from, whether it is the province of Quebec, Ontario or British Columbia, they have definitely been given access to much needed funding so that they may complete their education and give great strength to our country.

I suggest to the hon. member that the best indication as to how the provincial governments feel about this legislation can be found in statements that have been made by various ministers or their representatives in the last few days, not in hypothetical statements made by the Bloc Quebecois.

First, let me say that Mr. Chagnon, minister of education for Quebec, on June 9 answered the following to a question by the Parti Quebecois on whether Bill C–28 will force national standards in education on the provincial government of Quebec: ''La réponse est non''.

I think that is fundamental to the debate. I do not wish to engage in a merely political discussion when there are thousands of students waiting for this government and this House to act on this very important piece of legislation.

I want to go specifically to the point raised in the hon. member's amendment. This amendment does not make much sense. It would leave the program without an appropriate authority at the provincial level for purposes of assessing and according aid to students and designating eligible institutions. That is quite clear from the hon. member's amendment.

It is my belief that students need some assurances that they will be able to gain access to the aid that is available under this legislation.

(1140)

I remind hon. members of the Bloc that provinces have played a critical role in the administration of federal students' assistance program. We expect the provinces to continue to act as the appropriate authority for the purposes of assessing students needs, according aid and designating eligible institutions.

At the same time, both levels of government are actively exploring ways to improve services to students and streamline the administration of student assistance programs. A number of provinces even during committee here signalled their interest in harmonizing both the administration and financing of student aid. Such initiatives are extremely important. They will reduce overlap and ensure greater value for our funding.

In this regard several provinces have indicated an interest in looking at different machinery for delivery of provincial and possibly federal aid. This could entail assigning the administration of the program to a third party other than a provincial student aid office. As well there is interest in streamlining the process of designating foreign institutions for purposes of the federal program. Currently over 4,500 international institutions are designated.

This is very labour intensive and maintaining up to date information is extremely costly. One approach would be to establish a broadly representative entity with the necessary expertise that could undertake this task in respect of student aid programs generally. For example, a mechanism such as the Canadian Information Centre for International Credentials which is jointly funded by the CMEC and the federal government could serve the interests of both levels of government in this regard.

The centre brings together representatives of provinces, the AUCC and the ACC and it might be appropriate to expand its role in this regard.

For these reasons we have provided the necessary flexibility to allow for different types of machinery at the provincial and federal levels. Of course, we intend to continue to work in close collaboration with the provinces. The Canada student loans program is an example, a model example, of how the federal government can work together with the provincial governments and deliver a very important service to Canadians.

This view is widely shared by the provinces. I was very pleased to hear senior provincial representatives who appeared before the committee speak positively about the program and speak positively about the partnership that this program has allowed our federal government and the provincial governments to participate in. This type of collaboration is an example to all federal–provincial governments as to how federal and provincial governments can in fact work together.

Everyone we spoke to basically said to go ahead and push this legislation through. It has many positive features. It is necessary for those students who are waiting for our help. This legislation also takes extremely positive measures, whether you are looking at deferred grants, the help it gives to part time students, women pursuing doctoral studies, or high need students. Not only is it good legislation, it is progressive legislation. It brings in middle class families that have in the past been shut out of the Canada student loans. They may have over $2,000 available.

(1145)

A person benefiting from a deferred grant with a debt load at the end of a four–year BA of $22,500 now will have the debt load reduced by $6,000. That speaks to the type of legislation this is. It speaks to the progressive nature of this legislation.

For all these reasons this motion obviously should be defeated.

Mr. Monte Solberg (Medicine Hat): Mr. Speaker, I rise to speak against the motion.

My remarks will be quite brief. The hon. parliamentary secretary has said quite a bit about some of the reasons why this motion should be defeated.

I was very conscious of ensuring that the rights of the provinces were looked after when this legislation came into the House. I looked quite closely at this clause to ensure that the rights of the provinces were not being infringed upon. I reviewed the transcripts from when provincial officials were before the committee to see what they had to say about this clause and about the possibility of any infringements. I placed phone calls to provincial officials to ask them if they were concerned about this. In every case they said they were not.

I believe they used their provincial jurisdiction and delegated their authority to the federal minister in this case because they were confident they could have that authority back at any time. They do have the protection of the Constitution in this matter.

There are many problems with this bill and there are some good things about it, to be fair, as well. I do not believe that this clause that the Bloc Quebecois is concerned about is one of the problems. There are many other things that we can be greatly concerned about, but this is not one that we need to worry about.

I will conclude my remarks by saying that we will be speaking later on about some of the problems with this bill. At the end of the day, however, you will find we support this bill, but at this moment we will be speaking against and voting against the motion put forward by the Bloc Quebecois.

[*Translation*]

Mrs. Francine Lalonde (Mercier): Mr Speaker, I would like to say as an introduction to this bill—although it includes an opting–out provision that we shall discuss later in a third amendment and that has become extremely finicky and departs from what has been the spirit of this type of legislation since 1964—that as Official Opposition we worked very hard to keep one thing in this bill. Some people might say it is not the most important thing, or our business, but we wanted to do our job as Official Opposition. We wanted to stress the historic change of replacing appointment of the appropriate authority by the provinces with direct appointment by the federal minister, with no compulsory consultation of the provinces.

This bill was introduced late, and as a result the legislative process has been speeded up.

(1150)

Although the hon. colleague who spoke before me said that he had consulted—and we know he carried out consultations; so did we—it is not all that clear that the provinces know their rights, for the plain and simple reason that in this bill they have only one right left, one single right, and that is the right to opt out.

Aside from opting out, any initiative or power in this matter, which is extremely important to education, belongs to the federal minister, and we shall see in the second amendment that the minister has even been given an amount of latitude that is rare, not to say unheard of, in a piece of legislation.

Why, in order to establish the co–operation between the provinces and the federal government mentioned by the parliamentary secretary, must the federal minister take the place of or decide in this bill to take the place of the provinces? Some people in Canada may think—and we saw this in committee—that education must become an area of shared jurisdiction. Of course, everyone made an exception for Quebec, which would always oppose that notion with all its might. And it is understandable that, in light of economic imperatives and the importance of education to a country, some people might think that way.

But let us debate this issue for what it is. It does not concern only the provincial minister of education who is left dangling; I think it concerns Canadians, because —and maybe this is becoming the case—unless the provinces of Canada are just administrative authorities with no real power of initiative, education, their field, has to be of concern to them.

Why do we find it so dramatic that the appropriate authority will now be appointed by the federal minister and not by the province? Because, elsewhere, this bill addresses only relations between the minister and the banks, in broad terms; but students—and I shall come back to this point later—despite the good intentions listed by the minister, nowhere does the bill mention any obligations to students. Nowhere! And if we look at the budgets, there again, nowhere is there any mention of students: between last year's budget and this year's budget, after all the terrific promises that were made to us, how much of an increase is there? A million dollars for the whole of Canada! Congratulations! What openness!

Where is the extra money, the stuff that promises are made of, going to come from? Where? The banks are supposed to go and get that manna from graduates, that is where; there is no money anywhere else. At none of the hearings did I hear that there was any money anywhere else; there certainly is none in the budgets.

So I come back to my question: why is it so dramatic that the appropriate authority will now be appointed by the federal minister instead of the provinces? Because the appropriate authority has essentially two powers; including that of designating institutions, as my colleague said earlier. What does a designated institution mean for ordinary people? It simply means that Queen's University cannot accept students who qualify for scholarships unless it is designated by the appropriate authority.

So we can see the decisive importance of designation. We could say, ''But does not that go without saying? Come on, what university could lose its designation?'' Well, Mr Speaker, let me tell you that the Association of Universities, which may have the right to an opinion here, is extremely worried by the very next provision, which provides not only that the minister may appoint the appropriate authority to designate, but also that that appropriate authority, reporting directly to the federal minister, is empowered to revoke designation.

Now, the universities told us that they have been threatened for a long time that if they do not participate and do not know how well students actually pay back loans, if their rate of defaulting on loans is too high, they could lose their designation.

(1155)

And what could the province do in that case? Nothing. It is the federal minister—as if that person did not have enough to do with that immense department that accounts for nearly half of federal government expenditures—it is the federal minister who, in the end, will consider the case.

There is another worrisome aspect to the bill. If I were speaking on behalf of another Canadian province, it seems to me that I would be saying exactly the same thing. Where designation is concerned, is it to ensure effective co–operation among the various provinces, which are responsible for education, and I shall speak—How much time do I have left? Three minutes?

Why is it assumed that the provinces cannot co–operate except under the appropriate authority? They will no longer be equal; they will be subjected to the authority of the minister. People may say, ''Oh, but there is no bad faith on the part of the minister; the minister is going to consult''. Sure. I can already hear my hon. colleague telling me that, with characteristic flair. But you do not draft legislation for the incumbent minister. You draft legislation for as long as it lasts. There have been two acts since 1964, so you can guess that this one, too, will last for some time.

The provinces have only one right left, one single right, and that is the right to opt out.

I want to return to the appropriate authority. That authority can designate and revoke designation, but it also has an extremely important power, the power to determine which students will qualify for loans. That, too, is important.

Which students will qualify for loans? According to which criteria? We read:

12.(1)(*a*) to have attained a satisfactory scholastic standard;

If the student has ''attained a satisfactory scholastic standard'' and, obviously, if the student needs the money. Whether the student has attained a satisfactory scholastic standard is clearly an institutional matter; but, what is more important, the use of this provision can have a decisive influence on all degree courses at every institution and every university.

I must say that there has not been much of an uprising in Canada in the face of that provision, although Canada is a big place for an uprising. People have not read it carefully; they have not looked at it carefully; they trust the minister. That provision is eminently dangerous.

To the fact that the minister has been given latitude to appoint the appropriate authority—and of course we would have liked to retain the former wording, the wording of the present act, which—not this new wording— until it is amended, is still the current act and the one we shall defend—I add the fact that the minister can also appoint a bank, a financial institution. In committee, it was very clear that a financial institution could decide whether the student has attained a satisfactory scholastic standard.

People may say, ''No, no, that is not the ministers intention''. But there is nothing in the bill to prevent that from happening.

We could not ignore this extremely important provision. It is easy centralization because it is about student loans; however, it indicates a worrisome trend, not just for Quebec, which I hope will settle that problem once and for all, but for the provinces in general.

I suspect that, even without Quebec, Canada will be talking about the Constitution again.

(1200)

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

Some hon. members: Agreed.

Some hon. members: Nay.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Deputy Speaker: In my opinion, the yeas have it.

And more than five members having risen.

The Deputy Speaker: Pursuant to Standing Order 76(8), the recorded division on the motion stands deferred.

Mr. Paul Crête (Kamouraska—Rivière–du–Loup) moved:

Motion No. 2

That Bill C–28, in Clause 4, be amended by deleting lines 18 to 26, on page 3.

He said: Mr. Speaker, after having worked on this bill in committee for several days, we have finally reached the report stage at which time we can propose improvements in the hope of convincing the House that such improvements would give us a clearer piece of legislation which could survive many years without being called into question.

Similar in spirit to the previous amendment, this amendment would ensure that the minister, who in clause 3 may designate for a province an appropriate authority, will not have the power to muzzle the appropriate authority. Perhaps as a result of the previous vote this will no longer be the case, but the basis for this amendment being moved is that this provision of the bill will not be amended. The portion of the clause that would be deleted reads as follows: ''The Minister may give directives to any appropriate authority respecting the exercise or performance of any of its powers, duties or functions under this Act or the regulations, and such directives are binding on the appropriate authority''.

Since the legislation must provide for all possible situations that could arise, it is possible that in a given situation, the directive given by the minister would be unacceptable for some legal reason to the appropriate authority. The fact that the proposed legislation gives the minister the right to compel the appropriate authority to comply with his directive is tantamount to saying that the appropriate authority is not needed because he would have to implement any decision taken by the minister.

The clause in question states that the minister designates and gives directives to the appropriate authority and that these are binding on him. In our view, deleting lines 18 to 26, as proposed in the amendment motion, would remove the sword of Damocles that is being waved over the heads of the designated appropriate authorities and would give them a minimum degree of flexibility to be effective. Clearly, this piece of legislation, as was the case with the previous student loans legislation, applies more to the other provinces than to Quebec which is the only province to have opted out, or the Northwest Territories. Our duty as legislators is to ensure that the legislation is the best it can be.

(1205)

While Quebec will certainly continue to exercise the right to opt out—because in Quebec, we have developed an entirely different system, we have a completely different approach to student loans—and continue to do its own thing, legislation is needed and, in the provinces which will be governed by it, this legislation must be administered correctly, honestly and effectively.

In committee, serious work was done and a number of amendments were proposed, some of which were adopted, thus improving the legislation.

I think it is important to note also that in that respect, we end up in a rather symbolic situation at the same time. The hon. member inquired earlier as to where the money came from. Ultimately, grants and bursaries in Quebec are financed by the program, through exchanges between governments. But in fact, it has never been denied that Quebecers' tax money ought to come back to them in the form of grants and bursaries, under a program managed by the province, as this has become the practice, and Quebec has demonstrated that it has the expertise required to grant loans to its students.

In this case, as far as the designation of the appropriate authorities is concerned, we believe that in the spirit of the Constitution and its provisions on jurisdiction, the bill could have provided that the provinces have the authority to appoint them and to delegate this authority to the federal government if they so please, which could have been the case in nine provinces out of ten. A wording along these lines would have avoided infringing upon provincial jurisdiction, which we end up doing with this bill with I must say some contempt for the authority of the provinces. That is what motivated the amendment I have moved.

Seeing that infringement is to be expected, as legislators, we want to make sure that these authorities will retain a minimum of leeway as we move from the old provisions under which the government of each province designated the appropriate authorities to new ones whereby the federal minister will designate the appropriate authorities for each of the provinces. If we cannot persuade the government to change that, let us at least make sure that, as far as the performance of their duties is concerned, these authorities retain some leeway, because the minister might decide for example to sign agreements with banking institutions which could affect the student loan and bursary system, and the authority representing a province may feel this decision was not the most appropriate.

I can give you a specific example: francophone and Acadian students in all provinces of Canada except Quebec asked that caisses populaires be formally identified as banking institutions that could be accredited for loans and bursaries by the government. In a situation like that, one province, for example, could realize that the minister would sign an agreement with only one bank for all of Canada; then the authority in the province might say: ''That is not how we want it to apply here and we have some suggestions for you, Minister''.

Theoretically, as it is now written, the minister can impose it and the appropriate authority cannot even challenge the decision. This means that even if a provincial government held hearings on loans and bursaries because it considered opting out, for example, those designated as appropriate authorities could receive a notice from the minister that they are not allowed to testify at the hearings.

(1210)

In the bill as it now reads the minister has indeed too much authority in his spheres of activity, and even more so when past experience is considered, especially in Quebec, which has opted out.

We also considered—because we must always look at the laws regardless of the individuals who apply them and a long–term view—we want to ensure that we will not have a recurrence of what has happened in many other fields, a sort of competition between governments. For example, if the program of a province that wants to opt out is not what the federal minister wants, he might try to override the province, and his power over the appropriate authority would be one way he could control the situation, perhaps to the detriment of the provinces concerned.

That is why we consider it important to support this amendment.

[*English*]

Mr. Maurizio Bevilacqua (Parliamentary Secretary to Minister of Human Resources Development): Mr. Speaker, I am somewhat perplexed by the comments of the opposition, particularly as they relate to federal–provincial relations.

My recollection leads me to believe that the provinces are quite happy with the program. They look forward to participating as they have for almost 30 years. If I may quote the minister from Quebec on May 10, he said:

[*Translation*]

''It says in this bill that the option taken by Quebec in 1964 to create its own student financial assistance network, that is, a loan and bursary system in place since 1966, will be protected''.

[*English*]

It is very clear there is a great deal of support from the province of Quebec to continue with the type of effective partnership that has existed with the federal government.

Since I need to bring evidence to the floor of the House of Commons, I should like to quote the minister of education for the province of Nova Scotia, John MacEachern, who wrote to the Minister of Human Resources Development on May 4: ''I believe that the development and implementation of the youth employment and learning strategy, which includes the reform to student loans, will assist our young people in their success in today's labour market. Thank you for the opportunity to share my views on the initiatives under this strategy''. That is a very strong endorsement from the province of Nova Scotia.

Lastly I refer to the representation made by representatives of the New Brunswick and Alberta governments who kindly answered the invitation to all provinces to appear before the standing committee on HRD. Mr. Smith from New Brunswick responded to a question by the member for Mercier on whether the bill was an intrusion into provincial jurisdiction.

[*Translation*]

''Really, because all New Brunswickers expect the other governments to agree on how to serve this student while keeping additional costs to a minimum''.

[*English*]

He added that the federal–provincial agreements provided for in the bill, as well as the enhanced administrative and technical co–operation, would lead to a further guarantee of continued federal–provincial co–operation with respect to designation of authority.

(1215)

This is what Mr. Hemmingway from Alberta commented. I think one of the problems we have today in relation to the federal loan program is discrepancies between and among provinces with respect to which institutions may be designated. I know that the federal concern has been that given it is a national program, benefits should be reasonably equal across the country. We are presuming and it is our understanding that we will have a great deal of input in developing the designation criteria that will be put in place and that those criteria would be negotiated on an ongoing basis between the two levels of government.

To me what this legislation clearly indicates is that if there is one single group of people against this legislation it is the members of the Bloc Quebecois.

I want now to return to the specific issue, the specific motion. We as a government are committed to providing consistency and fairness under our student assistance program. The amendment presented would repeal subsections 42 and 43 of the bill which provide the minister with the flexibility to establish policy directives.

I think if we are to look at this in a very clear and rational way there is nothing wrong with the federal minister's having something to say about a federal initiative, a federal policy. There is absolutely nothing wrong. It is within his right. It is his duty and obligation to make sure he has something to say about the policy initiatives, the policy direction under this particular act.

I fail to understand, and I have spent a great deal of time trying to figure it out, exactly what the opposition is saying and trying to follow a logic of the opposition. Perhaps the problem is not one of logic. Perhaps the problem here goes above and beyond that. It is a question of vision.

For the moment I am not going to engage myself in a constitutional discussion. The reason I am debating today is that there are hundreds of thousands of students who are awaiting this program, provinces awaiting this program, part time students, students with disabilities, women who want to pursue

doctoral studies, students who have been victimized by a heavy debt load. This is the issue we are debating today.

It is for this reason that I simply cannot support the amendment as proposed by the Bloc Quebecois.

The government must be in a position to ensure that the policies which are developed are applied consistently across the country. It would appear that the opposition is not overly concerned about treating students fairly throughout Canada because of its own political agenda.

(1220)

On behalf of the thousands of students who are awaiting this program, the thousands of students in need who want to acquire the skills to be competitive, to acquire the life skills necessary to meet the challenges of the new economy, to acquire the education that is part and parcel of life today, as we live through a learning continuum, as we engage in life long learning, it is fundamental that we support these students. It is for that reason that I will not be supporting the motion presented by the Bloc Quebecois.

Mr. Monte Solberg (Medicine Hat): Mr. Speaker, I rise to oppose this motion of the Bloc Quebecois.

It seems to me that the provinces have spoken with one voice on this issue. They had a chance to speak up on Bill C–28. They came before the Standing Committee on Human Resources Development to talk about this piece of legislation. In every case they suggested they will go along with this legislation and that they are in support of it.

We cannot start giving carte blanche to provinces including Quebec simply because the members down the way demand it. We must be respectful of what the provinces are saying. Quebec has indicated it is quite comfortable with this piece of legislation. The people in Alberta are happy with it, the people in the maritimes are happy with it.

I do not really understand the paranoia down the way. I can only assume that there are other reasons for this motion coming up than the ones stated.

Having said that, we cannot support this motion. We will be saying more down the road about some of the problems inherent in Bill C–28.

[*Translation*]

Mr. Antoine Dubé (Lévis): Mr. Speaker, I am surprised by the Reform Party's reaction. They did not argue very long against this amendment, that I will read since it is important to understand the situation.

I will not read the amendment as such but what we wanted to delete:

> The Minister may give directives to any appropriate authority respecting the exercise or performance of any of its powers, duties or functions under this Act or the regulations, and such directives are binding on the appropriate authority.

That is a good example of the co–operative federalism the parliamentary secretary referred to earlier. A partnership where everything seems to happen in harmony and in a climate of good understanding. If that were true, the minister would not have to include such provisions in this bill.

Let us try to figure out the minister's intentions. First possibility, when they say they want to add that ''such directives are binding on the appropriate authority'', does it mean that, in the past, appropriate authorities in the provinces did not follow directives or that the student financial assistance system did not work well? I am not talking about Quebec but about the other provinces, because Quebec had exercised the right to opt out, which it wants to preserve.

The fact that they felt the need to include ''such directives are binding on the appropriate authority'' in the bill, being very strict and everything when it should go without saying, suggests that there are many problems.

I see my colleague from Louis–Hébert, a former teacher, and I give him an example. It is like saying to a young person that under school regulations, smoking is strictly prohibited. And then adding: ''Thinking of smoking is strictly prohibited''.

(1225)

They enact regulations upon regulations, which are binding on the authority. When have we ever seen that in a bill? I have read a number of them, more in Quebec than here, but it is very rare. I think it should go without saying. It shows an incredibly authoritarian mentality. The parliamentary secretary talks about partnership and co–operation. I will remind him of certain facts.

Regarding this year's reform of social programs, the minister has postponed his action plan two or three times because the provincial ministers did not agree with him on the agenda. What a good example of co–operation! They cannot even agree on what to include in the agenda because the provinces are so suspicious.

Another example of co–operation is a National Assembly resolution on job training, which was passed unanimously on April 15, I think, telling the federal government not to meddle in education and training matters in Quebec. Even Premier Johnson, a stauncher federalist than his predecessor, voted for this resolution. What a good example of co–operation! Everything is going awfully well with people working in harmony. Only Bloc members see problems.

I just said that it is not only the Bloc members but also all members of Quebec's National Assembly, including those in the Liberal Party, the sister party of the federal Liberals. There should be harmony, yet motions are adopted unanimously in the National Assembly. There should be another solution, as having such an item on the agenda speaks of a lack of confidence. The

past is often a harbinger of the future. Things happen, but why? Always because of the centralizing will of the federal government in an area in which it has no jurisdiction under the Constitution.

Government members are surprised at the Bloc members' reaction. Bloc members complained to the standing committee studying the bill. We insisted on seeing the regulations because the legislation was vague in many respects, and, without a right of appeal, the Minister has a lot of power. We were finally given an overview. I would like to underline here that regulations can stipulate that appropriate authorities may sign entitlement certificates, designate educational institutions, sign entitlement certificates regarding registration confirmations, and so on. It goes a long way.

Confirmation that a student has registered at a university or college is not a national objective. We are now dealing with registration. The borrower signs the entitlement certificate concerning the loan application, the contract—All we got to see was an overview, not even the real regulations.

Other than being excessively centralizing, this bill reflects a will to encroach on provincial jurisdiction. There is a double centralization, but this time from the Minister of Human Resources Development, who wants to control and manage things, through appropriate authorities who are being told in advance that they have to agree to everything the minister says. This is co–operation! How modern can you get? This is unheard of.

(1230)

This is a power over which the House of Commons and its members would have no control, since it would be delegated to the federal Minister of Human Resources Development. We are concerned by that and this is why we are trying so hard, while there is still time, to convince the members opposite to change their mind on this issue.

We want to convince them before it is too late. The minister gave examples of co–operation and he read a statement from the education minister in Nova Scotia. For those who are not aware of that, three provinces previously benefitted from a trial agreement which served as a basis for this bill. The parliamentary secretary mentioned Nova Scotia.

Yet, based on testimony heard by the Human Rights Development Committee, and I attended every single meeting and consultation of that committee, it appears that Nova Scotia is the worst possible example one could provide, according to the students, because there is a lot of concern in Nova Scotia at present.

The parliamentary secretary also mentioned Alberta. I do not have the newspaper article with me but, yesterday, it was mentioned that many students are worried there as well. Students are concerned about the reduced financial assistance provided by the provinces. They are also concerned about the financing of post–secondary education. And they are concerned about something else too. It is all very well to raise the loan ceiling and bring in scholarships. Indeed, there are some good provisions in this bill, including for part–time students, for single mothers and for others as well, but what we oppose is the government's will to centralize. We object to this show of authority.

Mrs. Francine Lalonde (Mercier): Mr. Speaker, this bill which does not surprise my colleague on this side of the House and which was praised by the member opposite, to whom I will answer a bit later, contains some gems that we can smile at, once we get over our anger, which we can never do completely. It includes a very rare provision. When asked, before the committee, if such a provision was usually found in bills, the legal counsel answered that he did not remember ever seeing one like that, which was, in any case, very rare.

The minister now has the power to designate. He refused to let the provinces continue to exercise their power enshrined in the Constitution and reaffirmed in federal acts since 1964. The minister changes the whole process, but there is more. He is afraid that the appropriate authorities may be influenced by the provinces. So, he expects strict obedience from the appropriate authorities, as we can see in one provision which says: ''The Minister may give directives to any appropriate authority respecting the exercise or performance of any of its powers, duties or functions under this Act or the regulations, and such directives are binding on the appropriate authority''.

(1235)

There is a third issue here which is also very important: the Statutory Instruments Act does not apply in respect of directives given under subsection (2). Hence, these directives will not be published in the *Gazette*.

So, this provision shows you the spirit in which the bill was drafted. The minister is going from one extreme to the other in his relations with the provinces. We have here a situation where the province, under a federal act, is recognized as the appropriate authority since it has jurisdiction over education. Not only is the minister saying: ''From now on, I am the one who decides'', but he also intends to follow through. He says: ''Not only will I be designating the appropriate authority, but it better not let itself be influenced by a third party, because my directives prevail''. After all, his directives are binding.

You can see, Mr. Speaker, how the appropriate authority will be free, under these circumstances, to exercise its power, as long as it follows the minister's directives. There is something funny in this bill. In every other piece of legislation, the appropriate authority is defined. In this one, the legislator must have forgotten to do so, because he says the directives are binding on the appropriate authority. In other words, the appropriate

authority has now become merely an authority which is never mentioned in the bill, except under appropriate authority.

Thus, the fact that this appropriate authority has now become merely an authority speaks volumes about how they see the relationship with the provinces and one must have a great sense of humour or be generous enough to say, as does the hon. secretary, that this bill will ''enhance co–operation''. The provinces are left with a single right, that is the right to opt out. Otherwise, not only is the appropriate authority designated by the Minister, but the Minister's directives are binding on the appropriate authority which has now become merely an authority.

These directives apply to all the powers provided in there. There are well–known powers, but there is also a power to make regulations that I have not seen elsewhere—but I am not familiar with all the statutes. Also, to improve the act, they even had in some cases—and it is somehow contradictory, but this was the only way to proceed—they even had to try to increase this power to make regulations, since neither the provinces nor the students have any rights and the minister has no obligations, only some powers and an authority. This sums up rather well what this bill is all about.

Thus, when the parliamentary secretary says that hundreds of thousands of students are anxious to know the results of our work, he has got an absolute nerve! And there are several reasons for this. First, there is already a system in place. An act already exists. Second, they introduced this bill only two weeks ago although they have had it for some time now! Third, despite the minister's generous intentions, there is in the estimates, as I said, only $1 million more for all Canadian students this year. Wonderful!

So, how is the minister going to keep his promises? He is relying on the banks to make students pay back their loans—and we know that, depending on where they live, the new graduates have difficulty finding a job and are deeply in debt—so the minister is relying on this money to honour his generous commitments.

(1240)

So, when the hon. member down the way talks about paranoia, I remind him that the opposition has a role to play. When the opposition sees what is in the legislation, notwithstanding—not the clause—the intentions of the present minister, the opposition can only object vigorously to those provisions which do not enhance co–operation with the provinces but enable the minister to make decisions without consulting them.

The minister will consult and listen only if he wishes to. A future minister of education could use those provisions to decide who should have a loan and who should not. If one area of responsibility in a democracy is important for a province, which is responsible for education under the Constitution, it is the issue of who has access to education. We will come back to that aspect because, in the opting–out provision, the minister paid a lot of attention to the conditions for repayment to the banks and to the repayment arrangements for the students, but did not care much about accessibility.

We hear a lot about increased access for single mothers or for the handicapped but the truth is that the real objective is to try to negotiate a better deal with the banks; I have nothing against that, but stop taking liberties with the truth.

As the Official Opposition, we have the responsibility and the duty to denounce nonsensical actions and measures that do not promote co–operation with the provinces. Even though some of the people consulted said that they had nothing against the measures, nothing guarantees that those provisions will not give another minister—supposing that another government is in office—excessive power that would allow him to avoid co–operating with the provinces.

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

Some hon. Members: Question.

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

Some hon. members: Agreed.

Some hon. members: Nay.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And more than five members having risen:

The Deputy Speaker: Pursuant to Standing Order 76(8), a recorded division on the motion stands deferred.

Mrs. Francine Lalonde (Mercier) moved:

Motion No. 3

That Bill C–28, in Clause 14, be amended by deleting lines 27 to 41, on page 12.

She said: Mr. Speaker, proceedings in the House do not always reflect exactly what goes on in committee. I have said that, as the Official Opposition, we have tried to do our job the best way we could, to a point where, at the committee stage, we even moved amendments with which we were not comfortable. For example, we proposed that the minister be at least required to consult the provinces before designating the appropriate authorities.

(1245)

You can certainly understand that it was difficult for us to do that, but we thought that we had to move such an amendment in order to force the minister to hold consultations. Of course, our amendment was defeated.

Now, Mr. Speaker, I want to talk about the clause that concerns Quebec the most. The committee sat for many hours, but that subject came up only during the last half hour. The clause that we want to delete affects the right of the provinces and territories to opt out. I have to tell everybody who is listening to us today that the right to opt out has been part of this legislation since it was first adopted in 1964, but there was no condition attached to it.

The province that chose to opt out received its share of what was spent elsewhere, depending on its population and the amount of money spent. They were saying: ''There are two situations: either you take part in the national program or you opt out and, in that case, inasmuch as you have a provincial program, we will redistribute to you the equivalent of what has been distributed to other provinces''.

We have to realize that in the context of the old struggles under Duplessis and later of the first arrangements under Pearson, before centralizing federalists took over the Liberal Party and formed the Liberal government, the right to opt out was not subject to any conditions. The first program, enacted in 1964, has been changed. The current act too, under which we have been operating since 1984, provides a right to opt out, this time subject to two conditions I would describe as light and formulated as objectives to be achieved.

The concern was that the provincial program should have provisions that had essentially the same effects as far as part–time students and exemptions from interest payments were concerned. Those then were provisions related to accessibility. They did not jeopardize the whole program, the whole approach of the program. There was a recognition that a province opting out from the program had its own approaches, its own objectives, its own criteria and its own administration, but on the other hand they were saying: ''Make sure that part–time students enjoy the same rights and that in some cases there can be exemptions from interest payments''.

But this new measure is quite another story. This bill turns the conditions into bothersome requirements affecting program administration with seemingly very little concern for objectives. Besides, it is not that we would want the program to be different, because Quebec did not wait for the central government to show the way to set up a loan and grant program.

Quebec did not wait for the central government of Canada to invest more in education, even more than the wealthiest province. I want to come back to those figures.

(1250)

It is important to know that university funding has been largely provided—when I say largely, it should be pointed out that provincial efforts vary, and I shall refer to Quebec's effort—by the federal government; this is money from the provinces redistributed on the basis of demographic criteria. From 1977 to 1985–86, according to the most recent study I was able to find, which was published in 1992, that effort declined considerably.

General financing for the entire education system is not provided through student loans but through a program of transfer payments covering both health and education. The provinces have all chosen to give preference to health over education, resulting in a considerable proportionate decline in funds devoted to education. As to the provincial contribution offsetting the lower level of federal spending, Quebec has made a remarkable effort. From 1977 to 1986, Quebec invested 2.3 percent of its gross domestic product in education. This has since declined to 2.1 per cent, which means that 0.2 per cent went over to health. We do not have the time to go deeper into this.

By comparison Ontario—which is far richer than Quebec in terms of individual and overall wealth, for well–known historical reasons—invested 1.4 per cent of its GDP in 1977, and only 1.1 per cent in 1986–87. This means that Quebec, a poorer province, spent twice as much of its GDP on education. Concerning student loans, the figures submitted by the department indicate that Quebec contributed the same amount in 1992–93, even though the number of students was proportionately lower because Quebec has only 70 per cent of Ontario's population.

Under these conditions, it is a shameful, indecent and unacceptable situation when one is told in a federal bill that Quebec has to respect eight points, that it has to report—and that is why I will be sending additional documentation to the Quebec minister of education—and that most of these points relate to program administration; in particular, it indicates the direction of these reforms. This reform of student aid shows what is in store with the reform of social programs: centralization, meddling in provincial jurisdiction and a right to opt out with national standards that apply even to administration.

[*English*]

Ms. Maria Minna (Beaches—Woodbine): Mr. Speaker, the hon. member is correct when she says that 30 years is a long time. We have had this program for 30 years. Federal–provincial co–operation has existed under the Student Loans Act for 30 years and the co–operation and support continues.

We heard from the parliamentary secretary earlier today that the provinces in this country do support this act. This is very important.

(1255)

Under this bill provinces will continue to be able to opt out of the federal student assistance program if they choose to offer their own program of student assistance. There is nothing new here.

Opted out provinces will be able to receive compensation if they have a program which has substantially the same effect as the federal program. This is nothing new. The government is simply carrying forward provisions from the previous act.

Moreover we are expanding provisions for compensation to provinces which choose to opt out to ensure that their students benefit from the proposed reforms. This is a positive initiative.

We are also providing for accountability. This is something I believe is very critical if we are to be accountable to the taxpayers of this country. Accountability is something that taxpayers have asked us to make sure we have.

For this reason we are asking those opted out jurisdictions to satisfy the minister that they have in place a program that is substantially the same as the federal program in order to receive compensation. Surely this is only responsible and reasonable.

This can be accomplished by a simple letter once a year from non–participant provinces. It is not an onerous detailed demand. It is a simple letter of response and communication. It is not terribly demanding.

Subclause 14(7) establishes that a province choosing to opt out is compensated for those program elements which are in place at the provincial level. Without subclause 14(7) an opted out province could be compensated for program elements which are not available within that province. To me, that would not be responsible. We must be accountable and continue to be accountable to the taxpayers. We would increase the government cost without any assurance that students are receiving the benefits provided for under this legislation. Again, that is important in this country, and we have discussed it for the last eight months. Accountability on how we spend federal tax dollars is very important.

The provinces have agreed with the provisions in this bill. They agreed to the provisions because they feel comfortable that in fact their jurisdiction is not being affected, that they are protected under the Constitution and that this is a co–operative process working together for the benefit of the students of this country and in doing so, ensuring that students across Canada will receive the same programs and have the same access to good programs for post–secondary education.

I really see nothing new and nothing terribly earth shaking in these changes. I believe they are for the benefit of Canadians. Therefore, I suggest that this motion is out of order. If the motion stands I would urge all members to vote against it.

Mr. Monte Solberg (Medicine Hat): Mr. Speaker, earlier an hon. member referred to the duty of the opposition when the opposition looks at legislation such as we have before us today.

I think it is incumbent upon the opposition to give the legislation a thorough vetting. When opposition members come across a clause that they are uncomfortable with, they check it out, consult the stakeholders and find out what the different opinions are on it. After having done that if they are satisfied that the stakeholders do not have any particular problem with it, they should not oppose it for the sake of opposing it.

I point out to the members in the Bloc that although the Government of Quebec was invited to come before the HRD committee to talk about this, it did not. It is comfortable apparently with this particular clause of the bill. It has the ability of course and has taken advantage of the ability to opt out of the previous act and presumably this one as well.

It is very important that the opposition picks its time and place to make a big deal about these things. But to cry wolf too often only guarantees that you will have no audience when it is really important.

I was very suspicious throughout the meetings that we had with respect to this bill about some of the intentions of the government. I wanted to ensure that the provinces' rights were not being tampered with, that they were not being infringed upon.

In looking at it, after talking to all the people involved, talking to the ministers' departments and their officials, they do not have concerns.

(1300)

I do not understand why we are even talking about this, given that even the Government of Quebec does not seem to have any concerns.

In the interests of expediency, I would hope that we will defeat this motion.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière–du–Loup): Mr. Speaker, to a certain extent, the amendment before us can be considered a symbol. If our amendment is passed, it will be a sign that this government acknowledges that provinces which choose to opt out of the program can do so with dignity, and in full awareness of the situation, and fully take advantage of the opportunity to set their own requirements for their program.

If that clause remains unchanged, however, this bill on financial assistance to students will no longer recognize that provinces have the right to opt out with full compensation; it will reduce them to the status of beggars. Each time provinces want to specify a number of points in a section, they will have to abide strictly by the federal financial assistance program, so that it will be impossible to take into consideration special circumstances prevailing in a given province.

I will give you three examples in the bill before us in clauses 7, 10, and 11.

Clause 7 provides for an exemption from interest costs for a borrower who ceases to be a full–time student. If a province wants to exercise its right to opt out of the program, be it the Maritime provinces or Quebec, which has already opted out, and thinks a more substantial exemption is in order, it will not get it because big brother does not agree. There will be no room for adjustment to special conditions in a province where it is harder to find a job. It could be that in Toronto it would be normal to start paying back student loans the day after graduating, but not in New Brunswick where high unemployment makes it harder to get a job and where the provincial government might want to give students a better chance.

With this bill, the federal government forces all provinces to implement a system which is identical to the one defined in the present law.

The second example I wanted to give you concerns clause 10. These are all examples which pertain to people in everyday ordinary activities. It says that the lenders' obligations end if a student dies before completing his studies. How much latitude is there? Could some provinces not say that if death occurs the year after, the same exemption should apply? Some governments can be more humane than others or they may be able to afford more. Other provinces could impose more restrictions on that kind of situation.

With this bill, we will reintroduce the absurd situation which we now have in the health sector, where the federal government imposes standards on the services offered, but reduces its financing every year.

With the clause as worded in this bill, the federal government prevents practically any province that wants to exercise its right to opt out from doing so, because the conditions for opting out are such that there would be no benefit for the provinces, which are left with no room at all to manoeuvre in the areas where they would like to operate.

Clause 11, which deals with permanent disability of the borrower, is another example. The federal legislation says that when a student becomes permanently disabled, the minister can reimburse the amounts owed by the student. Now, a province might feel that in the case of partial disability, the government could repay part of the loan.

(1305)

The three specific examples I wanted to give you show that an apparently minor clause that, on the face of it, seems quite benign, in fact hides a deep–seated desire for centralization. Instead of tabling a bill in which the opting–out principle is clearly explained, with full compensation for the province, if the government had told the provinces that there would be no more opting out, of course there would have been a tremendous hue and cry. However, this is an attempt to sneak through what the government has been unable to do in a more direct manner.

We suggested a slightly different amendment in committee, and when it was finally defeated, there was a moment of silence as members realized this was a clear example of the very different view we have of government intervention. On the federal side, there is the perception—perhaps it comes from the bureaucracy which answers directly to the ministers—that they know what to do and that is how things are supposed to work, and last but not least, it has to be the same everywhere.

A loan and grant program may include many areas where a province wants to do things differently. As for the previous remarks by the member from the Reform Party, I would ask him to moderate his enthusiasm about the fact that the current provincial Liberal government made no representations at the hearings, because that government exists in name only. It is nearing the end of its term. It is threadbare. It will soon be replaced by another government that will be genuinely committed to defending the interests of Quebec. It will do so, knowing what is involved, and it will ensure that every time, for as long as it is still part of the Canadian federation, the interests of Quebec and those of the provinces will be protected.

It is not only a matter of defending our powers province by province because it is written in the Constitution Act. It is simply obvious when it comes to loans and scholarships. We have had the proof with the representatives of francophone students in the rest of Canada who came and told us: ''The law must provide clearly that we will be able to deal with our banks, caisses populaires and other financial institutions headed by francophones''. Therefore, often the institution where a student chooses to negotiate his loan will be the institution he will deal with for the rest of his life.

That is why we need systems that allow provinces to opt out and to establish their own rules in order to meet such demands. I think the situation can be assessed very differently, for instance, in New Brunswick compared to Alberta. They could have different goals. There can also be a link between the way the provincial government is funding universities and the student loan and scholarship system.

For example, if a provincial government advocates free education as much as possible, the operating costs of the university will not diminish. Therefore, the government will support those costs in its administrative operations but its student loan and scholarship program will be reduced. Another province might go for a program in which education expenses, the real operating costs of the university will be paid for almost totally by students, while the government will not significantly contribute to the funding of education.

I think that we should have flexibility and pick one of the two following options: We either opt for a centralized system where the conditions are the same for everyone or we allow the provinces to use the important development tool that is education in order to acquire the leverage which will enable future generations to face the future.

I invite the government to reconsider its position on that amendment. It will only have to retain the right to opt out with full compensation and in no circumstances should a province have to convince the minister that its position is right. It should only have to inform him of its position.

(1310)

Mr. Philippe Paré (Louis–Hébert): Mr. Speaker, I am happy to speak on the amendment that the Bloc is proposing in order to eliminate that clause. On May 9, the federal Minister of Human Resources Development tabled his Bill C–28, the Canada Student Financial Assistance Act. The Bloc Quebecois is opposed to this bill and I support the amendment on the outright elimination of clause 14(7).

This bill as worded is as if the government wanted to eliminate 30 years of history. The hon. member for Mercier was saying earlier that the Canadian act has been in effect since 1964. Quebec has given itself its own system, but with this bill, it is as if that system did not exist. It is a kind of negation of history.

We must remember that education is recognized by the Canadian Constitution as an exclusively provincial jurisdiction. However, the federal government has long been assuming certain powers in that sector, such as student financial assistance. In order to be able to interfere in the education sector, it refers to its spending authority. It is ironical that a government with an accumulated debt of more that $500 billion and an estimated annual deficit of almost $40 billion, is behaving as if it was on top of it. Because it has spending authority, it says: ''Let us spend''. Whether or not it is able to spend does not make any difference; it just spends money.

The height of irresponsibility in the bill is that the government, with revenues that it does not have, is preparing to put even further into debt the young people that it wants to train. If this is not the perfect example of what can be called a vicious circle, then I do not know what it is. The government spends money that it does not have and asks the so–called beneficiaries to foot the bill without knowing whether it can create jobs for them!

Until now, provincial governments which, like the Quebec government, managed their own student financial assistance program could almost automatically exercise their right to opt out of the federal program and receive an alternative payment. This system worked relatively well for all. However, with the new bill introduced by the Minister of Human Resources Development, the rules are completely different.

The provinces will not be able to exercise as easily their opting out right. This bill provides unacceptable new procedures with which provincial governments will have to comply if they want to exercise their opting out right and receive alternative payments. I refer here to clause 14(7) of the bill.

We feel that this bill is, as my colleagues from Levis and Mercier mentioned before, a centralizing measure which threatens the provincial autonomy recognized in the Canadian Constitution, by giving the Minister of Human Resources Development too much power. One wonders if the government is not seeking, through this bill, to create its own Department of Education and to impose national education standards.

Speaking of national standards, it is important to recall the basic, recurring problem in this area. The federal government imposes standards, then—invoking a lack of financial resources or other excuses—gradually withdraws while maintaining the standards.

(1315)

To prove that, I will simply remind you that as far as established programs financing is concerned, including post–secondary education, in 1977–78, federal funding amounted to 48 per cent of the funds required for cost–shared programs, while in 1994–95, they will only amount to 32 per cent. If the federal government pays only 32 per cent, it means that someone else will have to pay the difference and it will be the provincial governments. Even so, they will have to comply with the national standards.

Let me give you another example. I would like to talk about the changes that occurred in the revenues of the government of Quebec between 1984 and the projections for 1998. In 1984, federal transfers accounted for 28 per cent of the Quebec budget, while in 1998, they are expected to account for only 15 per cent. There again, the people of Quebec will have to pay.

That way of doing things and imposing national standards takes away responsibility from the provincial governments which are elected governments and which are much closer to the people than the federal government.

That way of doing things shows that local needs are ignored. Much has been said about the major differences between the various regions of Canada, but national standards do not take those differences into account at all. The bill that we are debating is just like the others. It assumes that as far as student loans and education are concerned, the needs are exactly the same in Newfoundland, Quebec and British Columbia.

Finally, these national standards infringe upon democracy because people in the provinces have elected members to provincial legislatures, they have placed their confidence in them and given them powers, and the introduction of national standards will eventually erode an important part of provincial responsibility.

In fact, clause 14 provides that, in order to receive alternative payments, a provincial government will have to satisfy, not inform but satisfy, the minister, I quote: ''by written notice received by the Minister before the beginning of the loan year in question, that, in relation to the matter in question, the provincial student financial assistance plan has substantially the same effect as the plan established by this Act''.

This is totally unacceptable and I wonder, if the Supreme Court were to study this intrusion in a provincial jurisdiction, it would not decide in favour of the arguments presented by the Official Opposition.

It is unacceptable that provincial governments would have to justify their student financial assistance plans to the federal Minister of Human Resources Development since education is exclusively a provincial jurisdiction.

In the context we all know very well, where a large proportion of Quebecers are against the federal system, one could say the central government is doing all it can to provoke a general outcry. This seems due to a very questionable sense of politics; it is hard to say if it is pure stupidity or provocation.

This whole question is particularly important for Quebec because it is crucial that Quebecers manage their own education system.

Let me conclude by saying that Quebec's record in this regard shows that Quebec has acted responsibly in setting up such a system. We must also keep in mind that education is a vital instrument for cultural and linguistic development. Quebec cannot afford not to be in control of this sphere of activity. Our French–language universities are shining brightly. They are almost everywhere and their vitality leaves no doubt. You can find graduates of French–language universities in every sector. I think we set a remarkable example for the rest of Canada. While developing its French–language universities, Quebec was generous enough—I think the word is exact—to allow its anglophone minority to have its own universities. No other province did such a thing, except New Brunswick with Moncton University. Everywhere else, francophones must make do with bilingual universities. We know the results.

(1320)

Mr. François Langlois (Bellechasse): Mr. Speaker, it was refreshing to hear the hon. member for Louis–Hébert give us this historical reminder of what we always accepted in Quebec. The hon. member mentioned the rights of English–speaking Quebecers, rights that we respected to the point that, at one time, there were three English universities in Quebec: Sir George Williams, McGill and Bishop's, in Lennoxville, and only one French university, Laval, which had a campus in Montreal. This does not go very far back in the collective memory of Quebecers. We have to repeat it, over and over again, to show the degree of tolerance we exhibited in the area of education. Of course, we have caught up. The Montreal campus became the Université de Montréal, a university was created in Sherbrooke and then, in the mid 1960s, we had the creation and expansion of the Université du Québec network.

This being said, the rights of English–speaking Quebecers are well protected, and a sovereign Quebec would guarantee these rights in its constitution.

The bill in front of us questions the concept of opting out in the historical meaning of the term, in its constitutional meaning, a concept which was introduced at the time of the first agreements, the so–called Sauvé–Diefenbaker agreements at the end of the 1950s. Quebec could opt out, because at that time it was the only province to ask for the right to withdraw from a federal program in exchange for full compensation. That way, Quebec was not subject to what we call federal standards, and what others call national standards. The opting out provisions were always maintained. We had the Lesage–Diefenbaker, Lesage–Pearson and Johnson–Pearson formulas, and finally the Bourassa–Trudeau formula, although the agreements were scarcer at that time.

Essentially, what Quebec Premiers Sauvé, Lesage and Johnson have obtained is the right to opt out with full compensation without having to justify their decision. Finally, we are back to the concept advocated by Sir John A. Macdonald of a legislative union in Canada. They want to legislate here for all of the provinces while leaving them a small way out. Ottawa tells them: If you want to opt out, you will be able to do so provided you can convince us, the federal government, that your provincial legislation meets federal or national standards. In the end, the one giving that power, the federal government, under conditions precedent, is reserving the right to say: No, you have not convinced us and so we are keeping that power and we are going to continue to administer the program or else you will receive no transfer payments.

Misrepresentation of Canadian federalism did not start with Bill C–28. In fact, federal attempts to do so go back to 1867, but they increased at the end of the 1950s and the beginning of the 1960s and have been growing steadily.

(1325)

Quite possibly there may not be a single sector that has not been touched by federal legislation. To my knowledge, according to the research that I have done, the one area in which the federal government has really not been able to venture is the administration of provincial public servants. That was the gist of a Supreme Court ruling when the Trudeau government imposed wage and price controls. This government had succeeded in getting elected on the promise that it would not freeze prices and wages. However, once elected, it proceeded to do exactly the opposite, like any good Liberal government worth its salt.

I agree with my colleague from Kingston and the Islands who followed the events of the Trudeau era closely and who noted this massive incursion into fields of provincial jurisdiction, this disdain for provincial legislatures who are treated as junior level governments, whereas the senior level government for our friends across the way is the federal Parliament of Canada.

Why must we remind the member for Kingston and the Islands and our colleagues opposite, who are fully aware of the situation, that they conducted the same studies we did, that they have lived and will continue to live for the next few months in the same country as us and that they should know that provincial legislatures have as much sovereignty over their respective areas of jurisdiction as the federal Parliament has over its own?

We have to constantly remind them that this struggle for the recognition of provincial sovereignty dates back to our great–grandfathers and great–grandmothers. We hope that our generation will be able to complete the task undertaken by those who came before us in the House and in the Quebec National Assembly and who participated in all the struggles for the survival of the Quebec nation. Well, we are tired of merely surviving. We have now decided to start living. We will live as Quebecers under the authority that we will freely delegate to the Quebec National Assembly when we have freed ourselves once and for all from an institution that has more to do with feudalism than with modern democracy. We will rally Quebecers to a collective plan for Quebec's sovereignty and take back our powers so that we no longer have to beg and convince anyone of the legitimacy of our demands. We will quite simply make our own decisions as people who have full political maturity, and that is coming soon.

People in English Canada and elsewhere in the world are already waiting to see a new country emerge and take its place in the international community. The decision for independence is coming soon and we must prepare for it. And we must prepare even more when we see the kind of highly centralizing legislation presented to us by the present Government of Canada which is not so different from its predecessors.

The Gordian knot that has been strangling us for decades in Canada, the fact that there is a country missing in this country—we will have to make a decision on it in Quebec and then of course negotiate with our friends in English Canada on the consequences of our decision. But if we think about it carefully, historically, I believe that both sides can benefit from the decision that we will make in Quebec so that each of us can have our own decision–making bodies and instead of arguing bitterly over bills on which we can have extremely divergent views, we can each make our own decisions in our own legislature and then discuss what unites us as friends and neighbours instead of what divides us.

Mr. André Caron (Jonquière): Mr. Speaker, I am pleased to participate in this debate on Bill C–28, the Canada Student Financial Assistance Act.

(1330)

The way the federal government is acting here exemplifies, in a way, the failure of the Canadian federal system and can explain, to a large extent, why a sovereigntist political party like ours was voted into the House of Commons of Canada.

Student financial assistance is obviously an education matter. And in Canada, under the existing Constitution, education comes under the jurisdiction of the provinces. The government, the English Parliament that passed the British North America Act in 1867 had clearly defined the jurisdictions of each of the two levels of government we have in Canada: the federal government and the provincial governments. And each of them have exclusive powers within their jurisdictions.

Under section 42 of the British North America Act, education was defined at that time as an area of provincial jurisdiction. But for years, actually decades now, the federal government has been invading this provincial area of responsibility. By virtue of what authority? By virtue of its own power to spend.

It is somewhat ironic to see, while jurisdictions are clearly defined in the Constitution, the federal government is intruding in an area under provincial jurisdiction, saying: ''We are rich. We have loads of money. We have money to spend. Therefore you have to take our money''.

The bill before us speaks volumes about the government managing to ignore the uniqueness of provincial governments in the end. In time, this practice has caused the federal system to fail in Canada, with the result that communities like ours, in Quebec, have decided to take responsibility for themselves and run their own state business in their interests, according to objectives set by and for themselves.

This bill sets out standards any provincial government would have to meet to avail itself of something we have been enjoying in Canada for over thirty years, namely the possibility of opting out. As you know, since the 1960s, many voices were raised in Canada to warn the federal government: ''You are interfering in such and such an area of provincial jurisdiction''. With things heating up, the federal government of the day put forward the opting–out formula, which means that a provincial government can invoke its right to opt out, get full compensation for and administer certain programs in the interest of its people.

Quebec opted out of a number of these programs, including the loan and bursary program.

This bill preserves the opting–out formula, but the conditions each province must meet in order to exercise the right to opt out are so stringent that the day will come when opting–out will not be in a province's interest.

The bill says that if a province wants to withdraw, its program must have essentially the same criteria as those of the federal program. So what are they really telling the province? They are telling it to administer—repeat, administer—the federal program in such a way as to obtain the same results.

(1335)

At first glance, we could say: ''Yes, it is quite normal in a federation. The federal government has a responsibility to ensure that all parts of the country and all citizens are treated the same way''. We would then completely ignore one important aspect: Within the Canadian federation, there are some very obvious local differences. British Columbia, Newfoundland and Quebec often face particular situations that require adjusting the programs from which they asked to withdraw. Also, they cannot always pursue the same objectives and effects if they want to ensure that the people who stand to benefit get the most out of the programs.

I think it is rather obvious in the area of education. I myself am a teacher by profession. Before being elected to the House of Commons, I worked as a guidance counsellor in a secondary school. I saw that the Canadian education system has its peculiarities. It was quite obvious every year during Canada Career Week. Schools then received boxes full of brochures suggesting activities, in French, of course, because we are still Canada's French–speaking province. We received documents in French suggesting activities geared to the various levels.

Every year, it was something of a novelty for everyone. We were eager to see what was proposed. The school's guidance counsellors and teachers tried to find out together what Canadian people elsewhere thought up for us in French and wanted us to do during Career Week. Often, it was written in acceptable or sometimes even in excellent French. We had difficulty understanding the type of activities proposed and figuring out to which students or levels they were aimed at. The various systems work differently and also the values underlying them vary from province to province. So, in the vast majority of situations, we simply could not use the material provided to us.

Nevertheless, we would do like the rest of Canadian schools and have a career week, except that we would use material prepared in our own school, and it would work very well. This example illustrates how, in a field as critical as education, Canadians and Quebecers have different approaches, views and ways of doing things.

At the time, we more or less did what Quebec wants to do in the next few years, in that we decided to act independently. We told ourselves: Our school will have its own career week, based on our own methods, objectives and procedures, and activities will be geared to our students.

This modest work experience has taught me that, in fields as important as education, the needs of citizens and provinces must be taken into account, and those needs are not the same throughout Canada. That is why the bill before us is a bad piece of legislation. It includes several clauses promoting such standardization, and some provinces might not be able to make the necessary adjustments to ensure that the system runs smoothly.

Let us go back to clause 7, which refers to the interest–free period for a borrower who ceases to be a student.

(1340)

Why does that clause impose a standard procedure for every province in the country? We all know that the unemployment rate varies from province to province. It is not true that a student in a given province has the same chances of finding a job when he graduates as a student in another province.

Yet, based on that clause, the situation is presumably the same right across the country. I will conclude by simply asking the House to support the amendment tabled by the Bloc Quebecois to delete this provision which forces provinces to adopt and implement standard procedures, thereby making the option to withdraw from the plan non applicable for all intents and purposes. If this bill is passed in the form proposed by the Liberal government, it will confirm once again that Canadian federalism cannot work in the current context. Consequently, those who are looking for an alternative in the interest of their community have no choice but to withdraw from it, as I hope Quebec will do in the next few years.

Mr. Antoine Dubé (Lévis): Mr. Speaker, subsection 14(7) we want to see deleted adds to the conditions imposed on the provinces which want to opt out of the federal financial assistance program and establish their own program, just like the province of Quebec and the Northwest Territories are currently doing.

This provision only adds to the existing conditions and Bill C–28 on financial assistance applies, as you know, to new matters. Pursuant to subsection 14(7), in order to obtain alternative payments, the Minister of Education or the province concerned must satisfy the Minister, by written notice received by the Minister before the beginning of the loan year in question, that, in relation to the matter in question, the provincial student financial assistance plan has substantially the same effect.

It must have the same effect not in general, with some small exemptions, but in every matter in question, as the plan established by this Act and the regulations. We have moved to delete this subsection, because section 14 already has six provisions which, according to a study we ordered and have had reviewed, are enough to provide all the provinces which decide to opt out of Bill C–28 with all the financial assistance they need.

Of course, we think the status quo would have been better, because the previous provisions were very specific. Pursuant to the old legislation, the provinces only needed to convince the minister where part–time student loans and special exemption periods were concerned.

To convince the federal minister, is it not a bit much? A provincial government must convince the federal minister when it needs financial assistance! Sometimes, people think that the federal government gets its money elsewhere, but I want to remind Quebecers that their taxes make up 24 per cent of all federal revenues. We do not take this money away from other provinces; it comes from their own tax dollars sent to Ottawa, which in turn provides financial assistance in an area under exclusive provincial jurisdiction. So, the minister must now be convinced. That was also a requirement under the existing provisions and admittedly these people had adopted a centralist approach. Before, we also had to convince the minister in order to opt out of the program, but only about very limited aspects such as part–time studies and special exemptions, not about loans. Let us not forget that fact.

(1345)

Why is Quebec so insistent on managing its own financial assistance program? Of course, the program is not perfect and some will never be totally satisfied. Most Quebecers would prefer to see more grants than loans awarded, but, up until now, the federal program was restricted to loans. Grants will now be included, although this has long been the case in Quebec. It would take be too long to enumerate all the features of the Quebec legislation respecting student financial assistance, which was amended in 1990, but, as my colleague from Jonquière said, there are many of them.

Here is one characteristic which does not appear in this bill. For example, instead of imitating the federal legislation where a sword of Damocles hangs over the heads of students with poor grades, Quebec uses the carrot rather than the stick approach by saying that students graduating within the required time benefit from a reduction in their loan payments. We are thus encouraging those who succeed without penalizing or limiting access to those who have satisfactory results in certain fields, but who may go through difficult times because of personal problems, illness or family problems. Troubling events can always happen. According to this bill, the federal minister, through the appropriate authority, must ensure that the student has satisfactory results. In Quebec, it does not work this way. In our province, a scholarship program is already in place, even for part–time students. Therefore, the situation is already very interesting in Quebec.

However, it is a question of principle. Quebec must manage its own student loan program. Why? Because, as we know, every province invests in its own postsecondary education system. So does the federal government, but the stakeholders at that level are the provinces. What happens?

In Canada, for example—although this varies from one province to the next and even from one university to the next—the universities, which by getting less money from the higher levels of government, tend to raise their tuition fees. On average, these fees have increased threefold in all of Canada since 1984. In Quebec, universities have succeeded so far in maintaining lower tuition fees, since access to higher education is very important for Quebecers. This is a principle on which they all agree. There is a consensus on that. There must be access to higher education. Members of Parliament and ordinary citizens often say that people must take control of their own destiny and that students are no exception. They must pay a greater part of the cost of their education.

(1350)

The example of the United States is often given. True, this is the case in the United States but this is the only western country where tuition fees are higher than in Canada. In France, university education is free, because access to university education is also considered to be important. With this right to opt out, Canada looks more and more like two countries in one. We do not want to prevent English Canada from putting in place a loan system according to its own values and needs, but Quebec has its own concepts on this due to its cultural identity. Quebecers have their own values.

We find it unacceptable that a government which said that it did not want to talk about the Constitution anymore is discreetly amending legislation containing quasi–constitutional provisions. It says one thing and does the exact opposite. It waited till the end of the session to force us to adopt its measure in a hurry even before the Minister of Human Resources Development reveals his action plan for social security reform and before the consultations on this subject take place. Students are considered

to be a distinct group since it has already been decided how they should be treated.

The government could have raised the ceiling on student loans simply by amending that aspect of the existing act, but no. It chose to present a bill that represents a further encroachment in an area of exclusive provincial jurisdiction, namely education.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, I would probably have regretted not participating in this debate, so that is why I am doing it now, even though it is getting near the end. I will remind the members that we are now at report stage and that the study of this amendment will complete the consideration of this bill at second reading. I will probably be the last person to speak at this stage of the process.

The amendment before us is aimed at deleting paragraph 7, in clause 14 of the bill. We want to delete it because, from now on, a provincial government will be able to exercise its right to opt out only if it can convince the minister. And convincing Minister Axworthy is no easy task. The provincial government will have to send written notice to the minister before the beginning of the loan year, even though the number of students is essentially the same from one year to the next in the various disciplines. The federal government wants to put one more obstacle in the way to make it more and more difficult for the provincial governments to opt out of the national standards that the minister of education of Canada—since we may have to call him that from now on—wants to impose on all Canadians.

I think it is extremely difficult to accept such a change. Several of my colleagues who spoke today mentioned that Quebec has always exercised its right to opt out. We also heard that this student financial assistance program was first established in 1964 by a great Liberal, Mr. Pearson, who had a totally decentralized vision of Canada. But we can see clearly in the intent of this bill the centralizing influence of the former Trudeau government since several Cabinet members who were probably involved in the drafting of this bill, including the minister and the Prime Minister, have followed in the footsteps of this great man who, according to some people, marked the history of our country, certainly because of his excessive centralizing policies.

(1355)

To opt out with full compensation, provinces must also adjust their loan and grant conditions to their particular situation. Over the past few weeks and the past few months, we have been saying it over and over again, there are two countries within this one. Soon, there may be ten or even twelve, because I doubt if provinces will want to operate under such a centralized system. Moreover, people will realize that this legislation contains real danger. It is as if people had fallen asleep all of a sudden; it would appear that parliamentarians have also fallen asleep and are unable to see the traps in this piece of legislation; the danger is real. When they wake up, it will be too late.

I am thinking of the francophones outside Quebec who presented a brief. I do not want to be quoted out of context nor be accused again on the basis of my supposed intentions. I will therefore quote the brief presented by French–speaking Canadians, by our young francophones. It says that francophones and Acadians often have lower standards of living. Their education level is lower than their English–speaking counterparts, which leads not only to lower incomes but also to a situation where post–secondary education should be systematically promoted as a means of breaking out of the vicious circle our communities are trapped in. Besides, because of their linguistic situation, these young students must often leave their community, or even their home province, to further their education at the university or college level.

The provinces should have a piece of legislation or regulations that would be flexible enough to allow them to organise their own loan repayment system according to students' needs. Incentives could be taken into consideration such as Quebec's initiative to grant a substantial break on loan repayment to students who manage to complete their education within the specific time frame normally needed for a bachelor's degree, a master's or a Ph.D.

I urge the government to carefully review this bill before passing it at third reading.

[*English*]

The Speaker: It being 2 p.m., the House will now proceed to Statements by Members pursuant to Standing Order 31.

STATEMENTS BY MEMBERS

[*English*]

STANLEY CUP

Mr. John O'Reilly (Victoria—Haliburton): Mr. Speaker, the curse is over. Messier, Graves, Anderson and company will no longer have to listen to opposing mocking crowds saying: ''1940, 1940'', because Tuesday the New York Rangers won the Stanley Cup for the first time in 54 years.

Although I was hoping for a Canadian team to win, I am not disappointed that an American based, original six was able to capture Lord Stanley's holy grail. In particular I congratulate

Jeff Beukeboom, a hulking defenceman with the Rangers who is from my hometown area of Lindsay, Ontario.

Jeff, who has never been shy when it comes to rough play, displayed the character, commitment and leadership needed in helping the Rangers win the cup, and there were no riots in Lindsay.

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[*Translation*]

PRODUCERS ON ORLÉANS ISLAND

Mr. Michel Guimond (Beauport—Montmorency—Orléans): Mr. Speaker, on June 7, the shore regions of Beaupré and Orleans Island, near Quebec City, were battered by torrential rains and hail.

The municipalities of Saint–Laurent, Saint–Jean and Sainte–Famille on Orleans Island and Château–Richer on the north shore of the St. Lawrence were particularly hard hit by this downpour. The strawberry and potato crops are the most seriously affected.

Damage reports indicate that potato farmers suffered the heaviest losses. Surface runoffs completely destroyed all of the work which potato growers had done in recent years to control soil erosion.

This torrential rain swept away years of hard work. Potato growers are looking to the federal government and the Minister of Agriculture for support to which they are entitled to repair the heavy damage caused by this disaster—damage which I had occasion to view personally when I visited the area on the weekend.

* * *

[*English*]

BRENT EPP

Mr. Ken Epp (Elk Island): Mr. Speaker, I rise today to pay tribute to and express profound respect for a young Albertan who has left Canada for the fourth time in his young life to serve needy people in other parts of the world.

While he was a student he spent a summer working as an unpaid volunteer in the refugee camps in Thailand. Upon graduation from university he worked for a year in southern Sudan, Kenya and Somalia at considerable personal danger to bring food and medical supplies to starving and suffering children and adults. Last year, he was in the war–torn former Yugoslavia working at a home for women who had undergone much suffering and violence.

Last Tuesday he left again, this time to serve the suffering people of Rwanda. Susie, his bride of 12 weeks, will be joining him there in July.

I salute this young man, his wife and the Christian relief agencies he has represented. I am especially touched by this young man's humanitarian effort because this man is Brent Epp, and my wife and I are his parents.

* * *

LEAD SHOT AND FISHING WEIGHTS

Hon. Charles Caccia (Davenport): Mr. Speaker, lead shot, gun ammunition made mostly from lead, is widely used in Canada for small game hunting. When birds and animals eat lead shot, it dissolves in their stomachs and slowly but surely kills them. The same can be said about lead fishing weights. Loons, eagles, herons and cormorants are among the birds affected by these toxic products.

There are good alternatives. Steel shot has been developed as a practical, effective, economic and non–toxic substitute.

In Denmark and Holland, lead is banned from all products, including gunshot and fishing weights. Lead shot is banned in the United States but Canada does not have similar legislation.

I urge the government to adopt a policy whereby lead shot and fishing weights made of lead are not to be used or made in Canada.

* * *

FRIENDSHIP FESTIVAL

Mr. John Maloney (Erie): Mr. Speaker, the community of Fort Erie, Ontario is nestled on the shores of Lake Erie at the mouth of the Niagara River. This picturesque community is the co–host of the Friendship Festival.

The festival was originally organized seven years ago to recognize and commemorate 175 years of peace between the communities of Fort Erie, Ontario and Buffalo, New York and between the countries of Canada and the United States. The festival takes place on both sides of the Niagara River, one of the very battlegrounds of the war of 1812.

The festival's mission statement is to provide a forum for the people of Canada and the United States to celebrate this historical relationship and to enhance community spirit, pride, economic development and cultural awareness. The festival takes place from June 25 to July 4, encompassing these two fine countries' national holidays of July 1 and July 4 respectively.

The Friendship Festival attracts over 500,000 people annually along with hundreds of vendors, artists and hobbyists. Most important, it is a festival focused on the family and the harmonious existence of two communities that were once at war.

In a time of international political unrest and conflict, I am proud to promote an endeavour which celebrates peace and harmony among nations.

RELIGIOUS LEADERS

Mr. Pat O'Brien (London—Middlesex): Mr. Speaker, I rise today to pay tribute to the many thousands of Canadian men and women who devote their lives and their work to the service of God. These religious leaders, both Christian and non–Christian alike, serve God through serving the Canadian people. By so doing, they help to mould and shape this nation for the better.

In particular today I wish to thank the Society of Jesus, the Jesuits, a brave and dedicated army of men who have done so much to serve the peoples of this land for over four centuries.

I welcome Fathers Charles Sitter and John O'Brien to Ottawa and thank the men and women of all faiths who serve God so well, through serving Canadians so selflessly.

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[*Translation*]

RAIL TRANSPORTATION

Mr. Paul Mercier (Blainville—Deux–Montagnes): Mr. Speaker, for remote areas of Canada, the train is often a prime link with the rest of the country. The train is also a powerful engine of economic development for many communities, and is a factor contributing to the quality of life of the local residents.

The Chaleur line, for example, makes a strong contribution to the revitalization of the entire Gaspé Peninsula by generating tourism activity which benefits from the loveliest coastal region in eastern North America.

(1405)

This government seriously lacks vision if it does not understand the potential of a railway system offering quality services. Contrary to all other industrialized countries, Canada is giving up on rail transportation. This is a decision of concern to the entire Canadian public, and the government should hold regional public hearings before going ahead with it.

* * *

[*English*]

SEXUAL ORIENTATION

Mrs. Sharon Hayes (Port Moody—Coquitlam): Mr. Speaker, our children are the families of tomorrow. It is essential that we do what is necessary to protect them. The inclusion of the undefined term sexual orientation in the Human Rights Act holds dangerous implications for Canadians and their children.

This is not simply a recent concern. The danger of including sexual orientation in the charter was addressed on January 29, 1981 by the Minister of Justice. Allow me to quote his words: ''I am not here to determine what sexual orientation means. It is because of the problem of the definition of those words that we do not think they should be in the Constitution''.

Those same problems of definition exist today. Consequently, the undefined term of sexual orientation must not be included in any federal legislation.

By the way, the Minister of Justice who acknowledged the problem in 1981 is the Prime Minister of Canada today.

* * *

INTERNAL TRADE AGREEMENT

Mr. Bill Blaikie (Winnipeg Transcona): Mr. Speaker, I rise today to express my concern about the current negotiations between federal and provincial governments to complete an internal trade agreement by the end of this month. I share these concerns with the labour movement and organizations such as the Canadian Environmental Law Association and the Canadian Centre for Policy Alternatives.

The drafts of this agreement are not available to the public. It is being negotiated behind closed doors and with little consultation. I call upon the governments involved to open up this internal economic constitution to an open and public debate and delay the signing date until this consultation has taken place.

It is one thing to negotiate co–operative agreements which put a stop to practices of some governments, like tearing up bricks in a sidewalk because they were purchased in the wrong province. It is another to duplicate within Canada a free trade agreement that will hamper the ability of governments to establish, maintain and improve labour, consumer and environmental standards, and to regulate corporate activities.

* * *

[*Translation*]

ATLANTIC CANADA

Mrs. Pierrette Ringuette–Maltais (Madawaska—Victoria): Mr. Speaker, comments made in this House two weeks ago by the opposition parties concerning the people of Atlantic Canada were an insult, not only to Atlantic Canada, but to anyone residing in a democratic society. Today, I will accept the apologies of the Reform Party member and of the leader of the Reform Party.

But the people of Atlantic Canada are all awaiting appropriate apologies from the Bloc Quebecois member for Rimouski—Témiscouata and her leader.

Mr. Speaker, we await these apologies.

S. O. 31

[*English*]

ETHICS PACKAGE

Mr. Ronald J. Duhamel (St. Boniface): Mr. Speaker, we said we would do it in the red book and we have done it.

[*Translation*]

We have delivered the goods.

[*English*]

Today the Prime Minister announced the following:

The appointment of the first ethics counsellor in the history of this great nation.

[*Translation*]

Second, the strengthening of the Lobbyists Registration Act.

[*English*]

The clarification and strengthening of the conflict of interest code.

[*Translation*]

And that is not all. This Parliament will develop a code of conduct for members of Parliament and senators. We have met our commitments and more.

* * *

[*English*]

CANADA–UKRAINE PARLIAMENTARY INTERNSHIP PROGRAM

Mr. Morris Bodnar (Saskatoon—Dundurn): Mr. Speaker, today I wish to thank the Foundation of Ukrainian Studies, the sponsor of the Canada–Ukraine Parliamentary Internship Program.

Because of the hard work and financial support of this foundation, seven young students from Ukraine are now in Ottawa participating in the program. This is the third year of the program. If the demand for these industrious and personable interns is any indication, this program will continue for many years.

I have the privilege to share the time of Alex Lysenko, one of the interns. Alex will be travelling to my constituency in Saskatoon where I am sure everyone will mutually benefit from this exchange.

I am of Ukrainian heritage and many of my constituents are proud descendants of the hard working and stalwart pioneers from Ukraine.

This program is one that will ensure a close working relationship with the new Ukraine as it evolves into a strong and viable entity in the global community.

(1410)

[*Translation*]

REFERENDUM ON QUEBEC SOVEREIGNTY

Mr. François Langlois (Bellechasse): Mr. Speaker, the Minister of Intergovernmental Affairs stunned everybody this week when he stated that the federal government itself could organize a referendum on Quebec sovereignty. What contempt for Quebecers, for their National Assembly and for their sacred right to self–determination!

This right belongs positively, legitimately and unquestionably to the people of Quebec and to nobody else. This was recognized by the Conservatives and the New Democrats. It was even recognized by the federal Liberals as well as by the Prime Minister when they took an active part in the 1980 referendum in Quebec.

Officially, this government says it does not want to talk about the Constitution. Yet, in secret, they are preparing a new constitutional offensive. This double talk does not fool anybody. Quebec has now realized that the rest of Canada no longer wants to offer anything to Quebec. It is ''take it or leave it''. It will soon be up to Quebecers to draw their own conclusions.

* * *

[*English*]

ARTS AND CULTURE

Mr. Monte Solberg (Medicine Hat): Mr. Speaker, we have an industry in our country called Canadian culture. It is run by bureaucrats, financed by subsidies, yet virtually unaccountable to the government from which it gets its funding.

This explains why we have what looks like a pile of carpet underpadding on display in our National Gallery and boxes of Brillo pads stacked up to the roof. It is why for years we have subsidized the homosexual theatre group, Buddies in Bad Times, despite the fact that this group advertises violent sado–masochism seminars featuring abduction, guns, knives, forced confinement, blood sports and rape play.

For those of you who say art must be subsidized in order to survive, read your history. The finest theatre in the English language was produced by Shakespeare. His plays were considered popular art at the time, as were Chaucer, Dickens and endless others.

The finest painters or sculptors had patrons, but they at least were accountable. Not in Canada though. Slap something on a canvass, call it Canadian, make friends with the bureaucrats and you will get your funding.

Let us leave these funds in the hands of taxpayers so they can—

The Speaker: The hon. member for Peterborough.

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WELSH HERITAGE

Mr. Peter Adams (Peterborough): Mr. Speaker, the St. David's Society of Peterborough recently hosted the Gymanfa of the Ontario Welsh Festival. A highlight of the event was a performance by the Cantorion Glan Alun from Mold, Wales. As a result of that choir's visit to Ottawa, I rediscovered two Welsh facts associated with Parliament Hill.

First, the inscription in the Peace Tower chapel, ''All's well for over there, among his peers, a happy warrior sleeps'', is from the poem "The Returning Man" by John Ceredigion Jones. Mr. Jones was a Montrealer who was born in Wales and died in Chapleau, Ontario in 1947. He wrote the poem in Calgary in 1921–22.

Second, the name of 24 Sussex Drive is Gorffwysfa which means place of rest in Welsh. The house was built in 1867 by John Currier. I am not sure why a Welsh name was chosen.

I refer members interested in Welsh heritage to the Ottawa *Journal* for Remembrance Day, 1948 and to Maureen McTeer's book, *Residences–Homes of Canada's Leaders*.

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INFRASTRUCTURE PROGRAM

Mr. John Loney (Edmonton North): Mr. Speaker, this is further to my statement of June 13 in this House when I made mention of an Angus Reid survey which showed that 52 per cent of Albertans support the initiatives of this government.

I rise today to congratulate the Prime Minister for his demonstrative commitment to our party's election promises made in the red book. I would also like to thank him for personally showing that commitment to the constituents of Edmonton North when he visited a repaving project in my riding. That project was made possible in part by this government's increasingly successful infrastructure program. As well, I convey the gratitude of my constituents to the ministers involved for their co–operation with local authorities.

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D–DAY CELEBRATIONS

Mr. Bob Ringma (Nanaimo—Cowichan): Mr. Speaker, I wish to draw the attention of the House to the fact that there are Canadians who are serving their country well while being conscious of our indebtedness.

(1415)

I was in Normandy last week with the official veterans delegation observing the 50th anniversary of D–Day. We remarked on the dedication and efficiency of Colonel (retired) John Gardam who has organized for Veterans Affairs a guard of honour, trumpeter, piper, and flag party made up of Canadians serving in the militia.

This group is doing an excellent job representing Canada at ceremonies throughout Europe. They are doing so in the most economical way possible, by staying at barracks rather than at hotels.

I salute Colonel Gardam and his troops for demonstrating that excellence does not necessarily equate to the expenditure of money.

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OCCUPATIONAL HEALTH AND SAFETY WEEK

Mr. Stan Keyes (Hamilton West): Mr. Speaker, next week is Canadian Occupational Health and Safety Week sponsored by the Canadian Society of Safety Engineering.

The purpose of Canadian Occupational Health and Safety Week is to focus public attention on the importance of preventing injury and illness in the workplace.

Every 12.3 hours an employee is killed on the job. In 1992, 714 workers were killed on the job and another 864,000 workers were injured. It is estimated that the cost of occupational injuries and illnesses in Canada is close to $11 billion.

Clearly we have a fiscal and social responsibility to ensure that the general public is empowered with information designed to prevent injuries and illnesses in the workplace and save lives.

In this regard I would like to express my sincere appreciation for all the individuals and organizations such as the Canadian Centre for Occupational Health and Safety in my riding of Hamilton West that produce general information and research on injury and illness prevention in the workplace.

ORAL QUESTION PERIOD

[*Translation*]

SOCIAL PROGRAM REFORM

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, in a letter to a meeting of his provincial counterparts in Halifax, the Minister of Human Resources Development included a requirement that the provinces get back to him on his proposed reform of social programs within 36 hours. Not three weeks, not one week, not three days, not 48 hours but 36 hours. An unrealistic and unacceptable deadline, considering the extent of a reform that has met with legitimate opposition from the provinces.

I want to ask the minister whether this means he still insists on imposing his views on the provinces by making them feel they are up against the wall, since he sent them a 36–hour ultimatum.

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, the hon. Leader of the Opposition is once again building a question on a strong base of fantasy. Never, in a letter, comment or direction did I say that there would be any limit of 36 hours.

This morning I spoke directly to the chairman of the social services ministers, Dr. James Smith. I asked him where he heard it and he said it was brought up by somebody in the meeting and the press asked about it and he responded. I asked: ''Had you heard it from me?'' He answered: ''No. You are talking about 10 days, two weeks, whatever time is necessary for a response''.

I would say to the hon. Leader of the Opposition that before he asks a question he should get his facts straight.

[*Translation*]

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, in a democracy like ours, the best way to be informed is to read respectable and respected newspapers. The *Ottawa Citizen* said today—

Some hon. members: Oh, oh.

Mr. Bouchard: The *Ottawa Citizen* is a very good newspaper. It reported today that provincial ministers were given 36 hours to get back to the minister.

I want to ask the minister whether he realizes that by being so uncompromising and setting this deadline for a quick response from the provinces, he is aggravating the impasse between Ottawa and the provinces.

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, I would like to read the press release from the Minister of Health and Social Services: ''The ministers have reiterated their commitment to reform of our social programs. They also stressed the need to find more effective ways to implement social programs so as to reduce poverty and improve services to the neediest in our society''.

[*English*]

Mr. Speaker, the ministers of social services understand the priority: get down to work to find new answers to deal with poverty. The only person who is not engaged is the Leader of the Opposition and his party.

[*Translation*]

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, the provincial ministers want social reform, but they do not want the minister's reform. That is the difference. Does the minister not realize that instead of his usual unhealthy obstinacy, he should show—

(1420)

Some hon. members: Oh, oh.

Mr. Bouchard: Unhealthy—misguided.

An hon. member: It is a synonym.

Mr. Bouchard: Instead of being so obstinate, would the minister agree he should show some common sense and make a point of not only involving the provinces in his reform but especially of respecting their practically exclusive jurisdiction in this area?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, we have said always that this reform is bigger than any one government, any one level of government. It is a reform that requires the full participation of all Canadians. We will work with anybody: provincial governments, interest groups, Canadians on an individual basis. We did that during the first phase of the Commons hearings and we intend to do it again in the second phase.

I said specifically in the letter I wrote to the ministers of social services—if the hon. Leader of the Opposition would take the time to read the letter and find out what was really said—where I said this must be based on the full participation of all partners in this process. The only people who are avoiding participating are the Bloc Quebecois and we know the reason why.

[*Translation*]

Mrs. Francine Lalonde (Mercier): Mr. Speaker, my question is for the Minister of Human Resources Development. The *Ottawa Citizen*, referring to off–the–record remarks by a government spokesman, disclosed parts of the social program reform being considered by the federal government, a reform that will be made public at the end of July, during the summer holidays, after Parliament has adjourned.

Can the minister confirm that his reform will require that all income security program recipients, be it welfare or unemployment insurance, will have to do community work or take training courses in order to receive their benefits? The National Anti–Poverty Organization said this will amount to a cheap labour policy, and will not form the basis of a real employment policy.

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, I have not yet had the time or opportunity to read the press report referred to by the hon. member.

However, I would suggest to her that any press report at this stage is purely speculative and hypothetical. We will know the kind of options we want Canadians to debate is when we table the report.

[*Translation*]

Mrs. Francine Lalonde (Mercier): Mr. Speaker, are we to understand that, through this bulldozing operation, the minister wants to impose his views on the provinces, by threatening to reduce financial contributions to provinces that refuse to link the payment of benefits to the obligation to do community work or take training courses?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): No, Mr. Speaker.

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ETHICS COUNSELLOR

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, scandals, unfounded allegations and unanswered questions have plagued governments and Parliaments throughout our history. Certainly the Prime Minister's statement this morning was welcome in light of our past history.

In his speech this morning on integrity in government, the Prime Minister claimed that the power of the ethics counsellor will prevent deals like the Pearson airport privatization from happening again.

My question for the Prime Minister is this. What is there about the Pearson deal that the ethics counsellor would prevent?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, a deal like that will not occur again simply because the government will never sign such a deal. I do not know if it is very easy. The ethics counsellor is there. There is legislation. The members of the committee will have an opportunity to interview him. He is a very competent person. He will give advice to the government.

(1425)

As I said, in the final analysis, it is the government that decides. When we have a bad government like the previous Tory government, you know it is the type of government that produced things like that. You can be reassured that will not happen with a Liberal government.

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, we are hoping that some of the clout that this ethics counsellor will have will prevent the Liberal government following in the footsteps of the previous government.

The Prime Minister said this morning that deals like the Pearson airport deal must never be allowed to happen again, and I concur.

Would the Prime Minister tell us if the ethics counsellor would have power of intervention to stop deals such as the Pearson when ethics issues arise? That is what he indicated to us this morning.

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, if you conclude that the deal was made because of the lobbyists, you know the counsellor will look at the lobby business and intervene. At the end of the day, any deals, any contracts by the government are made by the government.

We cannot deny our responsibilities as government. We have been the government for eight months. The people are very pleased. You just made reference to that. It is not like it was before. Why? It is because the government is committed to honesty and integrity in the public eye.

This government will remain this way. The ethics counsellor can help us. That is why I appointed him, to help us. In the final analysis, as I said this morning, the government remains the government. We have been elected to make the decisions. We are trying to get the best advice possible.

Mr. Howard Wilson is a man of credibility that has done his job properly, advising ministers over a long period of time. He is competent and we are very happy that he has accepted to face these new responsibilities. His job is not to replace the government. The government will remain the government.

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, I appreciate the Prime Minister's answer. He has made it fairly clear in our minds that the new ethics counsellor does not have power of intervention. His power lies in his ability to report to the public.

Recently it was decided that a single annual report from the Auditor General was not sufficient. This morning the Prime Minister informed the House that the new ethics counsellor would report just once a year to Parliament.

Based on past performance and our history, conflicts of interest and ethics may arise on a regular basis. Certainly an annual report to Parliament will not be sufficient.

Can the Prime Minister explain how the ethics counsellor can effectively communicate to the public without a chance of political interference regarding the conduct of government if he is only required to file a report annually?

Hon. John Manley (Minister of Industry): Mr. Speaker, the question being raised concerning the ethics counsellor misses

the point. What the hon. member should be noting is that, at the present time, there is no ethics counsellor and no reports have been filed.

The government has moved forward on a number of important commitments that were contained in the red book: commitments to fulfil the report of the standing committee of the House of Commons from last June; the commitment to appoint an ethics counsellor; the commitment to give him investigatory powers; the commitment to stop the contingency fees that were polluting the government procurement process.

These are important commitments. We have met them. They should be applauding us.

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[*Translation*]

NORTH KOREA

Mr. Stéphane Bergeron (Verchères): Mr. Speaker, my question is for the Minister of Foreign Affairs. Yesterday, the United States pleaded in favour of commercial sanctions against North Korea. The proposed sanctions include a mandatory ban on North Korean imports or exports of arms or weapon components, a ban on technical and scientific co–operation in order not to enhance North Korea's nuclear capacity, and terminating all economic assistance through the UN or its subsidiaries.

Can the Minister of Foreign Affairs tell the House whether Canada unconditionally supports the U.S. position on banning North Korean imports or exports of arms, and on the whole range of proposed commercial sanctions against that country?

(1430)

Hon. André Ouellet (Minister of Foreign Affairs): Mr. Speaker, I am glad to tell the hon. member that Canada supports the U.S. position and that, if needed, we will lobby other members of the Security Council so that it passes this resolution. If the UN goes ahead with these sanctions against North Korea, we will certainly fully comply with all of them.

Mr. Stéphane Bergeron (Verchères): Mr. Speaker, can the minister indicate what action has been taken by the government of Canada to bring North Korea back into the fold of the Atomic Energy Agency and to ensure that that country's nuclear program is compliant with the provisions of the Non–Proliferation Treaty?

Hon. André Ouellet (Minister of Foreign Affairs): Mr. Speaker, we do not have diplomatic relations with North Korea, and are not able to express our views directly to that country. However, we did so through public statements, and indirectly, by presenting our point of view to people who are in regular contact with the North Korean government.

During the recent visit by the South Korean foreign affairs minister, the Prime Minister and I stressed how important it was, in our view, to fully respect the Non–Proliferation Treaty, to have all the nations of the world renew it, and to convince the North Korean government that it cannot isolate itself in that way. It must join the ranks of most other countries of the world who want us not only to ban nuclear arms but also to respect the Non–Proliferation Treaty.

* * *

[*English*]

JUSTICE

Mr. Garry Breitkreuz (Yorkton—Melville): Mr. Speaker, my question is for the Minister of Justice.

On March 14 the minister said in the House: ''I do not believe it is reasonable for anybody to interpret the term sexual orientation as it appears in the human rights legislation as including pedophiles''.

Whether child molesters are homosexual or heterosexual in their orientation they certainly are not reasonable. Child abusers will find it entirely reasonable to launch a challenge to the Criminal Code on the basis of this sexual orientation if the term is not defined in the human rights act.

Why is the minister so reluctant to define the term sexual orientation?

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, I want to say to the hon. member that the Minister of Justice is in no way reluctant to define the term sexual orientation. He has expressed the seriousness of this question in the relevant situations.

It is going to require a good deal of study to deal with it. The Minister of Justice is now in the middle of doing this study with the department. We will not only have a definition of sexual orientation, but we will be able to bring forward to the House a program and a policy of which I think the House will approve.

Mr. Garry Breitkreuz (Yorkton—Melville): Mr. Speaker, I appreciate that answer. If the meaning of the term sexual orientation is so clear—and he referred to jurisprudence previously as being the avenue by which he would have it defined—I believe the government should take over, should not shirk its responsibilities and should define the term. The minister said: ''I do not think matters of public policy should be determined in the courts''.

Why is the minister not willing to take that responsibility, let that be discussed here, and define it properly in the legislation?

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, the Minister of Justice has put before the House a record which in my opinion is enviable. He has brought forward legislation on young offenders and sentencing and amendments to the Criminal Code.

(1435)

If justice is to be done laws must be framed properly. Not all the amendments we would like to see can be done at the same time, but reflection and due care must be given to the presentation and the formulation of these laws. That is exactly what is going to be done.

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[*Translation*]

CANADIAN BROADCASTING CORPORATION

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, my question is for the Prime Minister.

Patrick Watson, who just resigned as chairman of the Canadian Broadcasting Corporation, said yesterday that advisers of former Prime Minister Brian Mulroney contacted the management of the CBC on several occasions, particularly during the referendum campaign on the Charlottetown accord, to make the content of the news more in line with the government position.

Does the Prime Minister agree with the kind of political pressure exerted by the previous government, and does he not believe that this kind of interference violates the freedom and integrity of journalists?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, it seems that it was not very effective, and I dislike being ineffective.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, I would like to remind the Prime Minister that the position of his party is to convince broadcasters to promote Canadian identity. He will probably do it effectively.

What I want to know is if he is ready to guarantee, on behalf of the government, that they will never exert pressure on the CBC to make it alter its news during a future referendum on Quebec sovereignty.

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, there is a law governing the operation of the CBC, and I will ask that the CBC respect that law. The law says, in defining the mandate of the CBC, that it must inform people on the advantages offered by Canada. This is the reason for the creation of the corporation. Objectivity is all we ask for.

I never called the CBC and I do not intend to. Freedom of the press is a fact of life I am used to. It did not always make my life easy, but I survived.

[*English*]

ACQUIRED IMMUNODEFICIENCY SYNDROME

Mr. Myron Thompson (Wild Rose): Mr. Speaker, my question is for the Minister of Health.

Over half a million dollars of tax money was budgeted for a national AIDS survey focusing on the gay community. AIDS education is important. However the money was used instead to publish a sex recipe for gay men detailing in explicit gutter language how men engage in sex with one another. This is absurd.

Does the minister condone spending one half a million dollars on this kind of garbage?

Hon. Diane Marleau (Minister of Health): Mr. Speaker, I must say that AIDS is a very serious epidemic. If we can save one life then we must do everything in our power.

This booklet was put together especially for those communities at risk. There are times when one has to call a spade a spade or people will not understand.

Mr. Myron Thompson (Wild Rose): Mr. Speaker, that is about the most ridiculous answer I have ever heard when I look at pamphlets like this one. Oral sex, anal sex—

Some hon. members: Oh, oh.

(1440)

The Speaker: Order. I am sure the hon. member will want to put his supplementary question.

Mr. Thompson: Mr. Speaker, could the minister explain to me how this material got into the hands of 10, 11 and 12 year olds in schools across the country? Will the people over there laugh when their grandchildren bring that kind of garbage home?

Hon. Diane Marleau (Minister of Health): Mr. Speaker, this information was certainly not put together for young children, but these kinds of behaviour are extremely risky. Those who do participate in these kinds of behaviours should have the knowledge they need to make sure they do not spread the AIDS virus.

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[*Translation*]

AIR TRAFFIC CONTROL COMMUNICATIONS

Mr. Michel Guimond (Beauport—Montmorency—Orléans): Mr. Speaker, 25 years after passage of the Official Languages Act and 20 years after the debate on the use of French in air traffic control communications, French–language air traffic control services are still not available everywhere over the Quebec territory.

Airspace over the North Shore and the Magdalen Islands is covered by the Moncton control unit which offers services in English only; it takes eight to fifteen minutes to obtain services in French.

My question is for the Minister of Transport. Can the minister tell us why some regions of Quebec still do not have access to effective and fast air traffic control services in French and does he not agree that those regions would be better served by a control centre or unit offering bilingual services?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, I am always surprised to see my colleague's commitment to bilingualism. To answer his question, I would reply that we always try to provide services in both official languages of Canada where it is necessary. There will always be some corridors here and there in Canada where it will be more difficult to offer services in English and French, that is in both languages.

We made all possible efforts, and I think even my hon. colleague will admit that Canada has made fantastic efforts in order to offer services in French in Quebec airspace.

Mr. Michel Guimond (Beauport—Montmorency—Orléans): Mr. Speaker, does the minister not agree that if the coverage of airspace over the North Shore and the Magdalen Islands were transferred to the Quebec control unit, traffic control would be sufficient to keep it operational and Transport Canada could then offer quality services in French to all regions of Quebec?

[*English*]

Hon. Douglas Young (Minister of Transport): Mr. Speaker we are very proud of the air navigational system in Canada. It is as good as any system anywhere in the world.

What we attempt to do in Canada is to prevent the kinds of incidents that would be deplorable whether they occurred in Quebec or any other part of the country.

Our responsibility is to provide a first class air navigational system. That is what we do, and we can provide it from a bilingual province like New Brunswick just as well as we can provide it from anywhere in Quebec.

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[*Translation*]

SOCIAL HOUSING

Mrs. Eleni Bakopanos (Saint–Denis): Mr. Speaker, my question is for the parliamentary secretary to the minister in charge of Canada Mortgage and Housing Corporation.

On June 8, federal, provincial and territorial housing ministers met in Bathurst, New Brunswick, to discuss among other things a social housing strategy aimed at helping low–income Canadians.

[*English*]

Could the parliamentary secretary tell us what concrete steps the federal and provincial governments have agreed to in their efforts to house Canadians in need?

[*Translation*]

Mr. Ronald J. Duhamel (Parliamentary Secretary to Minister of Public Works and Government Services): Mr. Speaker, there were a number of agreements.

[*English*]

There is agreement to remove and reduce duplication and overlap and to harmonize the building codes in Canada. They have completed consultations on environmental problems but, most important, it was agreed to develop new partnerships, to develop additional strategies to attack social housing, to—

[*Translation*]

I am saying so for everyone, through the Speaker.

(1445)

[*English*]

—establish priority of need in each of the jurisdictions by the end of the summer and to come forward with new concrete initiatives that they will develop from the savings and efficiencies that they have undertaken.

It is a boon for Canadians who earn low income in remote, small, isolated rural and urban areas, as well as for home owners and renters.

* * *

IMMIGRATION

Mr. Randy White (Fraser Valley West): Mr. Speaker, my question is for the Minister of Citizenship and Immigration.

On September 19, 1993 a young lady in my riding was raped by an illegal immigrant. I have in my possession a lengthy criminal record of that individual which reflects sex offences, drunk driving, theft and on and on it goes.

What system is in place to ensure that people like this are kicked out of Canada and stay out of Canada?

Hon. Sergio Marchi (Minister of Citizenship and Immigration): Mr. Speaker, this government does not accept illegal immigrants as much as this member or this party. In fact, tomorrow we will be tabling legislation in the House of Commons to further strengthen the fact that those individuals who come here illegally and who commit crimes against the very system of justice and values that we believe in as Canadians will pay the price. Those amendments will be an effort to further strengthen the laws and those who wish to abuse our laws will pay the price.

Mr. Randy White (Fraser Valley West): Mr. Speaker, the minister is going to have a good opportunity today to show how well he backs that up. This young lady agreed to drop the sexual

assault charges on the condition that this repeat offender was deported which he was in November last year.

Now I find this chronic sex offender, this failed refugee claimant is back in my community to appear, by invitation from this minister's officials, at a second hearing to be allowed to stay in Canada.

Why is this man even getting a hearing in the first place? Why has the government reneged on its promise to keep this criminal out of Canada?

Hon. Sergio Marchi (Minister of Citizenship and Immigration): Mr. Speaker, I do not intend to engage on the floor of the House of Commons in a case when the member has not given me advanced notice of the person's name or the case file.

The member may not wish to respect the privacy legislation, due process. I say again to the hon. member that no one on that side has a virtue or a monopoly on virtue about those cases that are abhorrent to all Canadians.

I will certainly look at the case that the hon. member speaks about. Tomorrow we will be putting forward amendments with the aim of making it very, very clear that those in the minority who abuse will have those loopholes closed. I hope that his party looks forward to the speedy passage of that legislation.

* * *

[*Translation*]

UNITED NATIONS

Mr. Jean–Marc Jacob (Charlesbourg): Mr. Speaker, in a report released yesterday, the Canadian Committee for the 50th Anniversary of the United Nations is proposing the implementation and funding by Canada of a peacemaking unit which would be at the disposal of the UN to take part in different peace missions. This UN rapid intervention standing force would particularly be used to prevent conflicts and massacres, to protect humanitarian assistance convoys and to maintain interposition forces for the enforcement of ceasefires.

My question is for the Minister of Foreign Affairs. In the context of the review of the Canadian foreign policy and defence policies, is the minister in favour of this recommendation to create a Canadian peacemaking unit?

(1450)

Hon. André Ouellet (Minister of Foreign Affairs): Mr. Speaker, that is a very interesting proposal which will certainly be examined on its merits by the parliamentary committee mandated to review our foreign policy and defence policies.

Mr. Jean–Marc Jacob (Charlesbourg): Mr. Speaker, I greatly appreciate the minister's answer, because it gives some leeway to the joint committee on foreign policy review as well as the joint committee on defence, and I thank him for it.

Can the minister also tell us if he agrees with another proposal made by that committee to increase the membership of the UN Security Council in order to accept more developing countries?

Hon. André Ouellet (Minister of Foreign Affairs): Mr. Speaker, the hon. member must know that, indeed, studies are currently being done within the UN Security Council. In fact, at the last UN meeting, a special committee was given the mandate to review the membership of the Security Council. Several proposals are currently being examined.

Canada is very interested in a Security Council that would better reflect the current reality of the UN, in view of the fact that a considerable number of countries have been added since the creation of the first Security Council. Canada did not make any specific proposal, but we are examining very actively different proposals currently under review. When that special committee tables its report, Canada will certainly be at the forefront of a major reform of the Security Council.

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[*English*]

IMMIGRATION

Mr. Art Hanger (Calgary Northeast): Mr. Speaker, my question is for the Minister of Citizenship and Immigration. It is further to the question raised by my colleague from Fraser Valley West.

The minister in the past has told Canadians that these are isolated cases, the aeroplane analogy as I call it. I would like him to tell that to the young lady anxiously awaiting the results of her HIV test while this rapist walks the streets of her neighbourhood.

My question is this. In Matsqui prison in B.C. today is another repeat offender who has been ordered deported nine times. Does the minister intend to deport this rapist nine times as well? How many innocent citizens must suffer because of government incompetence and inaction?

Hon. Sergio Marchi (Minister of Citizenship and Immigration): Mr. Speaker, it seems the Reform Party takes great pleasure in citing cases where it seeks to exploit whereas we see cases and we try to fix the system that allows those cases to occur.

There is a big difference. The gory details, day in and day out, give no satisfaction and no pleasure to any member on this side as it does not give any pleasure or satisfaction to that side. We have laws. We have a process. We also move to deport individuals and we have. We will further strengthen that.

I will give a commitment to look into those individual cases, but I refuse to engage on the floor of the House of Commons to give out justice Reform Party style.

Mr. Art Hanger (Calgary Northeast): I have a supplemental, Mr. Speaker.

At the present time we are waiting results from consultations and studies. I would like to offer the minister the chance to show Canadians that his bite is as big as his bark.

The hearing for the once deported rapist that my colleague referred to will be held at 8.30 a.m. tomorrow. Will this minister stop this hearing immediately, deport this individual and guarantee Canadians that he will never ever enter Canada again?

Hon. Sergio Marchi (Minister of Citizenship and Immigration): Mr. Speaker, first, I am not aware of the individual case.

Second, if the hon. member is as concerned about this case as he demonstrates on the floor of the House of Commons, I caution him that that excitement can in fact throw the case out because he and other members could be in contempt of court.

First, why don't you settle down? Maybe you should settle down.

(1455)

Second, if you do have the case at heart and want to create justice, do not be in contempt of court and do not give that individual any further legal angles.

The Speaker: I am sure all hon. members will want to include the Speaker in their answers and in their questions, absolutely.

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[*Translation*]

AIR EMBARGO AGAINST HAITI

Mr. Bernard Patry (Pierrefonds—Dollard): Mr. Speaker, I have a question for the Minister of Transport. As a result of the air embargo against Haiti, Canadian nationals are in a hurry to leave the country. However, this morning, we were informed by the media that several Canadians, men and women, could not leave Haiti even if they had valid return tickets because of an airfare increase at Air Canada.

What does the minister intend to do to deal with that situation?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, I just found out today about the allegations referred to by the hon. member. I want to say that we obviously have no control over airfares charged by airlines. However, I want to tell all the members of this House that we are very concerned by this whole issue, if those allegations are founded.

[*English*]

Although we do not have any regulatory power on this particular issue, it is with a great degree of sadness that we learned of this kind of situation having developed in Haiti, if in fact the allegations are correct. We will want to inquire. I am sure that the carrier in question will want to explain the facts of the situation and make sure that Canadians understand exactly what did take place.

* * *

[*Translation*]

IMMIGRATION

Mr. Osvaldo Nunez (Bourassa): Mr. Speaker, my question is for the Minister of Citizenship and Immigration. For several months now, immigration officers, especially in Montreal and Toronto, have been requiring from refugees whose status has been recognized by the Immigration and Refugee Board a passport from their country of origin. They have been requesting those people to contact their embassy or consulate to apply for a passport in order for them to review their application for permanent resident status.

My question is this. Is the minister aware that the demand imposed by immigration officers upon refugees whose status has been recognized jeopardizes the safety of those people and that of their families in their countries of origin?

[*English*]

Hon. Sergio Marchi (Minister of Citizenship and Immigration): Mr. Speaker, documentation is normally required after a refugee is accepted and upon landing. I think it would be easily understood that documentation for a number of individuals is impossible if in fact they are refugees. If they are fleeing from a regime, documentation sometimes is an impossibility, which is taken into account.

* * *

GUN CONTROL

Mr. Jay Hill (Prince George—Peace River): Mr. Speaker, my question is for the Minister of Justice. We have been told that law abiding firearms owners are the primary source of guns used in crime because their firearms can be stolen. Accurate information regarding the sources of guns for criminals is necessary to determine if further firearms controls will reduce gun related crime, yet the statistics are unavailable.

Will the minister undertake a comprehensive national study to determine the source of firearms for criminal activities and will he make the information readily available to all Canadians?

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, we do not have accurate statistics on the availability of firearms for illegal purposes. As the hon. member has said there are those who say that most of the firearms that get into the

hands of criminals are stolen, but the Official Opposition yesterday said that firearms smuggled across the border were the main concern.

The Ministry of Justice is looking into this. The minister has given his undertaking that he will get as much information on this question as he possibly can and make it available to the House.

* * *

TRANSPORT

Hon. Audrey McLaughlin (Yukon): Mr. Speaker, my question is for the Minister of Transport. Recently the minister gave an address outlining the government's plans to systematically dismantle the transportation system in this country. It should have been entitled ''Goodbye to the National Dream''. The minister calls his plan commercialization but it is clear that he means privatization and it will affect 75 per cent of the department's activities.

I ask the minister to be clear with Canadians. His policy clearly follows the Tory royal commission on transport.

(1500)

I would like to ask the minister to explain how his plan to commercialize is different from the plan of the Tories to privatize which he opposed so vehemently in the last Parliament?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, I want to assure my hon. colleague that there is no intention to dismantle the transportation system. We are trying to ensure that an integrated, affordable transportation system is available for Canadians to move both people and products.

I want to say to my hon. colleague that many people who follow the transportation scene will recognize in the commercialization approach that we are trying to maintain the involvement of the Government of Canada in a supervisory, a regulatory, a policy way in the work we are doing in transportation. We also understand that business and commercial practices have to be applied to the way we administer the transportation system.

The people who have been around here for some time have seen former ministers of transport of a Liberal stripe attempt to do these kinds of things. It is not a Tory agenda. It is an agenda designed to provide Canada with a transportation system that will support the economy that is required to pay for the social programs that are at the heart of Liberal policy.

BUSINESS OF THE HOUSE

Mr. Alfonso Gagliano (Saint–Léonard): Mr. Speaker, on a point of order. I think you will find unanimous consent to put forthwith all questions necessary to dispose of the report stage of Bill C–28 without further debate and to dispense with the ringing of the bells on any recorded division.

The Speaker: Is there unanimous consent?

(Motion agreed to.)

GOVERNMENT ORDERS

[*English*]

CANADA STUDENT FINANCIAL ASSISTANCE ACT

The House resumed consideration of Bill C–28, an act respecting the making of loans and the provision of other forms of financial assistance to students, to amend and provide for the repeal of the Canada Student Loans Act, and to amend one other act in consequence thereof, as reported (with amendments) from the committee.

The Speaker: Is the House ready for the question?

Some hon. members: Question.

The Speaker: The question is on Motion No. 3. 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 nays have it.

And more than five members having risen:

The Speaker: Pursuant to Standing Order 76(1)(8), a recorded division on the motion stands deferred.

The House will now proceed to the taking of the deferred divisions at the report stage of the bill now before the House.

The first question is on Motion No. 1.

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

(*Division No. 59*)

YEAS

Members

Asselin	Bachand
Bergeron	Bernier (Mégantic—Compton—Stanstead)
Bouchard	Brien
Bélisle	Canuel
Caron	Crête
Dalphond–Guiral	Daviault

Debien
Deshaies
Duceppe
Fillion
Gauthier (Roberval)
Guimond
Lalonde
Laurin
Lebel
Leroux (Richmond—Wolfe)
Marchand
Ménard
Paré
Plamondon
Péloquin
St–Laurent
Venne—45

de Savoye
Dubé
Dumas
Gagnon (Québec)
Guay
Jacob
Langlois
Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)
Loubier
Mercier
Nunez
Picard (Drummond)
Pomerleau
Sauvageau
Tremblay (Rimouski—Témiscouata)

NAYS

Members

Abbott
Allmand
Arseneault
Axworthy (Winnipeg South Centre)
Barnes
Bellemare
Bethel
Bhaduria
Bodnar
Boudria
Brown (Calgary Southeast)
Brushett
Bélair
Calder
Catterall
Chrétien (Saint–Maurice)
Collenette
Copps
Crawford
DeVillers
Dromisky
Dupuy
Eggleton
Epp
Flis
Fry
Gallaway
Goodale
Gray (Windsor West)
Grubel
Hanger
Harper (Calgary West)
Harper (Simcoe Centre)
Hayes
Hill (Macleod)
Hoeppner
Ianno
Irwin
Johnston
Keyes
Knutson
Lastewka
LeBlanc (Cape Breton Highlands—Canso)
MacAulay
MacLellan (Cape Breton—The Sydneys)
Malhi
Manley
Marleau
Martin (LaSalle—Émard)
McGuire
McLaughlin
McTeague
Meredith
Mills (Broadview—Greenwood)
Minna
Morrison
Murray
O'Brien
Parrish
Penson

Adams
Anawak
Assadourian
Bakopanos
Beaumier
Benoit
Bevilacqua
Blondin–Andrew
Bonin
Breitkreuz (Yellowhead)
Brown (Oakville—Milton)
Bryden
Caccia
Campbell
Chan
Cohen
Comuzzi
Cowling
Culbert
Dhaliwal
Duhamel
Easter
English
Finlay
Forseth
Gagliano
Gauthier (Ottawa—Vanier)
Graham
Grey (Beaver River)
Guarnieri
Harb
Harper (Churchill)
Harris
Hermanson
Hill (Prince George—Peace River)
Hubbard
Iftody
Jackson
Jordan
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint–Paul)
Loney
MacLaren (Etobicoke North)
Maheu
Maloney
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McKinnon
McLellan (Edmonton Northwest)
McWhinney
Milliken
Mills (Red Deer)
Mitchell
Murphy
Nault
Ouellet
Patry
Peters

Peterson
Ramsay
Riis
Ringuette–Maltais
Schmidt
Scott (Skeena)
Shepherd
Solberg
Speller
Steckle
Stewart (Northumberland)
Strahl
Taylor
Thalheimer
Tobin
Valeri
Whelan
Williams
Young

Pillitteri
Rideout
Ringma
Robichaud
Scott (Fredericton—York Sunbury)
Serré
Skoke
Speaker
St. Denis
Stewart (Brant)
Stinson
Szabo
Terrana
Thompson
Torsney
Volpe
White (Fraser Valley West)
Wood
Zed—158

PAIRED MEMBERS

Anderson
Chrétien (Frontenac)
Godin
Landry
Mifflin
Tremblay (Rosemont)

Bernier (Gaspé)
Dingwall
Hickey
Leroux (Shefford)
Proud
Ur

(1510)

The Speaker: I declare Motion No. 1 defeated.

[*Translation*]

Mr. Gagliano: Mr. Speaker, I believe that you will obtain unanimous consent to apply the vote just taken to Motions Nos. 2 and 3 and to apply it in reverse to the motion at report stage.

[*English*]

The Speaker: Does the House agree?

Some hon. members: Agreed.

Mr. Baker: Mr. Speaker, point of order. I wonder if you could include my name as voting with the government on these motions as well as, I think, a couple of other members here behind me.

Mr. Karygiannis: Put mine there, too, Mr. Speaker.

Mr. Reed: Mr. Speaker, I would like to have my name added to that too.

The Speaker: Order, order.

The House divided on Motion No. 2, which was negatived on the following division:

(*Division No. 60*)

YEAS

Members

Asselin
Bergeron
Bouchard
Bélisle
Caron
Dalphond–Guiral
Debien
Deshaies
Duceppe
Fillion
Gauthier (Roberval)

Bachand
Bernier (Mégantic—Compton—Stanstead)
Brien
Canuel
Crête
Daviault
de Savoye
Dubé
Dumas
Gagnon (Québec)
Guay

Guimond
Lalonde
Laurin
Lebel
Leroux (Richmond—Wolfe)
Marchand
Ménard
Paré
Plamondon
Péloquin
St–Laurent
Venne—45

Jacob
Langlois
Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)
Loubier
Mercier
Nunez
Picard (Drummond)
Pomerleau
Sauvageau
Tremblay (Rimouski—Témiscouata)

NAYS

Members

Abbott
Allmand
Arseneault
Axworthy (Winnipeg South Centre)
Bakopanos
Beaumier
Benoit
Bevilacqua
Blondin–Andrew
Bonin
Breitkreuz (Yellowhead)
Brown (Oakville—Milton)
Bryden
Caccia
Campbell
Chan
Cohen
Comuzzi
Cowling
Culbert
Dhaliwal
Duhamel
Easter
English
Finlay
Forseth
Gagliano
Gauthier (Ottawa—Vanier)
Graham
Grey (Beaver River)
Guarnieri
Harb
Harper (Churchill)
Harris
Hermanson
Hill (Prince George—Peace River)
Hubbard
Iftody
Jackson
Jordan
Keyes
Knutson
Lastewka
LeBlanc (Cape Breton Highlands—Canso)
MacAulay
MacLellan (Cape Breton—The Sydneys)
Malhi
Manley
Marleau
Martin (LaSalle—Émard)
McGuire
McLaughlin
McTeague
Meredith
Mills (Broadview—Greenwood)
Minna
Morrison
Murray
O'Brien
Parrish
Penson
Peterson
Ramsay
Rideout
Ringma
Robichaud

Adams
Anawak
Assadourian
Baker
Barnes
Bellemare
Bethel
Bhaduria
Bodnar
Boudria
Brown (Calgary Southeast)
Brushett
Bélair
Calder
Catterall
Chrétien (Saint–Maurice)
Collenette
Copps
Crawford
DeVillers
Dromisky
Dupuy
Eggleton
Epp
Flis
Fry
Gallaway
Goodale
Gray (Windsor West)
Grubel
Hanger
Harper (Calgary West)
Harper (Simcoe Centre)
Hayes
Hill (Macleod)
Hoeppner
Ianno
Irwin
Johnston
Karygiannis
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint–Paul)
Loney
MacLaren (Etobicoke North)
Maheu
Maloney
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McKinnon
McLellan (Edmonton Northwest)
McWhinney
Milliken
Mills (Red Deer)
Mitchell
Murphy
Nault
Ouellet
Patry
Peters
Pillitteri
Reed
Riis
Ringuette–Maltais
Schmidt
Scott (Fredericton—York Sunbury)
Serré
Skoke
Speaker
St. Denis
Stewart (Brant)
Stinson
Szabo
Terrana
Thompson
Torsney
Volpe
White (Fraser Valley West)
Wood
Zed—161

Scott (Skeena)
Shepherd
Solberg
Speller
Steckle
Stewart (Northumberland)
Strahl
Taylor
Thalheimer
Tobin
Valeri
Whelan
Williams
Young

PAIRED MEMBERS

Anderson
Chrétien (Frontenac)
Godin
Landry
Mifflin
Tremblay (Rosemont)

Bernier (Gaspé)
Dingwall
Hickey
Leroux (Shefford)
Proud
Ur

The House divided on Motion No. 3, which was negatived on the following division:

[*Editor's Note: See list under Division No. 60*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification) moved that the bill be concurred in.

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

(*Division No. 61*)

YEAS

Members

Abbott
Allmand
Arseneault
Axworthy (Winnipeg South Centre)
Bakopanos
Beaumier
Benoit
Bevilacqua
Blondin–Andrew
Bonin
Breitkreuz (Yellowhead)
Brown (Oakville—Milton)
Bryden
Caccia
Campbell
Chan
Cohen
Comuzzi
Cowling
Culbert
Dhaliwal
Duhamel
Easter
English
Finlay
Forseth
Gagliano
Gauthier (Ottawa—Vanier)
Graham
Grey (Beaver River)
Guarnieri
Harb
Harper (Churchill)
Harris
Hermanson
Hill (Prince George—Peace River)
Hubbard

Adams
Anawak
Assadourian
Baker
Barnes
Bellemare
Bethel
Bhaduria
Bodnar
Boudria
Brown (Calgary Southeast)
Brushett
Bélair
Calder
Catterall
Chrétien (Saint–Maurice)
Collenette
Copps
Crawford
DeVillers
Dromisky
Dupuy
Eggleton
Epp
Flis
Fry
Gallaway
Goodale
Gray (Windsor West)
Grubel
Hanger
Harper (Calgary West)
Harper (Simcoe Centre)
Hayes
Hill (Macleod)
Hoeppner
Ianno

Iftody	Irwin
Jackson	Johnston
Jordan	Karygiannis
Keyes	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint–Paul)
LeBlanc (Cape Breton Highlands—Canso)	Loney
MacAulay	MacLaren (Etobicoke North)
MacLellan (Cape Breton—The Sydneys)	Maheu
Malhi	Maloney
Manley	Marchi
Marleau	Martin (Esquimalt—Juan de Fuca)
Martin (LaSalle—Émard)	McCormick
McGuire	McKinnon
McLaughlin	McLellan (Edmonton Northwest)
McTeague	McWhinney
Meredith	Milliken
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell
Morrison	Murphy
Murray	Nault
O'Brien	Ouellet
Parrish	Patry
Penson	Peters
Peterson	Pillitteri
Ramsay	Reed
Rideout	Riis
Ringma	Ringuette–Maltais
Robichaud	Schmidt
Scott (Fredericton—York Sunbury)	Scott (Skeena)
Serré	Shepherd
Skoke	Solberg
Speaker	Speller
St. Denis	Steckle
Stewart (Brant)	Stewart (Northumberland)
Stinson	Strahl
Szabo	Taylor
Terrana	Thalheimer
Thompson	Tobin
Torsney	Valeri
Volpe	Whelan
White (Fraser Valley West)	Williams
Wood	Young
Zed—161	

NAYS

Members

Asselin	Bachand
Bergeron	Bernier (Mégantic—Compton—Stanstead)
Bouchard	Brien
Bélisle	Canuel
Caron	Crête
Dalphond–Guiral	Daviault
Debien	de Savoye
Deshaies	Dubé
Duceppe	Dumas
Fillion	Gagnon (Québec)
Gauthier (Roberval)	Guay
Guimond	Jacob
Lalonde	Langlois
Laurin	Lavigne (Beauharnois—Salaberry)
Lebel	Leblanc (Longueuil)
Leroux (Richmond—Wolfe)	Loubier
Marchand	Mercier
Ménard	Nunez
Paré	Picard (Drummond)
Plamondon	Pomerleau
Péloquin	Sauvageau
St–Laurent	Tremblay (Rimouski—Témiscouata)
Venne—45	

PAIRED MEMBERS

Anderson	Bernier (Gaspé)
Chrétien (Frontenac)	Dingwall
Godin	Hickey
Landry	Leroux (Shefford)
Mifflin	Proud
Tremblay (Rosemont)	Ur

The Speaker: I declare the bill concurred in at report stage.

When shall the bill be read the third time? Later this day?

Some hon. members: Agreed.

* * *

(1515)

[*Translation*]

BUSINESS OF THE HOUSE

Mr. Michel Gauthier (Roberval): Mr. Speaker, I would like to ask the deputy government House leader to tell us the business for the coming days.

Hon. Fernand Robichaud (Secretary of State (Parliamentary Affairs)): Mr. Speaker, today, the House will continue the debate on Bill C–37, to amend the Young Offenders Act. Tomorrow, the House will consider the motion from the Minister of Industry to refer Bill C–43, on lobbyists, to committee before second reading.

[*English*]

Since much of the business for next week depends on bills coming back from committees, scheduling of votes and other ad hoc arrangements will be arranged on an ongoing basis of interparty consultation.

We will want to complete Bill C–28 regarding assistance to students, Bill C–30 regarding fisheries workers, Bill C–32 regarding taxes on tobacco, Bill C–40 the miscellaneous statute amendments and Bill C–37 the young offenders bill.

We would also like to complete consideration of the two bills affecting the Yukon, Bill C–33 and Bill C–34 if they come out of committee on time. We will also have to deal with anything else left over from this week.

Of course, we would also like to discuss completing any other bills that my be reported from committee in sufficient time.

The Speaker: My colleagues, last week we had a question of privilege raised by the Parliamentary Secretary to the Minister of Fisheries and Oceans. I am prepared to give my ruling on this. Following that, I will give my ruling on the point of order raised by the hon. member for Winnipeg Transcona.

PRIVILEGE

CONFLICT OF INTEREST CODE—SPEAKER'S RULING

The Speaker: I am now ready to rule on the matter raised last Monday, June 13, by the hon. Parliamentary Secretary to the Minister of Fisheries and Oceans. In his submission, the hon. parliamentary secretary sought to clarify a number of issues related to allegations made against him by the hon. member for Simcoe Centre during Question Period on June 2 and 3, 1994.

The parliamentary secretary claimed that, by bringing into question his compliance with the federal conflict of interest code, the allegations had damaged his credibility and had thus impeded his ability to function as a member of this House. The parliamentary secretary then informed the House that he had complied fully with the conflict of interest code and had formally resigned as a director and officer of the company in question. The parliamentary secretary also refuted other allegations made by the hon. member for Simcoe Centre.

[*Translation*]

From the information provided during the exchange and from my review of the *Debates* of June 2 and 3, it would appear to the Chair that this is clearly a disagreement as to the facts. I refer the hon. members to citation 31(1) of Beauchesne's 6th Edition: ''A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege''.

[*English*]

May I also quote from the *Journals* of June 4, 1975, at page 600. In a ruling on a case of allegations made by one member against another in respect of his conduct, Speaker Jerome indicated that ''a dispute as to facts, a dispute as to opinions and a dispute as to conclusions to be drawn from an allegation of fact is a matter of debate and not a question of privilege''.

(1520)

The government House leader pointed out that there have been many occasions when members have risen to make statements under the guise of a statement of personal privilege in order to put on record their understanding of a situation involving themselves. As your Speaker, I take these matters very seriously and understand the need for members to express themselves in these cases. When I intervened during the parliamentary secretary's presentation, I felt that he had made his point.

[*Translation*]

Not every matter raised as personal privilege necessarily constitutes a basis for a question of privilege. It is incumbent upon the Chair to ensure that the time of the House is used judiciously, and Members can assist the Chair by being succinct in their presentations when bringing such matters to the attention of the House.

[*English*]

I would like to thank the hon. government House leader, the hon. parliamentary secretary and the hon. member for Simcoe Centre for their contributions.

My colleagues, I am now prepared to rule on a point of order.

* * *

POINT OF ORDER

NEW DEMOCRATIC PARTY—SPEAKER'S RULING

The Speaker: On June 1, 1994, the hon. member for Winnipeg Transcona raised a point of order concerning the designation of party status for members of the New Democratic Party. I would like to thank the hon. member for his detailed and well researched presentation, and the hon. members for Kingston and the Islands, Laurier—Sainte–Marie and Kindersley—Lloydminster for their contributions to the discussions.

The hon. member for Winnipeg Transcona asked that I consider and rule upon the request of the members of the New Democratic Party caucus: One, to be designated as New Democrats; Two, to be seated together; and three, to be treated as a recognized party for certain procedural purposes.

I am now ready to rule on that point of order. First, let me deal with the question of what constitutes a party for procedural purposes, a question which has long preoccupied the House. The hon. member for Winnipeg Transcona argued at length that the definition of ''recognized party'' in the Parliament of Canada Act and the Board of Internal Economy bylaws applies only to certain matters of money and allowances. He maintained that the definition should not be used to define the meaning of ''party'' or ''recognized party'' in our standing orders or our practice.

[*Translation*]

He noted, for example, that Section 50(3) of the *Act* which sets the composition of the Board of Internal Economy makes specific reference to a caucus which ''does not have a recognized membership of 12 or more''. That reference, he claimed, implies the possibility of a caucus without 12 members, yet identified as such.

The hon. member presented detailed accounts of the situations which existed in the House of Commons in 1963, 1966 and 1979 when smaller parties were recognized in various ways for purposes of procedure and practice. He also argued that the same rights should be extended to members of the New Democratic Party today.

[*English*]

Having studied the circumstances of each of these cases and having reviewed the rulings referred to by the hon. member as well as others touching on this matter, the conclusions I draw are quite different.

The status granted to minor parties for procedural purposes in certain of these cases was the result of the political exigencies of the time. In none of these instances did the Chair act unilaterally.

In his ruling of September 30, 1963, at page 386 of the *Journals*, Speaker Macnaughton, while dealing with the status of a New Democratic Party in the House, pointed out that the status of a party in the House was for the House itself to decide.

Speaker Macnaughton also made two comments which I feel are very important and which I would like to quote to the House. He said:

> It is in consequence among the duties of the Speaker to see that the Standing Orders of the House are followed in the course of its procedures and that the privileges of the House, once they have been defined and recognized, are protected. It is also the duty of the Speaker to be impartial and removed from politics, which has already been my aim since, honourable members, you did me the honour to elect me as your Speaker.

(1525)

I am still quoting Speaker Macnaughton.

> It seems to me that having in mind the authorities from Sir Erskine May to Lord Campion, from Bourinot to Beauschene, and from Anson to McGregor Dawson and many others, a situation such as that now facing the House must be resolved by the House itself. It is not one where the Speaker ought by himself to take a position where any group of members might feel that their interests as a group or a party have been prejudiced. Nor should the Speaker be put in the position where he must decide, to the advantage or to the disadvantage of any group or party, matters affecting the character of existences of a party, for this surely would signify that the Speaker has taken what is almost a political decision, a decision where the question involves the rights and privileges of the House itself.

[*Translation*]

In the *Journals* of February 18, 1966 at page 159, Speaker Lamoureux, in the ruling on ministerial statements referred to by the hon. member for Winnipeg—Transcona, was loath to institute any change in the practices of the House at that time and indicated that he would not veer from the contemporary practice until such time as the House amended the Standing Orders to do otherwise.

In October 1979, when the issue of party status was again raised, Speaker Jerome returned to the 1963 ruling of Speaker Macnaughton to reiterate that this matter is not the responsibility of the Speaker to decide but rather, a matter for the House. I would draw the attention of members to the words of Speaker Jerome on page 69 of the *Debates* for October 11, 1979.

[*English*]

In his presentation, the hon. member for Winnipeg Transcona quoted from a subsequent ruling of Speaker Jerome given on November 6, 1979, and found at page 1009 of the *Debates*. This ruling concerned the Chair's responsibility to protect the rights of members of small parties.

One of the portions of the ruling quoted only in part by the hon. member is worth repeating:

> The House will recognize in what I have tried to do, I think both representing the spirit of the protection of minorities in the House and also, I think the generosity of the House, that what those members are entitled to can be given to them with a generosity and a recognition that respects the fact that they are members of a political party, so long as it does not give them an advantage that they would not otherwise enjoy as five members and, secondly, so long as it does not deprive other members of their right to participate in some way.

[*Translation*]

Yet again, Speaker Jerome declined to go beyond the contemporary practices of the House while ensuring that the rights of the individual member were protected.

This important theme was once again taken up in a ruling by Speaker Fraser given on December 13, 1990 and found at pages 16703 to 16707 in the *Debates*. At that time the Speaker declared in very strong terms that the basic rights and privileges of individual members of whatever political persuasion are fully protected by the Chair. Stating, on page 16704: ''The Chair pledges to do its utmost to continue to serve this House in as even–handed and impartial a manner as possible''.

[*English*]

In the current circumstances, the existence of the New Democratic Party caucus has not been denied and the Chair will continue to ensure that each member of the House is treated fairly by the rules.

In arguing his case, the hon. member for Winnipeg Transcona acknowledged that his party's situation could not be resolved without, what he called, ''an appropriate will to discern the difference between some previous situations and the situation we find ourselves in at the moment''.

I find myself agreeing with the hon. member up to a point. In my view, what he called ''an appropriate will'' to resolve the situation must be found not in your Speaker acting alone but in the House acting as a whole.

(1530)

[*Translation*]

As the hon. member for Laurier—Sainte–Marie rightly points out, the status of minority parties in the House has always been determined in general by the political make–up of the House.

If the hon. member's argument persuades his colleagues to the solutions he seeks, then the House will have to give new guidance to the Chair.

[*English*]

As your Speaker and the guardian of the rights of minorities and each individual member, I remain fully aware of the grave responsibilities of the Chair in this regard. Indeed, an analysis of the last two months shows that a member not belonging to a recognized party has participated almost every day during the period reserved for members' statements and, on the average, every other day during question period. The House may be assured that I and my deputies pledge to continue to do everything we can to facilitate the fair and active participation of each member in the work of the House.

In my view unilateral action by the Chair would mark a significant departure from the interpretation of our rules and practices as they have evolved over the last decade. As your Speaker and the servant of the House, I believe that I cannot arbitrarily impose a new interpretation but must wait until the House as it is now constituted indicates to me what, if any, action it wishes the Chair to take.

Let me now address the two other matters: the designation of members as members of the New Democratic Party and their wish to be seated together.

The hon. member for Winnipeg Transcona complained that his party is not designated, as it should be, as a caucus on the seating plan of the Chamber. He presented copies of seating plans from previous parliaments to support his view. He did, however, acknowledge that his party is clearly designated as the New Democratic Party in the *Debates*.

[*Translation*]

Let us review the current situation. The Members of Parliament belonging to the New Democratic Party are identified as such in the *Debates* and on the televised proceedings of the House. They are designated as ''others'' in the back row to the left of the Speaker on the seating plan of the Chamber.

Seating arrangements in the House have traditionally been decided following negotiations among the recognized parties.

The chief government whip places members of the government in seats to the right of the Chair and, when there is not enough room on the right to accommodate all government members, some may also be placed to the left of the Chair.

Of the remaining places, the Whip of the Official Opposition assigns seats to the members of that party and the whip of the third party then assigns seats to members of that party. The responsibility for assigning to other members the seats that remain vacant has traditionally fallen to the Speaker.

To determine the seating arrangements for those members who do not belong to a recognized party, the Chair follows the order of their seniority as elected members.

[*English*]

In considering the NDP's request, the New Democrats' request that they be seated together and that their leader be granted the rank due her as a Privy Councillor, I was struck by a phrase of the hon. member for Winnipeg Transcona. Explaining the timing of his point of order he stated:

> I thought it was appropriate for the House to become acquainted with itself after the unprecedented upheaval of the last election.

I applaud the wisdom of that comment. The Chair has made every effort to accommodate members fairly in the present situation. Having now been your Speaker for some five months, I have received various representations from members of Parliament and their constituents on this matter and I have carefully reviewed the precedents. For example, on September 24, 1990, at page 13216 of the *Debates*, Speaker Fraser noted on a ruling dealing with seating arrangements that the Speaker can exercise some discretion in these matters. He stated:

> I also think members should understand that as your Speaker, I have some discretion in dealing with the rights of every person in this House who is in a minority position. I think we have a great tradition of protecting the rights of minorities, and I can assure the hon. member that the rights of minorities will be protected by the Speaker in a way that is fair and equitable for all other members.

(1535)

Having concluded that some remedy does lie within the purview of the Speaker, I have therefore asked my officials to modify the seating plan as of the return of the House on September 19 to implement the following changes in the seats that the Speaker assigns:

(1) The hon. members for Sherbrooke and Saint John will be seated together and identified as the Progressive Conservative caucus on the seating plan.

(2) The hon. members of the New Democratic caucus will also be seated together and be identified as such on the plan.

(3) The hon. member for Beauce will be identified as Independent and the hon. member for Markham—Whitchurch—Stouffville will be identified as Independent Liberal.

[*Translation*]

This appears to the Chair to be a fair response to competing claims. Members of the same party will be identified and seated together, with the precedence of their respective leaders determining their place in the sequence. The two other members will be assigned the two remaining seats according to their seniority and designated according to their express wishes.

[*English*]

I want to thank the hon. member for Winnipeg Transcona for his thoughtful, in–depth presentation. I appreciate the contributions of the hon. members for Kingston and the Islands, Laurier—Sainte–Marie and Kindersley—Lloydminster. I hope the steps I have taken to solve matters within my discretion will go some way to remedy the situation. The hon. member for Winnipeg Transcona and his caucus colleagues may be assured that if the House indicates to me that it has been persuaded by his arguments I stand ready to be guided accordingly.

GOVERNMENT ORDERS

[*Translation*]

YOUNG OFFENDERS ACT

The House resumed from June 15 consideration of the motion that Bill C–37, an act to amend the Young Offenders Act and the Criminal Code, be now read a second time and referred to a committee, and of the amendment.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Madam Speaker, 35 years ago, I opted for a career in education, specifically in the training of pre–school and primary school teachers.

I also decided to speak for those who have no voice, the children and adolescents who rarely get an opportunity to express their views, defend their position or demand their rights. Therefore, I am especially pleased to speak today to this debate on Bill C–37, An Act to amend the Young Offenders Act and the Criminal Code.

At the outset, I want the House to know that I fully support the amendment proposed by the hon. member for Saint–Hubert who is also the justice critic for the official opposition. This overly regressive bill should not proceed beyond second reading and should be withdrawn by the government.

Moreover, the amendment states that the Young Offenders Act ''introduces no concrete measure for the rehabilitation of young offenders'' and ''does not encourage the provinces to take legislative or other measures necessary in order to set up comprehensive crime prevention programs''.

(1540)

I would like to add my voice to those of my colleagues and join the broad consensus in Quebec which opposes any attempts to make the provisions of the Young Offenders Act more stringent. In the time allotted to me, I would like to outline our main reasons for opposing this bill.

First of all, far be it for me to deny the existence of youth crime and violence, much less to minimize the seriousness of the problem. In point of fact, vile, unacceptable crimes such as premeditated murder are committed by juvenile delinquents. The present system acts as a kind of safety valve and works well in that the existing legislation already makes it possible to transfer such cases to adult court and to sentence the offenders accordingly.

During 1992–93, 33 cases involving serious crimes were transferred to adult court. The problem is that we do not have the data to confirm or invalidate the government's decision to move in this direction. As for other serious crimes which can be categorized as relational crimes, reintegration into Canadian society should be the preferred approach.

The legislator showed that social reintegration was one of its main concerns, as he clearly stated in the principle of the bill by including Paragraphs *a*) and *c*.1) in Clause 1, and I quote: ''Crime prevention is essential to the long–term protection of society and requires addressing the underlying causes of crime by young persons and developing multi–disciplinary approaches to identifying and effectively responding to children and young persons at risk of committing offending behaviours in the future''. The bill goes on to say: ''The protection of society, which is a primary objective of the criminal law applicable to youth, is best served by rehabilitation, wherever possible, of young persons who commit offences, and rehabilitation is best achieved by addressing the needs and circumstances of a young person that are relevant to the young person's offending behaviour''.

Where the shoe pinches is that the legislator's goodwill does not extend beyond stating these nice principles. Too bad. The Minister of Justice had everything he needed to bring about the changes that would have made the youth justice system more efficient. He financed a late–February seminar hosted by the University of Toronto's criminology centre. This seminar brought together a group of experts including academics, government officials and professionals working in the field of youth justice.

The introduction to the final report dated March 28, 1994 says that the purpose of the seminar is explicit in its very title, ''Beyond the Red Book: A Workshop on Recommendations for Amendments to the Young Offenders Act''. What is the minister proposing to us in his bill? The promises in the red book, and nothing that goes beyond this now outdated document. Nothing takes into consideration the opinion of the experts who met at that seminar to advise the minister—at great expense to the taxpayers, need I remind you.

They give themselves a clear conscience. They study. They consult. But why, I ask you, Madam Speaker, since everything was already in the red book. So the essential amendments in this bill concern heavier penalties for serious crimes and the presumption of referral to adult court.

A reference document dated May 1994 and published by the Department of Justice says that the public is very concerned about the need to control youth crime and to protect society. Therefore some believe that stricter sentences are the best way to deter young people from committing criminal acts.

(1545)

By the way, what does the experts' famous report say about stiffer sentences? I quote:

[*English*]

''Variation in dispositional severity will have little, if any, impact on crime'' and ''there is no obvious pressure within the youth justice system for higher maximum penalties''.

[*Translation*]

In other words, the experts who rely on facts, on their experience, on what they see, contradict those who rely on perceptions and their own imagination: tougher sentences are not the way to reduce youth crime.

Faced with this dilemma, what does the minister do? He decides not to take the path suggested by his experts. He even ignores the fine principles set forth at the beginning of his own bill and he opts for more severe sentences. Nevertheless, this same document issued by the department says: ''All our efforts in criminal justice seek to prevent crime, including youth crime. Prosecuting someone who committed a crime may provide some comfort to the victim and reassure the public, but it cannot be as satisfactory as preventing the crime as such.

It is often harder to implement crime prevention programs than to merely sue an offender after the fact. Prevention is based on the economic, educational, social, moral and legal conditions which generate crime and it requires efforts to change those conditions. The co–operation of many departments from all levels of government, as well as of the private sector and the public in general is needed. Making crime prevention programs effective is a major challenge. However, the results obtained with such programs, namely a reduction in crime, is much more beneficial for young people, and also for Canadians who, otherwise, might have become victims. Consequently, the rehabilitation of young offenders must be a major objective of the legislation''.

This is an ambitious program. Joint action is necessary. We must co–operate with the other governments, the private sector and the public. We must change the economic, educational, social and moral conditions in our society. We must promote awareness, education and tolerance. Together, we must meet the challenge of reducing crime because, in the end, it will prove more beneficial for everyone.

Experts also insist that rehabilitation is more effective outside the criminal system. The Canadian Sentencing Commission says that 70 per cent of Canadians want more money to be allocated to the development of other types of sentence than incarceration.

Yet, this is not what the minister has decided to do. He prefers the easy solution. The challenge was probably too big for his government. We must look elsewhere to find out why the minister tabled such a bill, especially considering that the Young Offenders Act was amended in 1992, precisely to extend by three to five years the sentences for violent crimes. Merely two years later, when we have not even had a real chance to see if the amended act works and to assess its impact, the government comes up with new amendments to once again lengthen sentences for violent crimes, this time by five to ten years.

It seems obvious to me that the government's chief concern, in bringing this amendment, is to keep an election promise, perhaps made off the cuff by the leader of the Liberal Party during the last election campaign when he was being pressured with questions in the Reform Party's stronghold. Or perhaps the minister bowed to various pressures by trying to please everybody, but satisfying no one. The bill does not go far enough for hard–liners who want society to be protected at all cost, and it also turns a deaf ear to those who would like to maintain the status quo and those who support the social reintegration and rehabilitation of young offenders.

The second important amendment to this bill concerns the presumption of transfer to adult court.

Youth crime and violence by young people are of real concern to the public. But this concern is based on the public's perception, not on actual facts. More and more Canadians are afraid of rising crime, particularly involving young people, and many Canadians feel that the government is not doing enough to address this problem.

(1550)

In a 1987 report, the Canadian Sentencing Commission noted that 75 per cent of the population believed that 30 to 100 per cent of crimes were violent crimes.

But the reality is quite different. In 1992, for example, only one of every ten crimes under the Criminal Code that were reported to police was a violent crime. In its background paper, the government recognizes that the extent of violent crime in Canada is not well known, and that rational responses to criminal behaviour among young people should be based on facts and not on perceptions. Since 1970, the average number of homicides allegedly committed by adolescents has declined sharply. The department also tells us that young people between the ages of 12 and 18 make up 8 per cent of the population, and that about 6 to 9 per cent of suspect investigations in all

homicide cases in Canada since 1986 have focused on young people in that age group. It is therefore patently false to claim that adolescents are more likely than adults to commit murder.

To deal with this problem, the government had two options: the easy, populist and short–term solution, which included the bill before the House today, or stressing the long–term interests of the teenager and society and opting for rehabilitation. When a young person who has committed a reprehensible act is charged and tried by a judge and jury, and especially if he is sentenced to life imprisonment, it may be some consolation for the victim or the victim's family and it may be reassuring for society. However, what does society gain by sentencing a young person whom we might be able to rehabilitate through community reintegration? What do we gain by sentencing a young person to closed custody or imprisonment, a school for crime with no drop–outs and where good attendance increases the risk of recidivism?

Nothing at all, Madam Speaker. Statistics show that only 13 per cent of young people are responsible for violent crimes, while this was 22 per cent for the 18 to 25 group and 33 per cent for the 25 to 34 group.

According to the experts, the minister should have gone beyond the red book, because the main problem with the Young Offenders Act is not the act itself but the administration of justice.

For instance, it is a fact that the crime resolution rate is very low. The average for all types of crimes is around 29 per cent. Another administrative problem is the time it takes for the court to hand down the sentence. It takes far too long, especially when we are talking about teenagers, where time is a very important factor. When the time lapsed between the crime and sentencing is too long, this tends to erode the causal link between the two events and consequently undermines the credibility of the adults who make the decisions that alter the course of their lives.

Our so–called civilized and industrialized world has no initiation rites to mark the passage from childhood to adulthood. Instead, we invented adolescence. What are the messages teenagers get from our society? You are too big to be a child and too small to be an adult. You have to settle for being a teenager. You have to meet standards of acceptable behaviour. You have to go to school, because you are too young to work. You have to go on welfare, because there are no jobs.

Between the ages of 14 and 18, teenagers experience a major identity crisis. They are trying to find themselves. They want to test the limits of society. They need understanding, support, supervision, explanations, information, education, training, but they are often left alone with a list of instructions. In other cases, they are often exposed to confrontation and violence.

I have heard some quite remarkable speeches in this House on traditional family values and the need to subsidize women in the home to allow them to raise their children. But those same members were among the first to call for more repression, more punishment and stricter standards. Have we forgotten that children do not come into this world as delinquents and that the environment in which they were raised has made them what they are? Are we overlooking the fact that we are the sum of our experiences? Are we trying to disclaim all responsibility for the mess we have made?

(1555)

I am disappointed, even sad. Sad because we do not seem to care about working to improve our collective well–being. We have the power to save our children, but we are choosing to put them in jail. Yet, are not parents responsible for their children until they reach 18? Then, why not consider alternatives like the ones suggested by the expert panel? For example, we could have added the option of imposing a suspended sentence, which would protect our society and give young persons a chance to prove their willingness to modify their behaviour.

To improve the delivery of justice we could have considered a better co–operation between the Crown and the defence, in order to reach a decision best suited for the accused. Personally, I think that the probation officer could have been involved, to find alternatives to prison.

To conclude, amendments to an act will never make up for not enforcing of that act properly. The federal minister is responsible for the Young Offenders Act, but its application comes under provincial jurisdiction. To reach his objective, better youth justice administration, the minister should have involved the provinces in the legislative review process.

He did not do that and that goes to show, in my opinion, that he is not looking for an effective, long–term solution, but rather for a short–term, popular solution, even if it is counter–productive. Once again, the federal government demonstrates that it has but one concern: to centralize. It follows its own course, irrespective of the good of the children of Quebec, among others.

[*English*]

Mr. Jim Karygiannis (Scarborough—Agincourt): Madam Speaker, I have been working on amendments to the Young Offenders Act since the day I was elected. Some of the comments made by my hon. colleague across the way I certainly could not comprehend.

This particular act we are dealing with was first tested in 1985 when a young individual in my riding killed three people: a mother, a father and their seven–year old daughter. The young offender received three years in total. There are no words to describe the feelings of my constituents.

What I am hearing from the hon. member is that the Liberal Party wants to appease the Reform. I do not think the Liberal Party brought these changes about because of the Reform Party. For a long time the Liberal Party has been a beacon for changes to the Young Offenders Act. Certainly I disagree with what my colleague is saying.

My colleague is saying that in a civilized world we should have something which is called an adolescent. This young individual who snuffed three lives was not an adolescent; he had already moved into the adult world. He committed a crime. As the saying goes: You do the crime, you pay the time.

I heard with great interest my hon. colleague saying that we do not need prisons, that we need rehabilitation. I quite agree we need rehabilitation.

What in the hon. member's view should a young offender get for committing a severe crime, such as a killing or a rape? Do we say: ''You are a nice adolescent so don't worry about it. We will give you a pat on the back because you are not old enough to do it'', or: ''You did the crime, you pay the time''?

Closer to home, if a young offender were to kill a member of the hon. member's family, how would she want to see justice served? What kind of time would that young offender be paying?

[*Translation*]

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Madam Speaker, it must be understood that I never said that teenagers, including criminals, were all very nice individuals. Let us not get carried away.

I think that it is extremely important to realize that there are around two million teenagers in Canada and that the member is talking about something that happened three years ago in his riding. One out of two million, that is not a lot to justify amending an act. According to statistics, over the past 20 years, around 46 teenagers a year commit odious crimes.

(1600)

The example given by my colleague clearly proves that the problem is not with the act or sentencing, but with the enforcement of the legislation. If, in his riding, this odious murderer had been tried in adult court, as allowed under the present legislation, he would have been sentenced accordingly. He would have received a life sentence, Madam Speaker, not three years.

It must be understood that once again, the member, with his question, is providing me with a beautiful opportunity to make my point, a point which is in keeping with the question he asked me.

[*English*]

Mr. Paul E. Forseth (New Westminster—Burnaby): Madam Speaker, my colleague in her speech mentioned that the preamble of the amendments to the Young Offenders Act falls very short. What does my colleague from Quebec say about what should be the balance between the needs of the victim and the needs of the offender as outlined in the preamble as to the general direction the act should be administered?

I noticed the word ''victim'' is not mentioned at all in the preamble. I would like her views on the balance between victim's needs and offender's needs, especially as it should be outlined in the preamble of the Young Offenders Act.

[*Translation*]

Mrs. Tremblay: Madam Speaker, I think we need to make a distinction between the various types of crimes. There are the serious, horrible and unacceptable crimes, which should be dealt with before adult courts, as stipulated in the current legislation.

Now, for all the other types of crimes, we know that the majority of crimes committed by young people are property offences. The most important thing is to find a way to allow the young offenders to directly compensate their victims. Let me give you an example.

If we were to ask a 14– or 15–year–old who broke into my house to mow my lawn for a whole summer, I think that might serve as compensation for the crime and as a constant reminder to the offender of what he did wrong. That could improve relations in our society. I would probably lock my doors while he mowed the lawn, but still there may be some innovative alternatives to intolerance and repression.

Teenagers and children are victims. They were not born this way. We have to understand that they are not totally responsible for their actions. The economic and social conditions in which we have them live and the school situation they find themselves in have a significant impact on the lives of 14– to 18–year–olds. When they need to identify with someone, there is no one around: their fathers are gone, their mothers have new boyfriends or vice versa. They change home every week, they never live at the same place, they have problems at school. We built them huge schools where they do not feel as though they belong. All of these things make life very difficult for our young people. That is why they are constantly testing society to see what is allowed and what is forbidden.

The more innovative and tolerant we are towards young offenders, in order to give them the opportunity to right the wrongs they did, the better their chances for rehabilitation.

Mr. Michel Bellehumeur (Berthier—Montcalm): Madam Speaker, I want to congratulate the member for Rimouski—Témiscouata. I think she understands the problem of young offenders and she presented the issue quite well.

The member is also surely aware, from what the Minister of Justice has said, that he wants to address this issue in two steps: the first step being the amendments which he proposed last week and which are being undertaken, as you said so well, without first knowing the results of the 1992 amendments. The Act is therefore being reworked again before those results are even known. The second step will take the form of large–scale consultations on the entire young offenders issue, possibly resulting in a report to the Committee on Justice and Legal Affairs, along with proposed amendments to the Young Offenders Act. This is just one more snag for the Young Offenders Act, which was passed in 1984.

(1605)

I have two questions for the member, Madam Speaker, which can be answered quickly. First of all, does the member find this to be a normal process in dealing with an issue as important as young offenders? Second, do this process and the amendments proposed by the minister—although she did touch on this point in her address—conform to Quebec's expectations concerning this issue, and in particular the expectations communicated very clearly to the federal justice minister by the National Assembly and the provincial minister of justice?

Mrs. Tremblay: I thank my colleague for his congratulations and his two questions. The process seems quite abnormal to me. If the minister had made a career in the same field as I did, and if he had applied for a grant to bring new amendments without first awaiting the results of a previous amendment, he would never have got the grant. It makes absolutely no sense to make amendments without really knowing the results of previous amendments.

In my opinion, therefore, since this is a two–stage process, it would be logical for the minister to be patient, wait for the second stage and postpone his bill for the time being. He is sending us on vacation but not sending our young people to jail as he does with this bill. The presumption of transfer to adult court is a problem that will increase the enforcement requirements of this Act, although he seems to say somewhere between the lines that it will be possible, for anyone so inclined, not to follow the Act and perhaps to circumvent it.

Now, as for Quebec's position, the only thing I find to cheer about in this bill, if one can say anything good about it, is that it gives me one more argument in favour of voting for Quebec sovereignty. Once again, the federal government is turning a deaf ear to Quebec concerning an Act that, while it could always be improved, is working very well in Quebec. The federal government will not win points in Quebec by making amendments such as these. It is showing us again that we have one more reason to leave this country which is not ours.

[*English*]

Hon. Ethel Blondin–Andrew (Secretary of State (Training and Youth)): Madam Speaker, I am pleased to rise and speak today in support of the government's recent actions to crack down on violent young offenders who commit serious crimes.

As a preamble to my speech, we all have responsibilities in this country that we should not predicate the effectiveness of programs on what our political agendas are. I think we have a responsibility for the young people of this country and this piece of legislation and the amendments are clearly to address the needs that are there.

I am happy to be a member of Parliament and a contributing member so to speak who will perhaps add to a healthy debate and make viable suggestions that would fortify the country, bring people together and carve out a future for young people in this country rather than talk about some rather destructive means that would not bring any enjoyment or any good health to the country such as it is.

I am pleased that on June 2 the Minister of Justice tabled amendments to the Young Offenders Act. These amendments recognize the public's growing concern about youth violence and demonstrate the priority this government places on protecting the public.

These amendments, by shifting the onus on young people to take responsibility for their violent crimes, sends a strong signal to young people that their actions carry serious consequences. We are a country that basically wants Canadians to know that we all have a responsibility for our country and consequently for our actions.

(1610)

However, as the Minister of Justice made clear, legislation is only one part of the answer to violence among young people. Protecting the public is the primary and necessary objective but we must focus our attention on helping our young people if we are to find lasting and effective solutions to youth crime.

I am encouraged to see that the amendments to the Young Offenders Act include provisions for the rehabilitation and treatment of young offenders in the community. There are many complex questions surrounding youth crime, questions that the Standing Committee on Justice and Legal Affairs will be examining as part of the reform of the youth justice system.

I welcome the opportunity to work with my colleagues in the House to take action on the contributing factors to crime and violence such as unemployment, poverty, alcoholism, drug and substance abuse, family violence, racism and illiteracy.

This is not to say that any of those factors justifies any kind of violent crimes or should contribute to saying that young people have the right to commit crimes. These are mitigating factors. These are things that make it very difficult for young people to have a life that is well, a life that is healthy and a life that keeps them from the negative side of life, so to speak.

Socioeconomic misery and crime are two sides of the same coin. By addressing these problems in our society we will be tackling the root causes of youth crime and ultimately adult crime. It does not take any stretch of the imagination to see how such socioeconomic misery fuels anger, frustration, anti–social behaviour and criminal activity among young people.

I would like the House to consider the adverse conditions that many of our aboriginal youth face as they walk through the perilous path to adulthood. Unemployment among aboriginal people is twice the Canadian level. It is the number one problem facing aboriginal communities and they have the lowest incomes of anyone in the country.

The illiteracy rate among aboriginal people is twice the national average. High school dropout rates can be as high as 95 per cent in isolated northern communities; 57.7 per cent of aboriginal people are under the age of 24. The aboriginal population is very young, growing fast and on the move.

The majority of aboriginal peoples do not live on reserves and the migration of on–reserve aboriginal peoples to urban centres particularly in western Canada is increasing. In Manitoba it is estimated that one out of four new entrants into the job market will be of aboriginal origin. In Saskatchewan it will be one out of three.

Are they destined for a life of unemployment, social problems, crime? The odds seem stacked against them but this need not be the case. Five to six times the number of aboriginal peoples are incarcerated in provincial and federal institutions as compared with aboriginal peoples in the general population. Yet aboriginal peoples only represent approximately 3.7 per cent of the Canadian population.

The state of many aboriginal peoples in Canada is not a pretty picture. Despite these socioeconomic problems, progress has been made in health, education, economic community development and social services.

Such progress is often linked to aboriginal peoples having culturally appropriate services controlled by aboriginal peoples. I am proud to be a part of a government that recognizes the enormous potential that our young people have to offer and that is prepared to invest in their abilities and to give them hope and opportunities for the future.

This government has implemented a number of programs and services we feel will help aboriginal youth and other youth as well recognize their strengths and grow to their full potential and to see the sun on the horizon in an optimistic manner.

I, as Secretary of State for Training and Youth, and the Minister of Human Resources Development have announced a youth strategy. This strategy will attack some of the root causes for turning youth into young offenders.

In my riding last month we made a contribution to a youth program with the Gwich'in people. The Gwich'in people have taken it upon themselves to build their own healing centre, to deal with many of their social and justice issues, many of their health issues. They have done so along with the partnership they are building with people who have the expertise in and outside their own communities.

(1615)

Last month we announced 37 projects as part of the first wave of Youth Service Canada. We believe it is necessary to send a signal that young people can contribute to rather than take away from their communities. Many think of young people very negatively because young offenders tend to get all the stories, all the ink. The news media always covers them. However many young people are doing wonderful things but are not being celebrated or recognized.

Youth Service Canada aims to help 18 to 24–year olds gain work experience, develop their skills, learn good work habits and improve their self–esteem through community service projects. Youth Service Canada should provide opportunities for youth to break away from the socioeconomic factors which have held them back and have seduced some to become involved in a life of crime.

Recently I attended the University of Calgary's graduation for its native students. It has graduated 18 native students with university degrees, some of them with a Bachelor of Social Work, some of them with a Bachelor of Education. A young woman graduated with an engineering degree. Those young people are very healthy models of outstanding citizens who will help their communities and this country.

So far it is not all bad news. These 18 students from the University of Calgary graduated under the leadership of Mr. George Callion who works with native students across Canada. He works on the Calgary Police Commission and contributes in a number of ways.

It takes leadership. It takes caring. It takes generosity. These must be expressed to our young people to encourage them and to let them know that the government cares and the people in their communities care. We must let them know that we in this House care about them and are directing our efforts to deal with those things.

Thus far from all the colleges and universities across Canada, there have been 92,000 aboriginal graduates. That is quite a huge cadre of professionals who will contribute in some way to their communities.

On Monday the Edmonton *Journal* featured the graduation of native law students. Five or six of them were pictured on the front. I know most of them, but the one that leaped out at me was none other than Mr. Brad Enge from the Northwest Territories. He is a native student and a 20–year veteran of the RCMP who has contributed to his community and his country. He is a proud Canadian who has worked hard for law and order. He is a proud Canadian who has worked for the young people in his community. He is a model for these young people.

That is how it is done. Success is the way in the native communities to bring further successes. These 92,000 graduates thus far, along with the law students who were pictured on the front page of the Edmonton *Journal* are the way to go.

There is more than one way to deal with young offenders, the whole issue of social justice and a number of other justice issues as well. There is rehabilitation but there is also the way of leadership, young people who set an example as those people will do.

Part of the consultations on the concept of Youth Service Canada had me in contact with many youth across Canada. I met with hundreds of groups. We talked about all the bad things which are happening.

I had the occasion to go to the SkyDome stadium in Toronto. There were 50,000 young people accompanied by their teachers. They were celebrating what they called the journey of hope. It was a positive celebration to show that Canada's young people are not just involved in crimes. They are doing many wonderful things.

I have attended many graduations across the country, many of which involved aboriginal youth, but many of which involved ordinary Canadian citizens.

(1620)

It is positive and wonderful to see people doing something constructive for which they get no credit. I wanted to celebrate that with my hon. colleagues.

Speaking about the Youth Service Canada I believe that every department and crown corporation will do its part to forge those partnerships which will produce healthier and better contributing young people across Canada.

In the Dene language we have what is called Dene Tulu. It is the path you walk on and the path you walk on is the path of your own choosing. We have integrated that as one stream into the youth services corps because of the young people who have been marginalized or have been left out, who have dropped out of school and have given up learning and are out of the labour market. Essentially, they become so marginalized they drop out of life. We need to rebuild their confidence. We have to get them back to work and back to learning.

This stream called the Dene Tulu or Tulu would have them contributing. Whether the path you choose is good or bad is really up to you. That is the Dene form of justice. Tulu is one of our four guiding themes for Youth Service Canada to look at directly assisting those young offenders who are in community based rehabilitation programs.

Young offenders were also prominent at some of our consultations across Canada, along with the disabled and the homeless youth. Youth Service Canada is one part of the government's actions to help young people to make the transition from school to the workforce or to reintegrate into society.

We could talk about the many attempts which the government has put forward. We have put forward a youth strategy and a youth internship program. We have been discussing the changes to the Canada student loans program. They will help young people to participate positively in their learning for future jobs they will engage in for nation building. There are exercises in their communities at the community and regional levels.

For that reason part of the youth internship approach is industry driven and involves the sectors of automotive repair, logistics, environment, electrical manufacturing, horticulture and tourism. Aboriginal youth will benefit from the youth internship, acquiring the hands–on knowledge and skills required in today's workforce.

The success of all our young people as they step into the adult world is crucial not only for their own self–esteem but also for the well–being and prosperity of society as a whole. The government stay in school aboriginal campaign is using innovative methods to increase public awareness and spur community action to reverse the appalling trend of having young people drop out of school, to the tune of 95 per cent in some areas as I have indicated.

A lot of discussion that preceded these amendments to the Young Offenders Act focused on violent crime and a need to get tough with young criminals. However let us not lose sight of the fact that less than 20 per cent of the youth crimes are violent acts. Of course they get most of the attention. It is very unfortunate and very negative that that is what usually gets a lot of the ink and the air time.

Let us not lose sight of the fact that less than 20 per cent are violent acts. Most youth crimes are property and alcohol related. Getting tough and throwing these young people behind bars is not necessarily the best answer in these situations. We are not saying that leniency is the answer. We are saying that perhaps there are other ways of forging relationships and partnerships that will help to reconstruct and rebuild communities.

We as parents have a responsibility. When a child is born and when a young child leaves the house to go to kindergarten, you do not know how that child will turn out. But if you do not do your level best, if you do not do everything in your power as a responsible member of the community to provide the nurturing, love and guidance for that child, it is almost guaranteed that you are sealing the fate of that child to a life of negativity and downfall. Even if you do everything right there is no guarantee but if you do not do anything to help young people you are almost sealing their fate to a life that is not very positive.

(1625)

I encourage all the people who affect young people in the communities. It takes one person to make a positive impact on your life. That person could be a counsellor, an RCMP officer, a teacher. That person could be a friend, an aunt, or an uncle. Somebody to be there to reach out and encourage a young person is what it takes sometimes.

Remember, the responsibility is not just in legislation or amendments. The responsibility is the relationship we forge as members of this wonderful country, members of our wonderful and diverse communities, that contribute to making life better for everyone.

We have a responsibility for Canada's future which is going to be drawn out through the young people whom we nurture, guide and teach. Government and all of the governance we leave behind is in their hands. We have an onerous responsibility, but if we do nothing, we will reap nothing.

I appeal to all Canadians to remember that laws are guides. They guide us. We work in the highest court in the land. We are building, remaking and changing laws, but we cannot legislate caring, loving and nurturing, the things that we have to give to ensure that the situation with young offenders is abated.

Mr. Charlie Penson (Peace River): Madam Speaker, the secretary of state talked about a crackdown in this legislation which is coming forward. I certainly would like to know what type of crackdown is being proposed.

A constituent who has written to me, Mr. Forsen, talks about the need for tougher penalties. This gentleman is a grandfather. His two grandsons are repeat offenders and all they got was a slap on the wrist. He is afraid to leave home because he has been robbed by these two grandsons in the past.

I want to know what kind of crackdown the hon. member is speaking of here? She has suggested that only 25 per cent of the acts are violent, but I would put those I mentioned in that violent class as robberies were involved. Can the hon. member explain to concerned Canadians what type of crackdowns are being proposed?

Ms. Blondin–Andrew: Madam Speaker, this is directly from the news release of the Minister of Justice who tabled the amendments on the Young Offenders Act.

The highlights of the bill include: increased sentences for teenagers convicted of first or second degree murder in youth court to ten and seven years respectively; dealing with 16 and 17–year olds charged with serious personal injury offences in adult court, unless they can show a judge that public protection and rehabilitation can both be achieved through youth court; and extending the time that 16 and 17–year old young offenders who have been convicted of murder in an adult court must serve before they can be considered for parole.

The bill also includes: improved measures for information sharing between professionals, like school officials and police with selected members of the public when public safety is at risk; retaining the record of serious young offenders; provisions that will encourage rehabilitation and treatment of young offenders in the community when this is appropriate.

This does not necessarily speak to the question the member asked. I do believe in the various communities that will be affected by this legislation there are people, for example the provincial and territorial justice ministers, who are looking at attempts to better deal with young offenders in their own regions and provinces. That might include community service work for example.

One suggestion has proved to be quite viable in the aboriginal community. Young offenders have been sent out on the land to do hard physical labour in camps. They have had to cut wood, haul water and do a lot of physical work. It has been found that the recidivism rate with those young offenders is virtually nil. It is not necessarily boot camp. They learn something. They learn how to survive. They learn coping skills. They regain their self–esteem. Those are the kinds of ideas that are being entertained and I do not find them totally offensive if they are coupled with other positive rehabilitative measures.

(1630)

[*Translation*]

Mr. Antoine Dubé (Lévis): Madam Speaker, I welcome this opportunity, as the Official Opposition critic for Training and Youth, to question my counterpart, the Secretary of State (Training and Youth). As a courtesy, I had agreed to change my speaking schedule, and I am not sure this will suit the hon. member opposite, because she has given me a golden opportunity to talk about the Youth Service Corps which was the subject of the first part of her speech. I will start with a comment and then ask a few questions.

The employment and learning strategy includes the Youth Service Corps, but I would like to point out that this year, only 2,500 young people across Canada will be able to take advantage of this initiative, while we have 400,000 young people across

Canada who are unemployed. It depends on the age group, because if we look at the 16 to 30 group, as we do in Quebec, we could say there are 600,000 young people who are unemployed.

So 2,500 does not have much impact. When we realize that of the $10,000 spent on each young person in the Youth Service Corps, about $4,000 goes to administration, there is only 6,000 left. It all depends. There are some variants in the pilot projects, and incidentally, in Quebec, pilot projects tend to be found in Liberal ridings, in most cases, although in Laval, there are two Bloc ridings and one Liberal—

An hon. member: It was a mistake.

Mr. Dubé: It was probably a mistake. So there is a coincidence, and I do not know whether in Western Canada our Reform colleagues may wish to help us out on this, there are not many, but they tend to be in ridings that are carefully chosen. The Secretary of State says the program will also be used to rehabilitate offenders, and I do not mind, but when they announced this plan, it was supposed to be about jobs.

I wish she would try and convince me, and I would also like to ask her about the $150 per week, because I remember that initially it was $61 per week for those living with their families, and it went up to $121. She talked about partnership and consultation when she came to Quebec City. I heard she was coming the day she came, so it was too late for me to be invited. Another point is that to finance this Youth Service strategy, the government is taking funds intended for existing programs, including women's programs, which means that the government is more or less robbing Peter to pay Paul. Is this the kind of attitude the Liberal government wants to take? So I listened very patiently to the Secretary of State, but quite frankly, she has yet to convince us that she made a very positive presentation on the subject before the House today.

[*English*]

Ms. Blondin–Andrew: Madam Speaker, I am not sure that I would ever be capable of convincing the hon. member to believe anything the federal government does. I am sure he will recognize that since we have been in government there has been a boost in the economy. We have created 183,000 jobs since we were elected. Sixty–six thousand of those jobs have gone to Quebec. We have just had the signing of the infrastructure program recently.

Our youth initiative is an initial first step. We believe that this is one way to stimulate a very downtrodden and a very cynical group of young people who have been marginalized. We do not feel in the five and half months we have been in office we have had enough time to do all of the things we should do.

The hon. member spoke about consultation. This from the party that did not agree with us interfering jurisdictionally by bringing forward this program. We had nothing but headaches and heartaches from its members. Now they want into the program. I am glad. Any time the hon. member wants to put forward a proposal I would be more than happy to receive it. I would be happy to meet with him outside the Chamber to discuss this program. I would also be happy to discuss all of the other programs we have.

(1635)

The opposition members know we are having a very difficult time. We are streamlining, restructuring and in some cases collapsing boards and getting rid of programs that duplicate other services. This will allow us to reallocate for other positive purposes such as the youth service corps. We managed to maintain a level of service that is adequate for the public.

I do not really know what the hon. member is complaining about. However, I am certainly willing to work with him in the future on all of these initiatives.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): Madam Speaker, I listened closely to what the Secretary of State for Training and Youth said. I think that she understands the problem well, particularly in a riding like mine where there really is a problem with young native offenders. I think her analysis of the situation was excellent.

I would like the hon. secretary of state to tell us however, with regard to social rehabilitation and reintegration—because I am sure she has ascertained with the Minister of Justice that it does—if indeed this aspect is covered in the bill. I am quite sure she did check because the minister alluded, albeit half–heartedly, to rehabilitation or reintegration. I would like to know where in the bill this aspect is emphasized. Is it emphasized by imposing stiffer sentences? By reversing the burden of the proof? How exactly does the bill provide for the reintegration of young offenders into society?

[*English*]

Ms. Blondin–Andrew: Madam Speaker, this whole issue of young offenders is not an either/or. We are attempting to create a balance within the justice system, especially as it pertains to young offenders.

We are looking at some rehabilitative measures. We are not going to lock up young people and throw away the key. We know that the costs for incarceration are prohibitive.

I know that because in my riding, and the hon. member for Kenora—Rainy River can attest to it, we had the highest rate of recidivism, of repeaters. We know what it costs to keep people incarcerated for long periods of time. The upkeep costs are prohibitive. The Minister of Justice and other members are attempting to create a balance to address the issues of violent

crimes committed by young offenders and still maintain a section for rehabilitation.

As I indicated, the Department of Justice is not the only department that has that responsibility. Communities, parents, regions, provinces as well as hon. members in the House have a responsibility to contribute in a positive way.

Mr. Forseth: Madam Speaker, on a point of order. I wonder if I may have the unanimous consent of the House to ask just one brief question of my colleague?

The Acting Speaker (Mrs. Maheu): Does the hon. member have the unanimous consent of the House?

Some hon. members: Agreed.

Mr. Paul E. Forseth (New Westminster—Burnaby): Madam Speaker, can my colleague advise the House on behalf of the government if aboriginal young offenders need special attention for those likely to receive a custody sentence? Is the required denunciation of custody different for native young offenders?

Ms. Blondin–Andrew: Madam Speaker, I believe there is equal application of the law for young offenders. Because of the rate of recidivism and the higher rates of incarceration for aboriginal people generally, as I indicated, the rate of incarceration exceeds the population for men in particular. I am not sure that pertains to young offenders but I would venture it would be very close.

Having said that, I do not think there is any special treatment. If there is any special treatment it is to create equality not to create inequality. There are such inconsistencies and such marginalization right now that there is definitely a constitutional disadvantage applied to young aboriginal people.

(1640)

[*Translation*]

Mr. Antoine Dubé (Lévis): Madam Speaker, I welcome this opportunity to speak to Bill C–37 as to Opposition critic for Training and Youth. Two principles are set out in the first clause of this bill which are worth repeating first, crime prevention is essential to an orderly society and second, young persons should not be held accountable for their behaviour as adults, but must nonetheless bear responsibility for their actions. These principles go along the same lines as points made by other Official Opposition members.

Bill C–37 refers to crime prevention, yet it contains nothing but repressive measures. It would seem that rehabilitation for young offenders is dependent upon coercion and imprisonment. Transferring to adult court 16– and 17– year olds charged with serious crimes is not in keeping with the stated principle that young persons should not be held accountable as adults. Yet this transfer procedure is a major feature of Bill C–37.

Amendments are introduced in clauses 3 and 8, whereby 16– and 17– year olds charged with criminal offenses causing death or serious injuries would systematically be proceeded against in adult court. The onus is on the young person to apply to be tried before a youth court judge.

Also, 16– and 17– year olds charged with assault causing severe bodily harm will have to convince the court they should be proceeded against in youth court, or else they will be tried in adult court. It used to be up to the Crown to decide whether to transfer the young person or not. A transfer procedure is now in place for young people aged 14 and up, and it is up to the Court to demonstrate that adult court is the only court qualified to hear serious cases.

So different age groups are treated differently by the courts. Those between 12 and 15 will not be treated the same as 16– and 17–year–olds if they commit serious crimes. Some lawyers will undoubtedly argue that this violates the right to equality before the law as provided for in Section 15 of the Canadian Charter of Rights and Freedoms.

Now on to psychological and medical considerations. Clause 4 of Bill C–37 would allow the courts to direct that teenage repeat offenders undergo psychological or medical examinations. At the present time, such examinations are allowed only if the court has reasonable grounds to believe that a young person may be suffering from a psychological disorder. Young repeat offenders are regarded as mentally ill rather than as normal human beings damaged by their living conditions. This clause also has a legal dimension. Requiring a person to undergo a psychiatric assessment based on their criminal record may violate basic rights in the Charter.

This measure is troubling because some provinces like Alberta, Manitoba and Saskatchewan do not have a system to look after young people in trouble. Youth custody conditions and their administration come under provincial jurisdiction. These young people may be the victims of some provinces' lack of supervision resources and end up spending more time in adult jails.

It is not normal for a court to bypass the reasonable grounds prescription to send a young person to a psychiatric institution for assessment. These psychological reports could be disclosed to third parties, which may violate the principle of confidentiality for teenagers' records.

This disclosure of records is expanded upon in Bill C–37, which calls for a better exchange of information on young offenders between the various police forces, school authorities and social workers involved. We must ensure that this exchange of information is restricted, because the public and the media are getting more and more interested in young offenders, so that

the principle of confidentiality may be seriously threatened by this openness. It is the Lieutenant Governor in Council who will rule on the clause concerning the disclosure of information.

The reaction of the Quebec Minister of Justice suggests that would not change, at least in Quebec, but what about the other provinces?

(1645)

The last of the major changes proposed in Bill C–37 is unquestionably the harsher sentences provided for in the case of first– and second–degree murder. Pursuant to clause 13(3) of the bill, the maximum sentence for first–degree murder would rise from five to ten years. In the case of second–degree murder, the maximum sentence would increase from five to seven years.

This is a strange provision in that 16– and 17–year–olds can already be tried in adult courts. Therefore, the ones who stand to suffer the most as a result of this measure are 12– to 15–year–olds. Youth crime statistics do not justify such a harsh stance. Youth violence is generally on the decline. In the big cities, violence is either increasing or changing in nature with the upsurge in gangs. We are now seeing different kinds of violence than in the past. One can believe the government has been influenced by the families of victims of violent crimes who are motivated by a desire for vengeance. The Youth Protection Act was amended in 1992 to increase the sentences from three to five years. Why is the government taking this hard–line approach when the number of murders has declined? It is not even waiting to see the results of the initial changes and here it goes increasing the length of sentences again. Will it decide to lengthen the sentences again in two years' time?

It is obvious to the official opposition that the government is acting with undue haste in bringing in this legislation and that it is trying to please everyone.

Surely the rising popularity of the Reform Party in Ontario, a Liberal stronghold, has something to do with this decision. As far as the Quebec government is concerned, the bill should not have been introduced in the first place and the government should work within the parameters of the existing legislation and enforce its provisions.

It should be noted that the provinces are responsible for enforcing the provisions of the legislation and, in the opinion of the federal justice minister, they will enjoy considerably more latitude in this area. However, if ever a genuine legislative review process were to be undertaken, the provinces would have to be seriously involved.

No further details are given about the federal government's crime prevention policy mentioned in clause 1 of Bill C–37, despite the fact that it is an essential component of an effective juvenile crime prevention strategy. The bill is also silent on another problem, that of adults who use young people to commit their crimes and who get off scot–free.

The Official Opposition supports harsh penalties, but only in the case of premeditated, first–degree murder. With respect to other crimes, the existing provisions should remain in effect. It has also been said that the Youth Protection Act should not be mentioned too often because it only confuses matters.

Instead, I will quote statistics. According to the Canadian Centre for Justice Statistics, the average number of murders committed by teenagers in Canada fell from 55 between 1972 and 1982 to 46 between 1982 and 1992. In 1992, police laid charges against 140,000 teenagers for violating the Criminal Code and other federal laws. The number of charges laid has risen by 25 per cent in the last seven years. Two thirds of the 115,000 cases heard by youth courts led to a guilty verdict. About one third of teenagers found guilty by youth courts were committed to custody in correctional institutions or to open custody.

According to an article that appeared in the *Toronto Star* on June 6, it would cost between $70,000 and $100,000 a year to keep a young person in a detention centre. In 1992–93, the average number of teenagers in detention institutions was 4,734 a day, one third of whom were in secure custody. Fifty–three per cent of the teenagers convicted in 1992–93 were 16 or 17 years old.

According to the Canadian Department of Justice, in 1992, less than 15 per cent of violent crimes were committed by young people. According to an article published in a magazine called *Canadian Social Trends* in the fall of 1992, only 13 per cent of the charges laid against young people in 1991 involved violence.

According to a Statistics Canada survey, 70 per cent of all charges laid against teenagers in 1991 were related to crimes against property. However, the number of charges linked to crimes against property has increased by 17 per cent since 1986.

According to an article published in the *Ottawa Citizen* on April 19, 1993, one in three Canadians mistakenly believes that violence is as widespread here as in the United States.

(1650)

In 1991, 753 homicides were reported in Canada, as compared to 24,000 in the United States. This means 32 times more homicides in a population 10 times larger that ours. There is just no comparison. The only detectable element of commonality between our two countries is the fact that repression does not make the crime rate go down, while media coverage of murders has a greater effect on public opinion.

A study carried out in Manitoba in 1992 showed that 90 per cent of young sex offenders had been assaulted in their childhood. Another study, which was carried out in London, Ontario,

in 1987, showed that 50 per cent of young persons charged with violent crimes had seen their father beat up their mother.

In its report on crime prevention, the Standing Committee of the House of Commons on Justice and Solicitor General noted that incarceration rates are higher in the United States than anywhere else in the world and they currently spend $70 billion on law enforcement, judicial and correctional services. Nevertheless, in 1990, the United States ranked first in the world for the number of murders, rapes and robberies committed on their territory. In fact, U.S. figures in that area continue to rise.

The Minister of Justice did not include in Bill C–37 provision to toughen sentences for adults who solicit or hold young persons hostage to force them to commit crimes in their behalf.

Not only are these young persons forced by adults to commit crimes, but they will have to bear responsibility for the actions of adult criminals. The severity of this legislation should be directed toward these adults who often manage to evade the police, thus escaping prosecution, instead of the young people who get caught for such offenses.

The young people are taking the rap for adults. What is the idea? To brand young Canadians and Quebecers for the sake of making good a promise made in the red book? True enough, young people's inexperience often makes them easy game for police forces who are better at arresting young people than their adult counterparts.

The police make them spill the beans and take on full responsibility for the actions they are accused of, charges them and finally, have them convicted and sentenced in the place of adult criminals.

In Bill C–37, the Minister of Justice neither provides for nor supports any effective direct measure to eliminate juvenile delinquency. A proven direct alternative for eliminating juvenile delinquency is financial support for street workers.

At present, street workers are barely surviving on reduced subsidies. By the way, these subsidies, which most of the time called employment development programs and were subsequently cut could pay for a large part of youth services. This is an important point to note. Many communities in Quebec and in other regions of Canada used this employment program.

Resources are being cut back, resources which were used effectively but which could be even more effective if they were increased for this purpose. Organizations are already established, know their clientele, know their young people and are already up and running and what happens? Resources for them are cut.

Would the Department of Justice agree to give some of its budget to these street workers? Adult criminals who make use of young people's services do not have to pay the cost of their own defence since they are not charged and do not pay the cost of defending the young people charged in their place. In such a case, society now pays the costs involved in bringing them to justice.

Instead of punishing those who are really guilty, namely the adult instigators, Bill C–37 insists on punishing these young people who, I repeat, have been enlisted by adults.

(1655)

I would like to conclude now with the impact of the message we are now giving our young people. Four hundred thousand young Canadians are unemployed—I am speaking broadly; I do not know how many are under 18—and the hon. member for Rimouski—Témiscouata spoke of two million young people in Canada who are under 18. What message are we now giving these young people? It is this: ''If you do wrong, you will be punished''. It is a message declining responsibility, unlike the following: ''We trust you. You may have done wrong, but we will try to give you a chance and rehabilitate you''. Why do I say that? Because the provinces everywhere lack resources for rehabilitation and social reintegration.

I will not name him, but during an exchange, an hon. member told of his experience. This was actual testimony from his youth when he did something wrong at the age of 12. He was delighted that some adults took charge of him to help him straighten out, so much so that he is a member of this House today. This is an important position, unless the role of MP does not really amount to much.

The problem in this House now, as in Canada, is that people tell horror stories. Not enough success stories are mentioned, but there is a lot of experience. We need only talk to educators and to people who have been involved in community development, municipal recreation services or volunteer organizations. Every day they could tell us about the benefits of a prevention program based on the positive side of young people.

Right now, we talk about school drop–outs, delinquency rate, etc., but we forget to ask questions such as: What pushes young people to commit crimes? I remember one case in the Quebec City region. I will not give any names. Some young people had watched a violent movie which had led them to kill a taxi driver. They were influenced by the movie. Why not legislate at that level? Why let young and very young people watch violent acts?

I do not have exact figures, but a young person watching television all day can witness about 50 murders. And then people are surprised. I am not saying that there is more crime, but these are measures which we should think about.

The whole issue of firearms comes to mind when I read that young people still have access to such weapons. This morning again, there was a story involving military firearms. There are so many firearms.

This is another aspect, but I want to go back to the main issue. What is needed is some positive action to convince young people to get involved in the community, on a volunteer basis or otherwise. But, first, the message conveyed by our leaders must be a positive one. It must be a message of hope telling young people that they have an interesting future ahead, instead of being about harsher sentences and incarceration.

[*English*]

The Acting Speaker (Mrs. Maheu): It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Hochelaga—Maisonneuve—Human Rights.

(1700)

Mr. Paul E. Forseth (New Westminster—Burnaby): Madam Speaker, I would like to address a question to my colleague. Does he believe that the proposed amendments to the Young Offenders Act in this bill go in the right direction? If he does not, what legislative provisions would he propose in addition to the usual request for more social programming and counselling services?

If the bill says the wrong things—and I believe he is taking that tack—what does he propose other than throwing more money at the problem with increased social services?

[*Translation*]

Mr. Dubé: Madam Speaker, I thank my colleague for asking this question. I thought I had said it rather clearly in my speech. We in the Official Opposition feel that this act already provides sufficient punitive measures and that we should instead—and this is really the crux of today's debate—be considering the need for additional resources to rehabilitate young people and reintegrate them into society—in short, preventive measures.

A parallel can be drawn with the health field, where money spent on prevention may seem like a lot initially, but pays long–term dividends. This is particularly true for young people. If we are harder on a young offender and send him to an adult prison, which is a highly criminalized environment, what will happen? In all likelihood—and I am tempted to use the word guarantee here—that young person will turn to a life of crime. Instead, we should tell the young offender: ''You have done something wrong and you must acknowledge that fact, but we are giving you a chance to start over again''. That is very important.

My colleague's question also indicates, quite obviously, that there are two countries within this country. I can understand the Reform Party members, they represent the views of their constituents; and I will admit that the newspapers clearly show that this is a major public concern, and I can understand that. But in Quebec—I must say this because it is the role of a member of Parliament to advocate the interests and demands of his constituents—there is no such collective reaction against young offenders. Yes, the issue remains a concern, but not on the same order of magnitude.

In the present federal system, the Criminal Code must be enforced the same way in every province, and I find that unfortunate. Clearly, some people, particularly in Western Canada, are not happy with the act in its present form. In Quebec, we are satisfied with the act as it now stands. It is often said that this is a big country. Now, that is all well and good, but when you try to dress everyone in the same clothes—tall, short, fat, thin—you find that ''one size fits all'' sometimes does not apply. I am drawing this parallel simply to illustrate my point, but I do feel that it is the essence of what I wanted to say. I see a difference of opinion, and we in the Bloc, obviously, say that the status quo is better in this case.

Mr. Michel Bellehumeur (Berthier—Montcalm): Madam Speaker, for the information of the House and also because my fellow Bloc member mentioned a case in Quebec where a taxi driver was killed by a young offender, I just want to say that the act was correctly applied to this person by the courts in Quebec, in that there was a request for transfer to adult court, and in fact, this young person was transferred to adult court. He will be treated as an adult and will be sentenced as an adult, if he is found guilty. So in the present legislation, we have all the instruments we need to do this. The problem is one of enforcement, and I think the Bloc Quebecois tends to emphasize this because the problem is really how the law is enforced.

And this week, I was very surprised to see the crime statistics. If we look at the figures, and all the newspapers reported the Statistics Canada survey which tells us that the crime rate has not increased since 1988, even in the case of young offenders, and I must say this is even more encouraging, and it seems the number of all types of crimes went down during the same period.

(1705)

I have a question for the hon. member, if he would care to answer. I realize this bill did not come from the Bloc Quebecois, because it would never have made it to the House, but I would appreciate it if the hon. member would explain to the House why we have a bill that is so repressive—we have always had a problem with young offenders, and as long as murders are committed by young offenders, the problem will exist —when the statistics clearly show the problem is not as serious as one would have us believe in this House. There has been no shocking increase in the youth crime rate, so why introduce a bill at the

last minute with stricter sentencing for young people, a bill that will be even more repressive?

Why was it absolutely necessary to table a bill like this in the House? And why reverse the onus of proof so that it will be up to the defence to prove that young offenders should not be tried in adult court where they may get more severe sentences instead of being tried under the Young Offenders Act? Could the hon. member explain why we have this bill, although the statistics show that no further legislation is necessary and that legal circles in Quebec and Ontario are very clear about not tinkering with the Young Offenders Act because it is good legislation, and so perhaps the problem is one of enforcement?

Mr. Dubé: Madam Speaker, clearly I agree with my colleague on some points. As to his question: Why? I think it is obvious, it is that public pressure seems to influence the Liberal government. In my opinion, we have to be wary of contradictions and inconsistencies.

For example, we are telling young people that they cannot vote before 18, that they cannot drive before 16, but if they commit a crime they can be treated as adults. I think we have to be consistent, we cannot have more than one standard. I believe this should be corrected.

As to the weight of public opinion, I would imagine that members of the committee will hear witnesses, and I hope they make them change their minds on the general direction of this bill. A good start would be for the people satisfied with the present legislation to be more active in order to balance the influence of those who request dramatic changes.

[*English*]

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia): Madam Speaker, two months ago, almost 10 years to the day after the passage of the Young Offenders Act, Nicholas Battersby was shot down in cold blood on an Ottawa sidewalk. Because the person who shot him was a young offender, we know very little about him. All we know is that he shot a man for a lark, for fun.

There was a big public outcry, lots of calls for tougher law enforcement, and the media and the usual brown shirted brigades of gun control lobbyists were braying that we should stop crime by getting tough on honest citizens.

This is something like a man who has two dogs, one vicious and one gentle. The vicious dog bites the postman and so to appease the postman the man shoots the gentle dog and then takes the vicious dog and tries to sweeten his temperament by overfeeding him.

What will happen to this young man? Because of the date of the crime I presume he will be tried under the old Young Offenders Act; but for the sake of this discussion let us say that he would be tried under the new one. It is less likely under the new act than under the old that he will be tried in an adult court for the simple reason that the new law will lead to interminable court delays with the new process of reverse onus that has been written into it. If he is convicted he will face a maximum of 10 years in custody, no minimum, of which perhaps 6 years could be in closed custody. Judging on the way the laws have been enforced to date that is all rather hypothetical and somewhat unlikely.

(1710)

What should be done with a person like that? I respectfully suggest that murder by a 16–year–old is no less harmful to the victim than murder by an 18–year–old. Therefore the penalty should be essentially the same. I am not suggesting immediate incarceration with older prisoners where the young fellow would be the plaything of sexual predators. That constitutes cruel and usual punishment by any standards and is unworthy of a civilized society.

We should have institutions designed to serve specific age groups. We used to have them. They were called reform schools. Some hon. members may say that is too expensive and we cannot afford it. If we could rehabilitate some of these young hoodlums perhaps it would be money well spent. It should not be expensive anyway; it need not be expensive. Young people incarcerated in a reform school could do useful work, including growing their own food which adult prisoners in the penitentiaries used to do and which we have done away with in most cases. Why do we not go back to that? When the young offender is not working to earn his keep he could be educated. Go easy on the pool tables and TV.

A 14–year old young offender in open custody was recently quoted as saying: ''It is easy time; it is kind of like a playground: Disneyland or something''. What is that young fellow learning about the justice system?

The proposed amendments to the Young Offenders Act are in our opinion purely cosmetic, a transparent attempt to pacify a public clamouring for meaningful change. The government's response to almost everyone's principal demand that the maximum of age of application be lowered from 17 years to 15 years is to be sloughed off with a silly and meaningless compromise requiring 16 and 17–year olds to establish, through a tedious and expensive court process, that they should not be tried in adult court for the most serious crimes: murder, attempted murder, aggravated sexual assault and so on. The cost and confusion will be enormous: a bonanza for lawyers.

Since both reverse onus and judicial selectivity are involved some lawyers will probably be able to seek the spotlight and beef up their incomes by mounting a charter challenge. This is

an act written by lawyers for lawyers. I think of the constituent who asked rather plaintively: ''Can't you pass a law down there forbidding lawyers to run for Parliament?''

In the House on June 6 the hon. member for Saint Hubert said: ''These motions will be similar to extradition proceedings. It is going to be a waste of energy and public funds and through it all young persons will learn how to foil the system and scoff at the law''. I rarely agree with anything the hon. member says but I certainly agree with that. She was spot on.

Of course her proposed solution differs from mine. She would continue to treat these louts like poor little misguided children, subject to the same rules as 13 and 14–year olds. People of 16 and 17 are not children, for heaven's sake. They hold down jobs. They drive cars. They have babies with or without the benefit of matrimony. If they are unhappy in the parental home generous social welfare will in most provinces provide reasonably comfortable independence.

(1715)

Bill C–37, rather than ensuring that these older young offenders will end up in adult court, makes it less likely than ever because of the reasons I have cited. I do not want to sound like a nagging parent saying ''when I was your age—'', but at the age of 17 I was working in a bush camp swinging an axe to raise money so I could enter university. If anyone had dared to suggest to me that I was a child I would have been outraged. We do young people no favours by relieving them of responsibility.

One of the hon. members opposite probably will not believe this, but I can actually remember when I was 10 to 13–years old. My companions and I fought regularly but never dreamed of using the knives which as farm boys we all carried. We did not try to maim each other. We had an archaic code of conduct which might seem terribly quaint to the lawyers and social workers who have been trying to redesign our society.

You did not kick somebody who was down. You did not pick on little kids or gang up on anyone and you never, never hit girls. In other words, we knew the difference between right and wrong; so did my kids as recently as 20 years ago.

I venture to say to the young savages who terrorize their weaker classmates, vandalize property and give the finger to their powerless teachers, to exempt 10 and 11–year olds from the rules of civilized conduct is socially destructive madness. A child who gets away with it at 10 or 11 and whose parents are not held legally accountable for his or her actions learns a lesson which all the prattling counsellors and dreamy eyed social workers in the world cannot erase.

Now the minister tells us that section 43 of the Criminal Code which protects parents who do care about their kids and use reasonable force to discipline them is up for review. What strange world does the Liberal Party inhabit?

The road from uncorrected naughtiness to mean destructiveness to full blown delinquency is short and straight. The government owes it to the children of Canada and to the future of our society to re–enter the world of every day Canadians. Bill C–37 is a start, but only a start. Let us get on with it.

Madam Speaker, I neglected to inform you that I am splitting my time with the hon. member for Red Deer. I hope I can put that in now.

The Acting Speaker (Mrs. Maheu): I agree to accept it. You have already gone over. We had better get to questions and comments.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): I listened to the member, and he sounds as if he no longer belongs to the Reform Party, but rather to the nostalgia party. These problems are today's problems, and I think that they cannot be solved the way the member suggested. I think that the problem of young offenders is much deeper than it appears at first glance. When young people turn the TV on, what do they see? Violence. In today's papers, we can read that a father seems to have left his firearms unattended since a 10–year old brought army revolvers to school. I think that there is a problem with educating parents and making them aware of potential problems with their children. I believe it to be a much deeper problem.

I would like to hear from the member who comes from western Canada if in his province they have a mechanism to deal with these young offenders.

(1720)

Is there some mechanism to decriminalize their cases, to steer them towards rehabilitation and social reintegration or is it an area, in this great and beautiful country, where they put young offenders in block A, and the adults in block B? Do they send them to the best crime school to turn them into real outlaws later on?

[*English*]

Mr. Morrison: Madam Speaker, I thank the hon. member for his questions. He must be aware that reform schools or youth wings, as he calls them, do not exist anywhere in Canada any more.

I am advocating, and I am advocating strongly, that doing away with them was a mistake because there is now no real mechanism to deal with these young people. We have the open custody situation or we have jails for adults. We really do not have much in between. We have youngsters in remand centres interminably.

They get into more trouble there; they get educated. That is why we should have reform schools where they get proper education. Yes, I am nostalgic. I do yearn for a period of our history when society was orderly, when there was a discipline of

children, when the police and the courts had power and exercised it.

I do not have a yearning for a police state, but I do have a yearning for a state where people are safe and where there is a social contract which involves decency and mutual respect among people. We have lost that. A lot of it is due to the same frame of mind that framed the original Young Offenders Act and which did not have the courage to come forward and do a full job with Bill C–37.

Mr. Bob Mills (Red Deer): Madam Speaker, Canadians have waited a long time for this day. For years they have been demanding substantial changes to the Young Offenders Act. Canadians say they do not feel protected. They have asked the government to put society first instead of the criminal.

Canadians have demanded changes and Canadians have waited. In the meantime there have been costs. The public confidence has been eroded. Young offenders who have been released for violent crimes have reoffended. All the while Canadians have appealed to the government to protect society and ensure offenders are rehabilitated before being released.

The government has tabled before us amendments to the Young Offenders Act, which it says will address these concerns. The amendments would change the declaration of the Young Offenders Act so that its primary objective is to protect society. On the surface this looks good. The protection of society should always be the objective of our criminal justice system. We as parliamentarians must ensure the protection of Canadians is paramount.

Bill C–37 falls far short of this goal. We as Reformers will be supporting the bill because it does do something about toughening up the system. Something is better than nothing. However there are problems. The government's proposed changes are merely cosmetic. They appear to give the act a smooth finish, but when we look beneath the surface we can see serious structural flaws.

Here are some of the flaws. Bill C–37 does not lower the age limit. Those young offenders who commit serious crimes and who are under age 12 are still not held criminally responsible, even though criminal acts are committed by children under age 12.

All we need to do is look at the newspapers today. They tell a harrowing tale about an Aylmer boy who held his classmates at gunpoint. The boy had a .357 magnum and 9–millimetre pistol. He was 10 years old and apparently threatening the lives of his classmates. Yet he has not been charged because he is too young.

In 1993 Regina police were paralysed to act after a nine–year–old and an eleven–year–old attacked two young boys. The victims were forcibly confined, beaten and sexually abused. Police could do nothing. Parliament has not given them any power to act. The stories could go on. We have heard many of them repeated in the House.

(1725)

Young offenders like these ones should be included in our youth criminal justice so they can receive treatment, so they can learn that their crimes are not acceptable to society, so we can be assured they do not reoffend and, finally, so they can eventually become productive members of the community. We have the chance to reform the violent actions of these young children but we are missing this window of opportunity.

Bill C–37 also fails in another area. It softens the law for violent offenders under age 16. The amendments we are considering today will allow youth courts to deal more harshly with murders. Canadians across the country have demanded that the current five–year maximum sentence is a slap on the wrist.

The proposed changes will increase first degree murder sentences to 10 years. In reality this translates to six years of custody and four years of community supervision. Second degree murder sentences will be increased to a seven–year maximum. This translates into four years in custody and three years of supervision.

I would argue that these changes would work to soften the law in its treatment of murderers. The slightly higher sentences will mean fewer violent offenders under 16 will be transferred to adult court. The changes before us today will ensure that many murderers will remain under the Young Offenders Act.

The government argues that its amendments are sufficient. It says most of the murder related cases heard in youth court are committed by 16 and 17 year olds. In 1992 and 1993, 60 per cent of the cases heard in youth court involved this age group.

These statistics like the amendments before us today look good at first glance, but once we look a little deeper we see the blemishes. The numbers completely ignore an important fact. Offenders under age 16 committed 40 per cent of the murder cases heard in youth court at this time. I would argue this is a significant proportion.

There is yet another flaw in these amendments. The general public is kept in the dark about violent repeat offenders. The proposed changes will provide information on young offenders to the police, to school officials and to child welfare workers. Certain members of society whose safety is in jeopardy will also receive information on the young offender.

These seem like valid changes but in reality they are superficial. The general public does not have access to the information. If certain members of the public can receive information about a young offender because their safety is at risk, why is the general public not also informed? If there is a chance a young offender will reoffend then all society is at risk. It is impossible for anyone to know for certain that only a targeted few will be in danger. If the government were truly interested in protecting all

society then all society would be informed about dangerous young offenders. This is not the case.

An additional flaw is that violent young offenders' records are not kept on file permanently. The proposals also claim to protect society by allowing police to keep the record of young offenders on file for ten years instead of five. According to the justice department this change will ensure that the length of time a young offender's record is kept is in keeping with the seriousness of the offence. Keeping the young offender's murder record on file for 10 years does not begin to mirror the seriousness of the offence. Murder is permanent; it demands a permanent record. The victims' names and ordeals will be forever etched in the minds of their loved ones long after the murder record has been wiped clean. Society has the right to know. If the government were truly interested in protecting society it would keep all murder records and violent crime records on file permanently.

Bill C–37 also raises some questions about serving sentences in the community. Will the community sentences be adequate? Under the changes set before us today more non–violent offenders will serve their sentences in the community instead of in custody. This change has many attributes. Young offenders will not be influenced by harder violent offenders. Often jail is considered a training ground for crime. It will save government money. It costs approximately $75,000 to incarcerate an individual. However, the government in saving this money must be committed to redirecting some of it into the communities.

(1730)

If these offenders are to live in our communities we must ensure that they do not become repeat offenders. We must protect society. To do this, some of these offenders may need treatment and we must ensure that they receive it. I am not talking about spending more money. I am talking about saving money and spending some of it more wisely.

In conclusion, when we make changes to our criminal justice system we must ensure that the system is predictable to society. In order for a judicial system to act as an effective deterrent, citizens must be able to anticipate the outcome of their actions.

It is therefore important that the Young Offenders Act mirror the adult system as accurately as possible. We still have a long way to go, especially in the area of criminal records and publication bans. I believe these changes before us today are a small step toward this goal. Bill C–37 is far from perfect but it will improve the current system somewhat.

Amendments to Bill C–37 are essential. I would urge my fellow members of Parliament to ensure that these are enacted.

Mr. Morris Bodnar (Saskatoon—Dundurn): Madam Speaker, mention has been made of the negative effect of increasing the sentencing, that this will result in fewer individuals being transferred to adult court.

I remind the member that the onus is reversed. A person such as that is automatically in adult court and must be transferred down to youth court or the young offenders court in the case of serious offences such as murder.

As well there was mention made of the Aylmer incident yesterday but no mention whatsoever was made about the parents. What about those guns? How did they get into the hands? Were they in the hands of law abiding individuals? Were they in the hands of neighbours? How did they get into the hands of the children? Perhaps we should stop blaming the 10–year old and start blaming the adults who allow these guns to get into the hands of young people.

There is a lot of rhetoric about rehabilitation and productivity to society but no substance. Therefore, my question to the hon. member is what would he do? How would he change it? What specific items would he put into the act to deal with rehabilitation and to make this young person productive to society?

Mr. Mills (Red Deer): Madam Speaker, there are a lot of things we could say that we would change. We could certainly take a look at things like boot camps and those sorts of things. However, more important to the question, we must include victim's impact statements. We must include parents in the actual criminal justice system. The parents have to be forced to be there to hear what the victim went through and what their little darling did to that person. If they are found in any way to be responsible, they have to be part of that restitution; that money that is paid back, that fence that is fixed, whatever that damage has been.

I agree with the member fully. We must involve the parents in this. We must involve the victims in this. I do not see that in Bill C–37. I see a wishy–washy bill that really just satisfies the red book claim that we are going to make some changes but will do nothing to improve the actual situation we have.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm): Madam Speaker, I would like to rectify what the member said regarding the case in Aylmer. I do not know if he read the same papers as I did, but this young person did not threaten anyone, he was going to practice shooting in a field with some friends. That is no excuse for the parents, though, but it is quite different from what the member said. It is misinformation of that kind that needlessly scares people.

This being said, I know now—I already knew it, but it was confirmed by a member from western Canada—that there is no mechanism in Western Canada to deal with young offenders and their problems.

(1735)

Now that it has been confirmed, could the member tell me what his province will do the day young offenders are released, following the amendments to the Young Offenders Act, after spending seven to ten years in jail? What is the province going to do with them, if during all that time, there were no specialists to work with and treat them? If during their time in jail, nobody helped them, what is the province going to do with them once they are released after seven or ten years?

[*English*]

Mr. Mills (Red Deer): Madam Speaker, I am not quite sure exactly what the member is referring to but we are saying that we do not abandon those children. In fact, we have to do something about that rehabilitation.

We are already spending millions of dollars on social programs, on various types of retraining programs and it is not working. It is just not working. We have a bunch of academics who have this idealistic world where they think they have solutions but it is not working. We have to look at other things and that is the point. The money we are putting in there now is being wasted.

[*Translation*]

Mr. Clifford Lincoln (Parliamentary Secretary to Deputy Prime Minister and Minister of the Environment): Madam Speaker, it is rather significant that on the one hand, we have the Reform Party telling us that the justice minister's proposal is nothing more than a cosmetic measure, while on the other hand, we have the Bloc telling us that the bill is far too repressive. Perhaps it is the happy medium.

I have listened closely to my colleague, the Minister of Justice, answer countless questions in the House about his views on young offenders and crime. He has said that his philosophy consists of cleaning up some of the outdated provisions in legislation, and at the same time focussing on the issue of crime prevention.

In our red book, we promised to take a look at provisions in the legislation as they pertain to certain violent youth crimes and to strengthen the act which is now ten years old. At the same time, however, we made it very clear that we would try to find ways to curb crime, and this is where prevention comes into play.

[*English*]

Just the other day after the Stanley Cup riots, all of us expected the riots to take place in New York City which is a city where crime has become a way of life. Yet New York City was quiet. It was lawful. The riots happened in Vancouver, a quiet peaceful city in normal times.

Last year it happened in Montreal, my own city, which is again extremely quiet and peaceful. We have to ask ourselves what the reasons are for lawlessness, violence and crime. We have to go back to the hopelessness in which youth sees itself.

I heard my colleague from Reform say that 17 years ago when he was 17 he went to bush camp and 20 years ago he knew what right and wrong were, as if today we do not have youth going to bush camps and other ways of work, as if today the youth does not know what is right and wrong. The great majority of youth in Canada are outstanding citizens, highly qualified, desirous of working. There is crime because there is hopelessness. We do not give them a chance.

A few years ago I had the sad privilege to serve on a committee with some other people about an ethnic group in Montreal who did not have the French language skills. They had very few educational skills and no work training skills. They could not find work.

The elders were saying because of that those people would resort to crime. They would rely on drugs and crime because there was no other open way for them. This is why in our electoral commitment we call it creating opportunity. Unless we create opportunity we are going to have to resort to more and more laws which will solve nothing. The more hopelessness there will be, the more crime there is going to be and then the more repressive laws we are going to be looking for.

(1740)

What we need to do is to look at an integrated approach to society that looks at crime in its very sources. They say that an adult is born when a child is born. This is why we have addressed the question of day care for all the poor, single mothers that have to go to work leaving their children at home without adequate day care. So we have tackled day care. There is a correlation between day care and eventual crime.

Today we have a rate of drop out rate in our schools of something like 40 per cent. Sixty per cent of young Canadians have no vocational skills or no post–secondary skills. How can they approach the workplace in a competitive economy where work has to be more skilled than ever?

We graduate 24,000 apprentices a year compared to 600,000 in Germany. In proportion to our population we should graduate 275,000. How can we hope for these young people to find work, to find a dignity of life if we do not give them the chance?

This is why our program addresses itself to all the various causes of hopelessness.

[*Translation*]

Literacy, youth programs, the Youth Service Corps, apprenticeship programs and the reform proposals which my colleague the human resources development minister is now working on: this is the integrated reform which will affect all sectors of society and foster a climate in which job training will be a much more positive experience.

[*English*]

We have to restructure our industries toward the new industries of tomorrow; environmental technologies, broadcast technologies, information technologies, health technologies in which we can shine so that added to our thrusts to train young people into apprenticeships, into post–secondary education that is geared to these new areas of excellence, we can find them work, we can find them an opportunity, a chance.

We have wonderful young people in Canada, some of them highly qualified. Most of our youth are wonderful people. Those that resort to crime and hopelessness are those that do not find a chance.

We talk about prevention and we say that we have not addressed prevention. Yet our Minister of Justice pointed out that we are going to create very soon a national council for prevention of crime. I know some will say another council.

[*Translation*]

We intend to consult with Canadians, provincial and municipal governments, police forces and communities with a view to developing, not a short–term, hastily conceived strategy, but a comprehensive, long–term strategy, one that addresses all aspects of crime prevention, including long–term rehabilitation.

[*English*]

There is a saying that if we cherish the child and give him or her hope then we do not have to punish the man or the woman in later life. I believe in this fundamentally. What we need in our society is to give our young people, whether they be 12–year olds, 15–year olds, 17–year olds or 20–year olds a chance. To believe that the world has not changed since the 1960s or the 1950s is to delude ourselves. It is a new world today with instant communications. The world is very different.

Sure, there is more crime. There is more crime in Canada as there is more crime in France or England, in places which heretofore were very peaceful. That is the way of today's world. In all of these countries there is one common link, lack of opportunity for young people and for adults. When despair and hopelessness set in, people resort to any way to earn a living, to acquire dignity of life. That is what we must attack.

(1745)

To say that 20 years ago all was sweetness and light when we all went to bush camps and everybody was nice is illusory. Today I find we have more frank young people than in my generation. We have young people who are far more committed to society, to truth, to integrity, to the environmental cause than we ever were in my time. We believed that you had to cane children and use law and order in our families. Today it is a more enlightened world where we rule by consensus and work together to try to form partnerships within our families, within our communities. It is a far more challenging world.

We have to resolve to effectively create opportunities so that our young people get back to work, find hope and dignity and then they will not have to resort to crime and violence.

[*Translation*]

Mrs. Monique Guay (Laurentides): Madam Speaker, it is with great pleasure that I rise today in this House to participate in the debate on Bill C–217, an Act to amend the Young Offenders Act.

Madam Speaker, I am against this bill. As you well know, criminologists have long argued that there is a wide gap between the public's perception of crime rates and the actual levels. Many believe that violent crime is a plague, in particular among young people, when the proportion of crimes committed by youths is very small. In fact, less than 15 per cent of all crimes committed by young people in 1992 involved violence. Despite the increase in the number of violent crimes committed by young people, most of this increase is due to minor assaults between peers, which, according to legal analysts, would not have involved the criminal justice system 10 years ago.

In April 1988, a study was conducted on the rehabilitation and social reintegration of 24 teenage murderers sent to Boscoville between 1968 and 1983. This study supports previous local and North American data on the typology, prospects and reintegration of young murderers.

It reminded decision–makers that, under certain conditions, these teenagers can be helped and become responsible and productive citizens.

Like other studies, the one I mentioned found that these teenagers have good prospects, that they do not commit subsequent offences and that their crime were due to circumstances and neurosis.

Young people charged with crimes have the right to be treated equitably under the law and enjoy special protection in this regard. Given their ages and maturity levels, young offenders have special needs that cannot be met in the adult system.

In fact, the bill attempts to reconcile the need to protect the public against teenage criminals by requiring them to assume responsibility for their actions with the need to protect young offenders' rights and help them become productive and law–abiding adults.

The media are often accused of contributing to the climate of fear. They tend to dwell upon spectacular and sensational crimes and to dramatize the vilest acts of violence reported on television, which apparently distorts reality, creating the impression

that crime has become rampant and exaggerating public fear. Fear is also fostered and intensified by rising crime statistics.

Some analysts are of the opinion that the intensity of the fear presently experienced by Canadians results in part from economic uncertainty. High unemployment has contributed to the climate of insecurity and vulnerability and is causing social and economic problems that reinforce the feeling of social disintegration.

(1750)

The Liberal Party platform includes proposals to increase the length of maximum sentences imposed by the courts for first and second degree murders committed by young offenders; to relax the requirement to systematically dispose of police files on young offenders after a certain time; to allow the identification of some young offenders who have been convicted of violent crimes; and to create a ''dangerous young offender'' category for dangerous and habitual young offenders. We, Bloc members, cannot support the bill before us.

It has been established that through positive, early intervention in their lives, young persons struggling with social, psychological and emotional problems can be prevented from straying into crime and becoming dangerous repeat offenders.

There are a number of examples in support of the view held that young people commit offenses because they figure the gains derived from their unlawful activities will outweigh the price they will have to pay if caught. Criminologists and young offenders support workers have observed however that in many cases, young people commit offenses for reasons totally unrelated to the law. In their view, most young offenders commit property offenses which are not particularly clever and are more indicative of their lack of maturity and irresponsibility than of their maliciousness.

The overwhelming majority of young Canadians and Quebecers are ambitious, hard–working and respectful of their peers. Most of them become productive and law–abiding citizens. To put all young people on the same level as the minority who commit crimes is to do them a disservice.

Suing someone who committed a crime may provide some comfort to the victim and reassure the public, but it cannot be as satisfying as preventing the crime as such. It is often harder to implement crime prevention programs than to merely sue an offender after the fact. Preventing crime requires a review of on the economic, educational, social, moral and legal conditions which generate crime as well as an and it requires effort to change these conditions. The co–operation of many departments from all levels of government, as well as of the private sector and the public in general is needed. Making crime prevention programs effective is a major challenge. However, the results obtained with such programs, namely a reduction in crime, are much more beneficial for young people, and also for Canadians who, otherwise, might have become victims.

In conclusion, as parents, MPs and responsible adults, we simply cannot support this bill. We must take our responsibilities towards our children and teenagers. It is a lot harder to promote prevention, but it is also a lot more effective and rewarding. All those involved, including parents, educators and social workers, must work with young people to prevent crime.

I simply cannot believe that a ten–year–old child is mature enough to realize that he has committed a first or second degree murder. I have a ten–year–old daughter myself and I simply cannot believe that she has that comprehension. These children obviously know what is good and what is bad, but I doubt very much that they would understand that they committed a first or second degree murder. These children need protection. Yes, they must be punished. Yes, we must teach them, but how far must we go?

We must also do more in terms of promoting rehabilitation which, according to statistics, gives very good results.

It goes without saying that this approach will require additional efforts from all those involved in the process, but I am convinced that the results will be much better than if we hastily pass harsher laws.

(1755)

[*English*]

Mr. Pat O'Brien (London—Middlesex): Madam Speaker, it is my pleasure to join in this debate on the Young Offenders Act and on a much–needed new bill to improve that act.

First of all let me congratulate the Minister of Justice for this bill. It offers to Canadians, as part of a two–step plan, some interim improvements to the youth justice system. It is important as members that we recognize and acknowledge this will be a two–step process. This is not the final and finished product if you will. If it were I would simply say to the minister that it does not go far enough in the ultimate sense but for now it is very good and major step in the right direction.

It is important to note that the second phase will be a thorough review by a parliamentary committee and by a federal–provincial task force on the whole youth justice system. There will be considerable public input in that review process, as there has been so far to this point. Obviously it is very important to involve provincial legislatures and provincial justice officials because the legal system is administered at both the federal and provincial levels.

The bill offers some very badly needed improvements. The original Young Offenders Act had an excellent rationale in my view. It was simply to recognize that society ought to deal with the young offender in a way different from a more mature offender, that the penalties ought to be different, and where incarceration is required that there ought to be different facilities. Canadians generally recognized and accepted that rationale.

Unfortunately as we know on all sides of the House and as Canadians from coast to coast to coast know, the Young Offenders Act has been, in at least a minority of cases, somewhat badly abused.

You see young offenders on national television telling Canadians that they consider the Young Offenders Act to be something of a joke and that they feel when they are incarcerated it is kind of like going to camp. When you hear that on national TV from repeat young offenders, there is no doubt in my mind that Canadians feel, and rightly so, that there are some problems with the current legislation. Obviously that is why the minister is seeking to put forward these improvements as step one of the ultimate act we will have in place.

If I might briefly consider the improvements that are offered in the proposed legislation, one of the major improvements is the provision that would put the onus on a 16 or 17–year old offender convicted of a violent crime, especially murder. The onus will now be on that individual to convince the court why he or she should not be dealt with as an adult criminal in adult court and subject to the tougher penalties of law.

That is an important change because under the current legislation we seek to amend, the reverse is true. A 16 or 17–year old convicted even of murder is dealt with on a much more lenient basis and is not tried in adult court. This legislation will correct what most Canadians consider to be a gross inequity in that area.

The provision or penalty for murder, I would remind hon. members and Canadians generally, started out at a mere three years for first degree murder. In my riding of London—Middlesex we had a sad situation a few years ago when one young offender murdered I believe three people—it was certainly more than one person—yet was subject to a maximum total penalty of three years. That was clearly not just and clearly not adequate for a serious crime like murder.

The penalty went from three years within the last short period of time to five years but this legislation would allow a doubling of that maximum penalty up to 10 years.

Some might still say that for first degree murder 10 years is inadequate and I suppose that is a debatable point, but it certainly is far more just than the five–year penalty that it will replace.

(1800)

The under 16 and 17–year old offenders in that age category will not be eligible for parole as early if convicted of murder. In other words, a young offender convicted of murder will now find it much more difficult to earn parole than he or she has under the current legislation. Again, I think that is just common sense and simple justice.

As I say, Canadians know that there have been problems with the Young Offenders Act. They are crying out for improvements. I think the minister has offered major improvements as the first step of a two–step process.

As our red book stated during the election campaign and as the minister, the Prime Minister and members on this side of the House have continued to say since the election of last October, public safety must be the top priority as we address this issue.

Let me be completely fair and say that I have heard that statement from all parts of the House. I agree that public safety must be the first consideration when we are considering the justice system, in any part of the justice system, and that includes those offenders who are young Canadians. It seems to make that as its first priority.

Where perhaps I differ as a Liberal from some hon. members in the House is this. This party, this minister and this legislation seeks to find a balanced approach to this serious problem of youth crime. It is not enough to just simply say: ''Let's throw them in jail for as long as we would any other adult, throw away the key and let them rot in jail''. That is not the answer. We have not heard that attitude too much in the House, but I have detected that kind of approach by certain hon. members. I would find it shortsighted because it is not a balanced approach.

Legislation alone will not solve this problem. It is certainly a key component of addressing this issue but it is not enough in and of itself. I think that we are very shortsighted as a nation if we do not seek to treat the root causes of youth crime, the poverty that many if not most young offenders experience, the very real poverty that most Canadians do not experience but which a high percentage of young offenders have experienced in their lifetime. They have experienced repeated family violence, themselves often the victims of this violence both sexual and non–sexual.

Racism is unfortunately a real problem. There are young offenders who are from a minority group. When you analyse their background and why they committed crime, racism is a repeated theme in young offenders from minority groups.

The whole question of illiteracy and dropping out of school is another problem. As an educator for 21 years, the first signs to show that you may have a potential young offender on your

hands, and teachers will tell you this, are exhibited in classrooms at the youngest ages and the lowest grades. Obviously, as with criminals of all ages, substance abuse by young offenders is a major factor in their reasons for being involved in criminal activity.

If one were to summarize these root causes in a brief phrase, I think we could do no better than describe the dysfunctional family or the breakdown in the family and of good family values in this country, I hope in a minority of families. An analysis of young offenders will show that an overwhelming percentage of them come from dysfunctional families where there is not proper parental supervision and where there is not proper inculcation of values with these young people. In effect, as a society we reap what we sow. This party seeks to find a balanced approach.

I applaud the minister and the legislation, and I applaud the fact that he says time and again when he speaks to the House that we have to treat the root causes of crime otherwise we are not ultimately going to come up with an improvement in this important area. Sure we will lock away young offenders for a longer time at great cost to the nation, but that will not solve the problem which we ultimately hope to improve upon.

What we ought to do as a country and what the legislation seeks to do in my view is, while improving the legislation and coming up with more realistic penalties, not only be reactive to young offenders but to put preventive action into place.

The sharing of information among professionals such as police officials and school authorities will be an important part of preventive action. As a teacher, I say that any teacher in this country knows there are young offenders and in some cases violent young offenders walking around the halls of a particular school.

It is important that educators know that in the interests of the safety of the other students in that facility and indeed staff in that school. It is a fact that there has been an increase in violent crime in schools in this country. It concerns all of us.

I am pleased to join in the debate today. I applaud the minister for the legislation. It is a major first step in the right direction and we will await as all Canadians do the ultimate improvements in the Young Offenders Act.

The Acting Speaker (Mrs. Maheu): It being 6.05 p.m. the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

Private Members' Business

PRIVATE MEMBERS' BUSINESS

[*Translation*]

FOOD DISTRIBUTION IN CANADA'S NORTH

Mr. Claude Bachand (Saint–Jean) moved:

That, in the opinion of this House, the government should take the necessary steps to make food distribution in Canada's North more effective and therefore more economical, in order to enable the Inuit to purchase higher quality food at a lower price.

He said: Madam Speaker, like my Inuit colleague on the other side of the House, I will try to say a few words in Inuktitut and I will also provide a translation.

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

[*Translation*]

It means that I am pleased today to introduce this motion. It follows my trip to Iqaluit when I did not feel pleased last winter. I arrived in an extremely harsh climate, with temperatures around–30º''. This motion is before the House today to draw the attention of Canadians and Northerners to the astronomical cost of food in the Far North. Not only is the cost astronomical but the living conditions are surely the most difficult in Canada.

I often spend two or three days on location talking with people. I was troubled to see how they live and I think that the proposal before us today at least has the merit of trying to do something for them. I do not know how far we will go, but I was very happy that my motion was drawn and that I can make this presentation today.

As I usually do, I will give a brief introduction and give you a summary of the historical background. The Inuit's ancestors immigrated from northern Asia 8,000 years ago. They must not be confused with other native people; they do not want to be called Indians, they are Inuit. It is very important throughout our discussion not to treat them as Natives; that would be a mistake.

Originally, the hunters used flint stones as weapons with which they eked out a living from day to day in extremely difficult conditions, as I explained to you briefly. A little later, they started using bows and harpoons. One may wonder why people from northern Asia would stop in such a hostile land with such a harsh climate. It is fairly easy to understand. Indians from South America had invaded North America and the lands further south were already occupied, so they simply decided to stay in the Arctic.

(1810)

Of course, hunting is part of the tradition of many Inuit and Natives. In 1839, the Hudson's Bay Company embarked upon its economic incursion into the Arctic. At the time, it was mostly interested in whaling, and when the whale population began to

decline over there, it went as far as Ungava. When it realized that the fauna and the flora, but mostly the fauna, were getting scarce due to hunting and trapping, the Hudson's Bay Company changed its economic approach somewhat.

It focused more on trapping, because fur trading was becoming a very lucrative operation for the Hudson's Bay Company. That is when a change in the way of life of the Inuit was first noticed. They went from subsistence hunting to commercial hunting, and became more and more dependent on Europeans. That led to a progressive decline in the number of animals and made the Inuit more dependent on us.

Later, during the 1940s and 1950s, with the building of military bases in the area came the modernization of the economy, which did not necessarily please the people over there, because, as I will explain later, there are a lot of problems with the standard of living in Canada's North.

There was more and more state intervention. In 1955, for example, the federal government started a housing program in the Far North, which I will address later, because, as we know, housing is a big problem for Inuit as well as Natives. But I do not want to dwell on this. I would rather talk about the cost of food and I am just coming to that.

Still in the same context, the education level is very low. On average, the 30– to 40–year–olds have only completed grade 4. Unfortunately, in a modern economy, these people are left out. That is why their unemployment rate is so high, around 35 per cent. With a very unqualified labour force in a modern economy, they end up with a very high rate of inactivity.

As for health services, the Far North is huge and can you imagine that there was no health support in the area before the first community clinic was opened in 1947. Two years later, a second clinic was opened in Kuujjuaq, Quebec.

As many as 42 per cent of deaths in the area are caused by violent incidents. That is terrible! Of course, alcohol and drugs play an important role. These people have no hope, they are fed up with life and they turn to alcohol and drugs, thus causing many violent deaths.

Regarding the contamination issue, the modern economy which was brought to the region by the Hudson's Bay Company and which was perpetuated by other companies has caused a major mercury and heavy metal contamination problem in the North. Significant levels of toxins are found in the breast milk of Inuit women.

These people can no longer hunt for food. Instead, they have to buy products in a grocery store, just like you and I do every week.

The situation is not much better with regard to housing. A two–bedroom house costs about $150,000 up North, as opposed to about $70,000 here. We have to understand that all the materials must be shipped to the North, and that is why the cost of housing is so high.

(1815)

Those people have a standard of living that is still much lower than ours. Their life expectancy is very short, much shorter than ours. Since they live in such a vast territory, when they need health care, they often have to travel over huge distances to get treatment. In fact, this causes many deaths. As for the birth rate, which also causes housing problems, whereas we have 13 births per 1,000 people in Quebec, the rate for the Inuit in Northern Quebec is 34 per 1,000. We can see that their population is growing rapidly.

The cost of living index is revealing: the average income of an Inuit is about $9,700. That is an important figure and, according to my calculations, that works out to about $187 a week. That is not much. As you and I will see, Madam Speaker, when we finish shopping for groceries later, there would not be much left to live on.

I will mention the study I have in my hands; it was made by a group suggesting that they could provide food distribution in Canada's North much more efficiently. The company's name is Tikisaivik and they did a market study. Market studies can be done by anybody, but this one clearly shows us that food prices could be reduced by 10 to 20 per cent. That naturally would have a major impact on those people living on a budget averaging, as I mentioned earlier, $187 a week. As you will see, after we finish shopping for groceries later, there would not be much left to live on.

With your permission, Madam Speaker, we will now go grocery shopping with our friends across the way and my colleagues on this side. We will go to the Northern Store in Resolute Bay. I will give you a price list for groceries compared to the prices in Ottawa. A litre of milk costs $3.69 in Resolute Bay, but $1.25 in Ottawa; a loaf of bread costs $2.85 in Resolute Bay, and $1.59 here; a five kilogram bag of flour costs $11.25 there, and $4.49 here; a dozen eggs costs $3.85 there, and $1.29 here; a bag of apples costs $3.63 there, and $2.62 here; a sack of potatoes costs $4.95 there, and $2.99 here; a can of peas—I like peas with turkey, it is very good—a can of peas costs $2.95 there, and 69 cents here; apple juice costs $4.50 there, and $1.19 here. We could go on and on; ground beef costs $8.97 there, and $3.72 here. At the end of the list, I have Tang orange juice which costs $2.85 there and $1.09 here in Ottawa. If we add all items together, the total will be $124.77 in Resolute Bay, compared to $49.28 in Ottawa. If your salary is $187 a week and your groceries cost you $124.77, there is not much left for the rest of the week.

Why is this? It is due of course to the great distances and to a very complex distribution network which starts in Winnipeg, Ottawa or Montreal; for somes places, the goods are moved by train before being sent by plane; in others, they are moved by truck. In Quebec, they travel over something like 2,000 kilometers by truck before being shipped by plane to the Far North. So, the proposal that is being made, and this is only an example, there could be other proposals, as I said earlier, is that big

carriers with a single supplier could go directly from Montreal to Iqaluit, where I went, and I explained a bit earlier the living conditions that exist there. So, we would avoid all the go–betweens, those who make a profit along the way.

(1820)

These people are simply proposing that big carriers be used to bring everything to Iqaluit and, from there, the food would be distributed by small planes to villages of this huge territory.

That proposal has the merit of reducing by about 10 to 20 per cent the cost of a shopping basket, as I explained. This is not insignificant. And there is also a series of other measures that would not only make this project viable, but also contribute to the Inuit really taking control of their lives in the Great North. This project would create 55 direct and indirect jobs in the Great North, particularly in Iqaluit, which is not insignificant, because in a context where 35 to 40 per cent of our people are without jobs, 55 jobs would be very welcomed in the Great North.

There is also the whole issue of the federal government that is already paying a lot. Canada Post—we are talking about the famous local transportation—is paying $20 million a year for food distribution, while the study that we have here suggests that we may be able to do the equivalent for $9.8 million. So, not only the cost of food products may decrease, but shorter transit times would allow for fresher products, while in the present system, when the food gets there—and I saw it myself— it is anything but fresh and barely acceptable. I think that we would not accept that in our shopping centres.

I do not want to talk too much about investment, but the federal government might be asked to invest in this area. However, considering we could save between seven and eight million dollars annually on the way food products are distributed, it seems to me that the initial funding requested is negligible.

Before I forget, I would like to say that Tikisaivik is 60 per cent Inuit–owned. Most of the shareholders are Inuit. Madam Speaker, I certainly do not want to be seen as playing favourites, but I took this company as an example because it had the best and most effective studies. Five students at the master's degree level did a market survey, and I have it here today.

I will try to be brief, because I see that my time is running out. The objective is lower food prices. I think that is essential. In fact, it is the focus of my speech today. It is important for the well–being of the Inuit in the North, whether they are in Quebec, on Baffin Island or even closer to the Arctic, to have a food distribution system that would not be a drain on the family budget. Reducing the price of food will enhance the quality of life of the Inuit in the North, and that is the most important factor.

Another point is improving food quality. Earlier, I talked about freshness. It will be possible to eat fresh vegetables at their peak and to improve the way they are handled, as opposed to what I saw in the shopping centres up there.

Job creation. This is also a very important factor, as I said before. Fifty–five Inuit jobs could be created.

Variety in the type of foods and creating a local economy. I think this is where the government could make a contribution so that the Inuit can escape the cycle of dependency in which they have been kept for too long. This plan for a modern economy will ensure that people can work in the food distribution sector in the North. In fact, this should be done by local people instead of companies from outside that do not know the local situation and operate on the premise that they have to give their shareholders a decent profit.

Local people have a stake in the quality of life of the Inuit, and I think that is important.

(1825)

I will conclude with a few words in Inuktitut—I hope I pronounce them properly—''nakurmiik toma'', which means we look to the future with confidence, and I hope that if the government takes a good look at how food distribution in the North can be made more economical, I think we can look forward to the future and ensure that the Inuit will have the quality of life they should have had many years ago.

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Madam Speaker, I am pleased to have this opportunity to participate in tonight's debate. First of all, I would like to say, however, that I am not an expert in this area. I have often travelled to northern regions of our country to do some canoeing which I enjoy. I have often noted the regular prices of goods in the North. I congratulate the hon. member for Saint–Jean for his interest in this question and for moving this motion in the House.

[*English*]

However I would like to stress that a reliable and affordable food distribution system is critical to the health and well–being of tens of thousands of Canadians living in northern isolated communities. This issue is one that must concern us as a national legislature in Canada.

Here in the south the issue of food distribution is not as significant for one or either of governments or residents. Nutritious food is broadly available at supermarkets or corner stores throughout the areas in southern Canada. Distribution of food

products is left in the hands of the private sector, with no demand for or need for government involvement.

In the north the situation, as the hon. member has indicated, is dramatically different. Many communities are isolated and do not have year round surface access so food supplies must be delivered in some cases by air and in other cases by sea. Perishable foods, which as a rule are the most nutritious, are very difficult to arrange for in some of these communities. The expense of transporting perishable foods to remote communities increases their cost to consumers. The hon. member provided the House with a list, the variety of which I have seen in my northern experiences.

These areas are not only isolated but they are often economically depressed. In some communities unemployment is as high as 85 per cent. Many families are living on social assistance, supplemented by whatever commodities they can harvest from the land.

The northern food mail program therefore is vitally important. It subsidizes the cost of shipping perishable, nutritious foods to isolated northern communities, and puts these basic necessities within the reach of northern families. On many of the flights I have taken to various places in the north I am aware that the plane is filled with bread, eggs, milk and other perishables that are shipped to these communities. However, even with the assistance of this program, it is extremely difficult for families to afford the proper and nutritious food that is demanded. Without the program it would be virtually impossible to do so.

I again stress that the prices the hon. member listed are not exaggerated. I am not exaggerating when I say the situation in the north would be desperate without this program. Government studies show that a family of four in isolated communities in the Northwest Territories would have to spend between $260 to $280 a week, or between 85 per cent and 110 per cent of their after shelter income for a basic diet. That is about twice the cost of a comparable basic diet in southern Canada.

I would remind hon. members that Canada is a signatory to the United Nations declaration on the rights of the child. One of those rights is the right to adequate nutrition. Children should not go hungry, especially in our country.

There can be no question in my submission as to the need for the program. The only question is what form the government subsidization for food distribution or food costs should be. We stress it is essential for the health of northern residents. It is also fair to say that the current program is achieving its intended purpose, notwithstanding the suggestions made by the hon. member.

The northern food mail program is strongly supported by the communities it serves, by the food distribution companies, by the merchants that form part of the distribution system and by the consumers. Canada Post, which ships food products and other essential goods by air, has been a willing and vital partner in the program.

(1830)

In spite of all that, I commend the hon. member for Saint–Jean for urging the government to reconsider the current northern food distribution system. There is always room for improvement and governments should be continually looking at new approaches to program delivery.

Therefore I am extremely pleased to inform the House that the government has already taken steps to re–evaluate this program. In April the Minister of Indian Affairs and Northern Development and the Minister of Health committed their departments to a full review of this essential service for the next year.

This review will build on an evaluation of the program that was undertaken by consultants last year. It will include consultations with all the key stakeholders, including northern residents, merchants, air carriers, provincial and territorial governments, and aboriginal organizations.

This consultation process is fully in keeping with the red book commitment, and I know the hon. member has read the red book extensively, to ensure that aboriginal people are fully involved in decisions that affect their lives. Toward this end, regional consultation meetings will be held in the north this September and October. Written views and recommendations will also be accepted by the government.

My hon. colleague will be particularly pleased to hear that an interdepartmental committee is currently looking at terms of reference to guide this review. In addition to Health Canada and Indian and Northern Affairs Canada, the committee has representations from the Departments of Finance, Agriculture, and Human Resources Development, the Treasury Board and the Privy Council Office.

This review will look at the issue of food distribution in the north from a very broad perspective. It will not just consider how much money is being spent or needs to be spent under the northern food mail program. It will address the fundamental question of whether or not this is the best way to ensure that northerners can meet their needs for food and other essential goods that are currently shipped under the program.

It will review alternatives for food distribution and food costs subsidization including income support to ensure that people have money to buy the essential foods. The role of local food production, processing, and intersettlement trade will also be considered.

The review may tell us in the end that the essential structure of the program is solid but that some fine tuning is needed. It may tell us that a completely new approach is needed, or that the program should be developed and looked after by another level of government, or indeed by an independent organization.

In the meantime, hon. members have the government's assurance that funding for the program in its current format will continue. In 1994–95 a total of $14.1 million will be available for the food mail program. The bulk of this, some $13.6 million, will come from the Department of Indian Affairs and Northern Development. The remaining $500,000 will be contributed by Health Canada. This level of funding should be sufficient to maintain the postage rates at the current levels until March 31, 1995.

In closing, I want to say that I of course am not an expert on this subject. I have had some experience as I have indicated in the course of my remarks, but I am not an expert. The remarks I am alluding to and am in part reading have been prepared for the Parliamentary Secretary to the Minister of Indian Affairs and Northern Development who is tied up at a committee meeting tonight and is unable to be here to deliver this particular speech. I am pleased to have the opportunity to contribute to the debate on his behalf and on behalf of the government.

In conclusion, this House must acknowledge that the northern food mail program has proven to be an effective and efficient way of making food and other essential goods more affordable in isolated northern communities. As a member who travels there occasionally I am pleased to support it. I am confident that if any improvements can be made either in the short term or in the long term, they will be identified in the course of the review which the government has under way and which will be reporting in due course.

I thank the hon. member for raising this issue in the House.

(1835)

Mr. Dale Johnston (Wetaskiwin): Madam Speaker, I am pleased to participate in this debate on the motion presented by my colleague, the hon. member for Saint–Jean. The motion asks the government to make food distribution in Canada's north more effective and more economical.

I could not help but notice that the member who spoke just before me must have done his research from exactly the same material that I did mine. His speech sounded a lot like the one I am about to deliver.

We in the Reform Party are always looking for ways to improve on existing programs. I commend the hon. member for his initiative in bringing this motion forward.

Since the 1960s the federal government in conjunction with the post office has made an effort to supply isolated northern communities with affordable fresh produce. Under the northern air stage program the Department of Indian Affairs and Northern Development pays Canada Post a subsidy to cover a portion of the cost of bringing nutritious and mostly perishable food to communities that have no year round road or rail access. Approximately 125 communities serving about 86,000 people are eligible under this program.

As has been referred to previously, in the 1994 fiscal year this food mail subsidy will amount to some $14.1 million. Of this, $13.6 million will be coming from the Department of Indian Affairs and Northern Development, with about half a million dollars coming from the Department of Health.

The residents of Canada's north face not only higher retail prices than we southerners but they also have a critical employment program. Most work in that area is, at best, seasonal in nature. The 1986 census showed that only 35 per cent of the aboriginal population 15 years of age or older were employed, compared to 60 per cent for all of Canada in the same age category. Of course a high unemployment rate means a lower annual wage and ultimately less purchasing power.

The high cost of transporting goods in the north, even with the government subsidized food mail program, results in higher consumer prices. As was also alluded to earlier, a family of four in these isolated communities in the Northwest Territories would have to spend between $260 and $280 per week just for a basic diet. That is at least twice as much as we would have to spend in southern Canada for the same diet.

A study by the Department of Indian Affairs and Northern Development conducted in 1990 concluded that by reducing the merchant's transportation costs, the air strategy subsidy has been an effective means of keeping the prices of food and other goods in remote areas lower than they otherwise would be. The study also found that an elimination of the subsidy would likely result in higher social assistance costs, higher health care costs and an increase in isolated post allowances for government employees.

When the Department of Indian Affairs and Northern Development launched this study in 1990 there were no apparent alternatives. Today, as was indicated by my hon. friend, there may be a practical cost–effective solution for at least part of this problem.

As was also alluded to by the mover of this motion there is a corporation which is prepared to establish a food distribution network. I certainly do not want to propose one corporation over another but where there is one, there are likely to be others.

This corporation plans to supply food from a central distribution centre in Iqaluit which at the outset would serve some 38 northern communities. This unique Canadian enterprise predicts that the price of food products in the north could be

reduced by 10 to 20 per cent. This will be possible because of the company's plan to reduce transportation costs and because its purchasing power will enable it to negotiate lower prices and to pass the savings on to the customers.

(1840)

This company expects to save on transportation costs by regrouping products and chartering aircraft that would carry up to $75,000 worth of merchandise per flight. While its plan initially is to be a food wholesaler, the company estimates that it can receive 88 per cent of the market share in two years by supplying perishable food products and other consumer merchandise needed by northern residents but not currently available at reasonable prices.

The overall cost to inaugurate the service is estimated to be some $1.65 million. Without going into too much of the financing it is safe to say that the company would probably need some government loan guarantee in order to get started. I think the operative word here is ''loan''. As was also mentioned by the mover of the motion, this company would create jobs for some people in the north and they also all are shareholders of this particular company.

What benefit is this for the Canadian government? The company's prospectus predicts initial savings for the government of up to $3.6 million. It expects to train and employ, as was mentioned before, about 55 local people.

Now as you know we in the Reform Party are strong believers in the free enterprise system. I am personally pleased to see that this group has taken the initiative to provide a better service to at least some of the isolated northern communities. It sounds like an excellent viable alternative.

If this group is successful, it is likely that other entrepreneurs will follow its lead. Then there would be no need for the Government of Canada to provide so much subsidy to Canada Post for the food mail program.

If this had been a votable motion, I would have asked that it be referred to committee. I would encourage our party to support this motion and refer it to a committee for further examination. Since it is not a votable motion, I would like to encourage the government.

I was very pleased to hear the member opposite say that the government has plans to review this whole program and, I hope, these proposals. Certainly what I would encourage is that the government look at every possible proposal to make the food distribution in the north far more efficient and effective as well as improving the quality of the food and ultimately the diet of the people who live in the north.

Mr. Morris Bodnar (Saskatoon—Dundurn): Madam Speaker, I rise to address the House on the motion put forward by the hon. member for Saint–Jean.

As my hon. colleague has explained, the northern air stage program is critical to the good health of many thousands of people living in remote northern communities. It is also a federal initiative that is not well known to many Canadians or to their representatives in this House. I would like to take this opportunity to provide some background on the program so that hon. members can fully appreciate its importance.

The principal objective of the northern air stage program is to achieve food security in isolated northern communities. Food security is defined as a condition in which all people at all times have access to safe, nutritiously adequate and personally acceptable foods in a manner which maintains human dignity. Food security poses special challenges in northern Canada, where southern food is very expensive and retail competition is extremely limited.

There are also increasing pressures on traditional food sources as well as concern about contaminants in the food chain. Hunting itself is expensive, especially for people who are already in low–paying jobs or are receiving social assistance.

Under the northern air stage program the Department of Indian Affairs and Northern Development makes payments to Canada Post to subsidize the cost of providing air parcel service to communities that are not accessible by year round surface transportation. This payment covers between 50 and 60 per cent of the cost of sending these parcels, most of which are food items. This is why the program is more commonly referred to as the northern food mail program.

(1845)

This program has become a vital element of the northern food distribution system. It ensures that supplies of nutritious, perishable food are delivered to about 45 Inuit communities in the Northwest Territories, northern Quebec and Labrador. It also serves about 60 isolated First Nation communities in the James Bay region of Quebec, in Ontario, Manitoba, Saskatchewan, and the Northwest Territories, and about 20 mainly non–aboriginal communities in Labrador and the north shore region of Quebec. In total, some 86,000 Canadians depend on the program.

In 1989 the previous government announced that the food mail program would be phased out after more than two decades of existence. As might be expected, this announcement was met with a great deal of opposition both in the north and in the House, and the government decided instead to undertake a major review of the program.

As a result of this review steps have been taken to make the program more equitable in terms of the subsidization rates paid

for parcel delivery to communities in the Northwest Territories compared to the provinces.

The postage rates for shipments to the territories traditionally had been about three times as high as in the provinces. Important changes have been made also in how funding is applied. The lowest postage rates are provided now for nutritious, perishable food. Food of little nutritional value has been disqualified from funding.

As well, shipments of alcohol and tobacco products are not subsidized under this program. Merchants or individuals must use commercial air cargo service, winter roads, or seasonal marine service for the resupply of these items.

As a result of these changes Canada Post now charges 80 cents per kilogram plus 75 cents per parcel for nutritious, perishable food deliveries to all remote northern communities.

Non–perishable food and non–food items can be mailed to isolated communities in the northern parts of the provinces for $1 per kilogram plus 75 cents per parcel. In the territories the rate for these items has been maintained at $2.15 per kilogram plus 75 cents per parcel.

These changes have helped to reduce the prices of perishable food in the Northwest Territories. In some communities there has been a fairly significant reduction in the total cost of the basic northern food basket for a family of four.

In Pond Inlet, for example, the cost of this basket decreased by more than $30 between 1991 and 1993. Unfortunately there are many communities in which increases in the cost of non–perishable food have offset the reductions in the cost of perishables.

The lack of retail competition in many communities also continues to affect food prices. In Broughton Island where the local co–operative closed, leaving only one store in the community, the cost of the northern food basket actually increased by $40 between 1992 and 1993 despite the reduction in postal rates for perishables.

From a nutritional perspective, consumption of perishable food in Inuit communities in the Northwest Territories has increased significantly since the postage rates began to decline in October 1991.

In 1991–92 Canada Post shipped 758 tonnes of perishable food to the 10 communities in the Baffin region which traditionally have been on the food mail system. The following year when postage rates were further reduced these shipments increased by more than 35 per cent to 1,040 tonnes.

Despite this increased consumption, there is still a great deal of room for improvement. A government survey of isolated aboriginal communities taken in 1991 and 1993 shows that the per capita consumption of store–bought perishable food continues to be much lower in the north than in southern Canada.

As a result, the average intake of vitamin A and calcium is far below recommended levels and the average consumption of sugar in all communities is extremely high. This is obviously undermining the health of northern residents.

(1850)

It is also evident that high food costs continue to be the major impediment to improved diets in the north. In the same survey I mentioned a moment ago, between 40 and 50 per cent of women reported that they were extremely concerned about not having enough money for food. In most communities, this was a greater concern than alcohol and drug abuse and family violence. The situation is obviously extremely difficult, but without the food mail program or some alternative, it could be much worse.

It is clear that some form of subsidization must continue for shipments of nutritious, perishable food items to isolated northern communities. The residents of these communities already have many problems to deal with: poverty, overcrowding, family violence, alcohol and substance abuse, cultural disruption, gambling and so on. Hunger and poor health brought on by an inadequate food supply should not be added to the list.

I want to reiterate that the government has already taken the action proposed by the hon. member for Saint–Jean. An interdepartmental committee is now developing the terms of reference for a fundamental review of the food mail program for the next year.

I would urge my hon. colleagues to support this important initiative. The food mail program costs each Canadian taxpayer an average of about one cent per week. This is a very small price to pay, considering the enormous impact the program has on the health and well–being of 86,000 Canadians.

[*Translation*]

Mr. André Caron (Jonquière): I am pleased to speak to the motion introduced by my colleague from Saint–Jean which calls on the government to take the necessary steps to make food distribution in Canada's North more effective, and therefore more economical, in order to enable the Inuit to purchase higher quality food at a lower price.

I listened closely to the speeches given by the hon. member for Saint–Jean and by my Reform and government colleagues. They have certainly defined the problem of food distribution in the North quite well.

I want to use my time to focus in particular on the situation in the Nunavik territories, that is in northern Quebec and certain parts of Nunavut which correspond to what used to be called Keewatin, Baffin Island and Kitikmeot. Everyone no doubt agrees that the major problem with food distribution in the

North is distance. On average, food is shipped over a distance of roughly 2,200 kilometres, and in some cases, of up to 3,000 kilometres.

Air and sea transportation modes are commonly used, with sea routes open only a few months of the year. To all intents and purposes, air transportation is the sole mode used. Obviously, transportation costs are astronomical, because after all, these territories are not inhabited by large numbers of people. Furthermore, considering the climatic conditions, costs can be exorbitant.

The big problem for the people of these territories and the people concerned—in the territories that I looked at, involving 27,000 people, including 8,000 in northern Quebec—is due to transportation costs and the cost of living. In these territories, the cost of living can be one and a half times or twice as high. So we see that it is a serious financial situation for these families. The situation is even more serious in that northern Quebec and northern Canada as a whole have a big problem with employment and inadequate incomes. For all practical purposes, salaries in these regions are modest, even very modest, and the cost of food is high.

(1855)

The impact on the people's health is great. Many studies done in the South and some in the North show the connection between health and diet. That is why I wanted to speak on the motion of my colleague from Saint–Jean, because it really is a problem. I think that Parliament and the Canadian government must take the necessary action to deal with this situation for the good of the people concerned.

For the territories I am considering, food is transported by air from two places: Churchill and Val–d'Or. From these places food products are sent to the North. There is no distribution from major cities such as Montreal, for example, where wholesalers and retailers could send their products directly to the North. Goods are distributed through the two communities I mentioned.

Of course, it is not only a matter of costs but also of transit times, since goods sometimes take several days to reach their destination. It is a real problem but there are, of course, solutions. Many things are now being done to feed or help feed Northerners. There are government measures and subsidies, and I think the federal government's contribution is very worthwhile.

But there are still some problems. Costs are very high. Additional transportation costs to the North range between $0.70 and $7.75 a kilo, so we can see why costs are prohibitive. But there may be solutions we can contemplate. It was brought to my attention that the Inuit designed a project promoting the establishment of a distribution centre in the North, in order to combine the goods brought on the same plane, thus reducing costs and ensuring adequate distribution to the villages concerned.

I do not want to speak for and publicize the measures that may be taken by people who formed a private venture, but I think this project should be carefully analyzed by the Department of Indian Affairs and Northern Development because it seems likely to lower food costs in the North and because this initiative comes from Northerners. There as elsewhere, the people directly concerned are in the best position to take the measures required to improve their economic and social conditions. Since this project is sponsored by Inuit, I think it could be of interest to the Department of Indian Affairs.

This project also promotes the employment of Natives, of members of Inuit communities in the North. I think this should be one of our goals. Given the high cost of food in the North and the initiatives taken by Northerners, I urge the Department of Indian Affairs to consider the motion of my colleague from Saint–Jean and take the necessary steps to make food distribution in the North more effective. And if we can thus support Northerners willing to invest their money and energy in developing their communities, I think we should not hesitate to do so.

(1900)

[*English*]

The Acting Speaker (Mrs. Maheu): There being no further members rising for debate and the motion not being designated as a votable item, the time provided for the consideration of Private Members' Business has now expired and the order is dropped from the Order Paper pursuant to Standing Order 96(1).

GOVERNMENT ORDERS

[*English*]

YOUNG OFFENDERS ACT

The House resumed consideration of the motion that Bill C–37, an act to amend the Young Offenders Act and the Criminal Code, be read the second time and referred to a committee; and of the amendment.

Mr. Jack Ramsay (Crowfoot): Madam Speaker, I have listened to the debates on this bill. I would like to direct the attention of the House to one important factor that I think has been left out of the speeches I have heard so far. It is simply this. I believe that this government and past governments have been expecting the justice system to do something that it was never designed to do.

The justice system cannot prevent dysfunctional families. The justice system cannot prevent the negative aspects of society that lead to crime. The justice system was designed to protect society against those individuals who moved toward a life of crime and begin to commit criminal acts and to threaten

the lives and the property of the people of this country. That is the role of the justice system. The social engineers for last 20 years have attempted to create a dual animal of some sort within the justice system as if it was somehow responsible to prevent crime.

That is not what it was designed to do. There are other programs designed to keep people out of crime. The social programs, our educational systems, our churches and other organizations were designed to input into our young people the ingredients needed for them to become successful, productive human beings who respect the law and who will not violate the law. The justice system is not designed to do that.

The attempts by the social engineers over the last 20 years to change the fundamental role of the justice system has corrupted the justice system to the point where it is no longer protecting the lives and the property of the citizens of this country.

We heard recently from Assistant Commissioner Rod Stamler that there had been such interference under the Mulroney administration in the administration of the RCMP as to impact upon the ability of the force to conduct investigations into political corruption.

The Alan Eagleson case is another example of the corruption of our justice system and those people responsible for proper and fair administration. Evidence was laid before the authorities within this country. Nothing was done about it until the U.S. authorities began to investigate. Only then did the authorities in this country begin to take a proper look at the evidence before them. Right now there exists a warrant for the arrest of Mr. Eagleson in the United States of America.

We hear of the Glen Kealey accusations of 5 per cent kickbacks on government contracts under the Mulroney administration. We hear of many others at the provincial level.

(1905)

We hear of the Dial mortgage case in my home province of Alberta. The RCMP recommended charges be laid against members involved in the Dial mortgage collapse. As a result of that, the word leaked out that it was recommended that a close friend of the premier also be charged. No charges were ever laid.

We saw the Principal collapse where millions and millions of dollars of investors' money was lost. The decision now, after years and years of investigation by our political operatives, is that no charges are to be laid.

I come back to the proper role of a justice system. I was a member of the RCMP for a number of years. I used to enforce the law back in the days when I thought that the justice system was operating properly and functioning according to its mandate. That was to protect the lives and properties of individuals.

Now the justice system is set up so that if someone commits an offence and there is sufficient evidence, the peace officers lay a charge and bring that person before a court of competent jurisdiction. If there is sufficient evidence to prove the individual guilty of the charge, the court has three or four main functions to perform. That is directed specifically toward protecting society.

The first was the court had to administer a penalty. It administered a penalty according to the crime that was committed against society or a member of society. It had to be a fair and balanced penalty. Nevertheless it had to be a penalty in accordance with the circumstances surrounding the offence that was committed.

The penalty also had to deter not just the accused from committing an offence again, but more important, it had to serve as a deterrent to those who might be tempted to enter upon a life of crime.

In the role of the courts there was something in addition to those two functions. That was to assess a proper penalty after guilt was determined, a penalty that would balance the crime committed, that would offer a deterrent, not only to the accused person or the convicted person, but also to society at large. There was also a consideration for rehabilitation, that the penalty imposed would not be greater than it ought to be. It was in the judgment of the court to determine what that penalty would be, bearing in mind its responsibility to society.

Within the amendments to the Young Offenders Act that we are discussing tonight there is not a return to the traditional role of the justice system. We still have within this bill and within the Young Offenders Act this two–tiered animal that on the one hand is supposed to play its traditional role while at the other end it is pulling itself away from that. This is the greatest failing of this document. It is not returning to the traditional role of the justice system. Still inherent within it is this attempt by the social engineers to create something within the justice system that it was never designed to do within a democratic society.

I suggest that nothing very much is going to change. According to the last information I have, 43 murders were committed by young offenders in the last year. I do not think that we can expect to see a great reduction in those numbers. In other words, we are going to see roughly 35 to 40 people murdered at the hands of young offenders in the next 12 months. We are going to see all of the other offences that statistics indicate to us are being committed by young offenders.

(1910)

I do not see a great degree of social change occurring as a result of this amendment. This document does not bring the justice system back to playing its traditional role within society which is to protect society from those who commit crimes against our property and members of our society.

Mr. John Maloney (Erie): Madam Speaker, I am honoured to rise in the House this evening to speak on Bill C–37, an act to amend the Young Offenders Act. The bill reflects our keeping of our promise made to Canadians in the red book under the title ''Safe homes and safe streets''.

Before I proceed with my presentation, I would like to give some personal background on where I am coming from and the perspective I see this from. I am the father of five children ages 8 to 18. I have been a minor sports coach and in my former life was on the school advisory committee.

I have had a lot of interrelationships with the youth of our country. I have two brothers–in–law who are police officers. I have discussed with them their problems and frustrations in dealing with young offenders. I have some sympathy for their positions.

I am a lawyer who from time to time was in youth court balancing the rights of our youth with the necessity of protecting our society. As a member of Parliament I had to campaign. I met a lot of people whose main issue was the Young Offenders Act and the abuses thereof. Since becoming a member and being elected, I have dealt with numerous letters on this subject.

On last May 6, I hosted two families here in Ottawa. Their names were the Racine family and the Pinard family. This was not a happy event. The reason for their visit was the presentation of a petition to this House with 55,000 signatures requesting that the Young Offenders Act be tightened up.

These families are victims of violent youth crime. These are two of the families that the Minister of Justice mentioned he had met over the last several months. The Pinards lost their daughter. Young Cheryl Racine lost an eye and is scarred permanently, both physically and mentally. They were the innocent bystanders of a shooting through an apartment door when these fateful bullets struck them. The perpetrator of this crime was a young offender.

The Young Offenders Act was passed 10 years ago and has not really seriously been considered since. We must all understand that society is always evolving while written legislation does not. The Young Offenders Act is an act with its heart in the right place, but it does not effectively put those ideals into action.

The motivation and ideals behind the act were to deal with young people who ran afoul of the law in a way that would best reintegrate them as responsible law–abiding citizens, members of our society.

One of the positive aspects of the previous act was the alternative measures program. I had one situation where a young 13–year old was charged with shoplifting. The formal offence was theft under $1,000 for a $1.50 tube of lipstick. She was not a bad kid. She was a very good academic, sang in the choir and had good parents.

The aspect of being picked up, charged, fingerprinted, photographed and treated as a criminal had a very sobering effect on this child. The alternative measures program allowed the judge in the circumstances to give an alternate disposition of community service. This child will not come before these courts again. I am assured of that. She has learned her lesson. That was one positive aspect of the act.

Incarceration should be the last consideration of authorities when sentencing the children in youth court for lesser offences. Community service, counselling and restitution should be the mainstays of our youth court sentences.

I applaud the minister for recognizing that fact and making it a part of his amendments. Offences of a violent nature, a serious nature, are another story. Our government's approach is a two phase approach. In my opinion our government is acting decisively in response and is reflecting the requests and demands of citizens that the legislation be readdressed.

(1915)

We must now deal with the immediacy of the situation. The obvious problems are being addressed in the legislation before the House. A more comprehensive study will be undertaken through the fall, again responding to the electorate's request for involvement. Witnesses will be heard before committees. Debate will take place and very considered amendments to the acts will be considered.

I would like to comment on certain parts of the legislation that particularly catch my attention. The increase in penalties for murder from five years to ten years is certainly a step in the right direction. It really was a mockery to have a situation where a 17–year–old could commit the offence of murder and perhaps receive a maximum of five years.

We can appreciate why people today have little regard for the Young Offenders Act. With these new longer sentences there will certainly be protection of the public and more time for rehabilitation of youths. We will also have greater control in the latter period of their sentences.

Another situation is the reverse onus situation where 16 and 17 year olds charged of violent crimes such as murder, attempted murder, aggravated assault, sexual assault and manslaughter will now be dealt with in adult court. Transfer to adult court reflects the seriousness of the crime and the consequence of violent actions.

The statistics have been quoted in the debate and I think they need to be mentioned again because they are significant respecting 16 and 17 year olds. For murder they represent 60 per cent of the convicted individuals; attempted murder, 61 per cent; manslaughter, 50 per cent; and aggravated assault, 68 per cent.

Sixteen and seventeen year olds are perfectly aware that these are very serious crimes. They have taken on adult responsibilities when they have committed them and they should be treated as adults. That is a very positive step.

The use of victim impact statements in youth court is another welcome change. It allows the suffering of the victims to be recognized. This certainly fills the need for victims' rights and allows also for sentencing to reflect the suffering of the victims. A greater sharing of information relating to young offender with persons who require such information for security reasons or safety reasons is another very positive step.

It is a little disconcerting to know that perhaps sitting beside our children in school are perpetrators of violent crimes, or perhaps they are even neighbours across the fence. For the teaching profession, social workers and police, it is a very positive step that they will now know who the offenders are.

Keeping records for a longer period of time, from five to ten years, is another step toward public safety and security as well as allowing our police forces to identify repeat offenders promptly and efficiently.

The aspect of conditional supervision will allow a judge to impose additional restrictions when the judge feels that such controls are necessary not only for the benefit of the youth but for the protection of our public. It allows for greater controls over offenders serving sentences in the community or a quicker response for a youth who violates his conditions.

The amendments also provide that young offenders should be accountable to their victims and to the public where non–custodial dispositions are inappropriate. The idea of restitution is to be commended. Let them face the responsibilities: community service perhaps or an apology to the victim. Let them know exactly what they have done. It will have a sobering effect and will be a very positive step.

The act before us reflects a balanced approach to a very difficult situation. The present act is 10 years old. Society has changed since the early eighties. The Young Offenders Act must also change to respond and address our changing society. We must balance our citizens' legitimate need and demand for public safety with a firm rehabilitative compassionate approach to youth crime.

It is essential that we break the cycle. We must ensure that our young offenders of today do not become our criminals of tomorrow. I feel the act goes a long way toward achieving that end.

[*Translation*]

Mrs. Pauline Picard (Drummond): Madam Speaker, following my review of Bill C–37, it is my pleasure to rise in this House to denounced the inappropriateness of this bill to address the real problems it was meant to resolve.

I agree that juvenile crime is a very serious problem. The media regularly report on violent crimes to which it is impossible to remain indifferent because of the criminals' ruthlessness and remorselessness. Our society must take a firm stand against these odious crimes. We must also make it clear that we will not tolerate such behaviour.

(1920)

Unfortunately, the justice minister is going about it the wrong way in his bill if he wants to reduce juvenile delinquency, a problem which is not really new and which calls for real short–term and long–term solutions. Unfortunately, by relying only on overly repressive measures, the minister caves in to extremist pressures by right–wing thinkers at the expense of a truly efficient reform. I firmly believe that this bill, the primary foundation of which is repression, is far too severe in relation to the reality of juvenile crime. His proposal makes no sense in the context of the prevailing international modes of intervention in this regard. Finally, this bill runs counter to Quebec's eminently successful approach.

Let us take a look at the thrust of this flawed bill. First, 16– and 17–year–olds charged with violent crimes will be tried in adult court. This change is clearly pointless, considering that at present, violent cases are normally referred to adult court at the request of Crown attorneys. The troubling part however is that from now on, under this bill, the burden of proof rests with the young person and not with the Crown, which is in clear breach of the presumption of innocence entrenched in the Canadian Charter of Rights and Freedoms.

Moreover, by creating two categories of young people for certain offences, when all young people are included in the same definition in the act, the minister excludes the 16– and 17–year–olds from the universal system. This is also an obvious form of discrimination which violates the Canadian Charter of Rights and Freedoms.

Second, the bill proposes extending the sentences, as well as the period of time that must be served before being eligible to apply for parole. Great! The message is very clear. In spite of what is said in clause 1 of the bill, namely that rehabilitation and prevention are objectives of the legislation, this is a repressive measure.

Third, the bill provides for greater sharing of information between the police, the courts and some public officials. The minister is telling us that the offender must realize that he is a criminal. To make sure of that, the authorities will inform those around him, including school officials, of that fact. The young offender will be branded to make sure that he is constantly reminded of his past. Do we really believe in rehabilitation

when we propose branding an adolescent as a ''criminal delinquent''? Is that how the minister perceives the basis and the principle of rehabilitation? All the experts say that we should do exactly the opposite.

On top of totally missing the target, this bill is seriously flawed. These flaws show that the legislation was drafted hastily, obviously to satisfy some interest groups which deliberately scare the public. But is that fear justified? Following a series of violent crimes which were committed by minors and widely reported by the media, it appears that Canadians feel less secure. At least, that is what we are constantly being told by some Reform Party members. The question to ask is this: Has there been any significant rise in juvenile crime in Canada? In other words, is the Canadian public justified in its insecurity? Is there any real basis for this feeling of insecurity?

The answer to these three questions is no, Madam Speaker. According to Statistics Canada, the number of young people between the ages of 12 and 17 arrested for a crime fell by 5 per cent in 1992.

(1925)

Although arrests for violent crime did increase by 6 per cent in that same year, many criminologists attribute this rise to increased police surveillance.

In Quebec, 11 young people were arrested for murder in 1992. Do these figures justify the repressive measures in this bill? No. Canada is not currently witnessing a rise in violent crime, but rather an increase in publicity surrounding a problem that has always existed and that will not be resolved by Bill C–37.

This was the conclusion of a Statistics Canada report made public last week, which found that crime had not increased in Canada in the past five years. It is therefore obvious, in my view, that our approach to juvenile crime must be reviewed.

The social and economic factors contributing to criminal behaviour must be taken into account. Social development measures and programs focusing on rehabilitation and, of course, prevention, must be considered. There are two diametrically opposed schools of thought as to what approach would be most effective in dealing with youth crime.

One method focuses on the young criminal and emphasizes arrest, trial, conviction and punishment. The other method focuses on reintegration into society, examines the underlying causes of delinquency and seeks to put young offenders back on the right track, without criminalizing them too much.

From the standpoint of health, which is my area of concern, it seems obvious that the second school of thought—which advocates prevention and rehabilitation—is preferable. Criminologists agree that there is no single cause for criminality.

Rather, criminal behaviour results from the interaction of a set of related factors, such as education, family environment, poverty, drug addiction, the promotion of violence, unemployment, inequalities, and so on.

The Minister of Justice stated, when he tabled the bill, that social reintegration, prevention and rehabilitation would be incorporated into his reform. Yet, having examined this bill more than once, I fail to see that it contains any measures to address these concerns. Of course, the first clause of the bill refers to this as a statement of principle. But not a word in the substantive clauses. The first clause is just a smokescreen, an attempt to attenuate the repressive aspects of this bill.

Last month, a resolution was tabled in the Quebec National Assembly and adopted by all members present except two. The resolution sent a very clear message to the Minister of Justice of Canada: ''Let us keep dealing with our problems in our own way''.

A few weeks ago, the newspaper *La Presse* published an article under the heading: ''Quebec experts contradict Minister Allan Rock''. The article said that the tougher approach to the Young Offenders Act announced last week by federal Minister of Justice Allan Rock had raised a flurry of protest among the experts, including educational psychologists, criminologists, specialized lawyers and members of the National Assembly.

That week, the same newspaper also reported what was said by the Quebec Minister of Justice and Attorney General, who stated, and I am referring to Bill C–27, that for Quebec, the status quo was enough, that that was what he wanted from Minister Rock, that, judging by the situation in Quebec, it was safe to say that in most cases of murders committed by teenagers, the present act was more than adequate.

If the Minister of Justice will not listen to the advice of the Official Opposition, perhaps he will listen to the Quebec Minister of Justice who is a Liberal and a federalist. It is a fact that Quebec has introduced an innovative penal and social system to deal with juvenile delinquency. For the past 15 years, Quebec has preferred to emphasize rehabilitation and readjustment instead of repression, pure and simple.

(1930)

Our system attempts to identify the deep–seated causes of delinquency instead of merely considering what is readily apparent. We do not agree that a life sentence is the only answer for offenders with serious family and social problems.

In the red book, the Liberals promised changes that would include measures for crime prevention and rehabilitation, but it would seem these constructs were written at a time when it was politically expedient to do so. The fact is that the Minister of Justice and his government have yielded to pressures from certain members in this House who believe that the only way to protect themselves against young people who seem to terrify them is to whip them into shape.

[*English*]

Mr. Werner Schmidt (Okanagan Centre): Madam Speaker, it is with pleasure that I rise to address Bill C–37 this afternoon. I want to pay particular tribute at this time to two young people in Kelowna who really gave me a lot of impetus and got things going. These are Jennifer Schuller and Tammy Carvallo. I have mentioned their names in the House before. They are two grade 10 students who took it upon themselves to become familiar with the conditions of the Young Offenders Act and found out about it in a way that was not all complimentary.

They learned about it when they asked the police to please help them because they were being bothered by a 13–year old who was giving them a lot of difficulty. They discovered when they asked the police to do something, the police said unfortunately they could do nothing. They became so concerned that they launched a petition. Four thousand six hundred people signed that petition for these young people to show that the current system does not work.

When I found out what they were doing I thought this was so inspirational and so illustrative of the problems of the Young Offenders Act that I decided to get involved in the debate leading up to this evening. If young people feel that this act is not working, what does that say to us as adults who are supposed to be looking after the world for them? What is the problem?

It seems to me that violent crime is on the rise. I would like to list briefly some of the very tragic events. First, there was a drive–by shooting here in Ottawa; then a random fatal stabbing in Edmonton; a senseless shooting in a Toronto dessert restaurant; and finally, a brutal beating in a small community in my constituency in the Okanagan.

These have all raised alarms about youth crime in the recent past. We are at a point where it frightens people to challenge young people who misbehave. In the particular instance I am talking about in Oyama, for example, a gentleman criticized a group of young people who refused to stop at a stop sign and in doing so practically caused an accident to take place. He said: ''Look, boys, you shouldn't be doing that''. He was beaten up on a weekend with an axe.

The Minister of Justice has responded to the concerns of Canadians. He has introduced a package of measures and amendments to the Young Offenders Act that are designed to meet these particular concerns.

I want to state for the record that I believe the minister and the amendments that he has proposed are moving in the right direction. They are a step in the right direction, but it is a tiny step. The minister deserves marks for moving in that direction. I would like to suggest where the minister has not gone far enough.

First, the main problem in the bill is that it does not recognize that the primary function of justice in Canada is the protection of life and property of law–abiding citizens. How has he failed to do this? I suggest he has done that by not permitting the disclosure of the names of most serious offenders in the media and thereby the public.

We cannot feel completely safe in our communities if we do not know the names or the identities of people who are in the position of seriously offending again. For example, the school administrators might know and be aware of the offenders that are in their schools and that is a provision in the new amendments. However, that does not mean the people in the school or in the community know who are the potential violent offenders living in their midst. This situation leaves the community with a certain amount of fear and trepidation. The minister has missed the mark in this regard. It comes down to this. There are times when the public's need to know outweighs the offender's rights to confidentiality. It is that simple.

(1935)

The second aspect of Bill C–37 that gives me some difficulty is the fact that the age provisions for the act are left untouched. I contend that the act's age provisions should be changed to apply to persons between their 10th and 16th birthdays and anyone older than that should automatically be tried in adult court.

Why do I say this? If we are going to allow young people, 16 and 17, to accept the responsibility of adult activities such as driving a car, surely it is not unreasonable to expect them to behave in a manner that is consistent with that kind of responsibility. Neither is it unreasonable to expect them to accept the responsibility for their actions, be they criminal or otherwise.

If the age provisions are changed to the level that I have indicated there exists no need for the amendment that is in the proposed bill that would allow for automatic transfer to adult court of 16 and 17–year olds rather than putting the onus on these people to say that they should not be tried in adult court. This step is not a large one and is something that the minister should consider very carefully. Perhaps he should reconsider the lack of that provision in the act.

Third, I have difficulty with the provision in the bill governing the paper trail that follows the offenders. If we assume that one of the goals of the exercise is to try to get our young people to take greater responsibility for their actions and to get them to realize that there are going to be more serious consequences if they choose to engage in criminal behaviour than exists at the present time, then we ought to make them understand that if they

commit those crimes they will carry the consequences with them for the rest of their lives.

This gentleman who I referred to earlier who was beaten up with the axe will probably carry with him the scars from his beating for the rest of his life and the consequences will affect his family. During a most important time, when he was working on his orchard, he was paralyzed on the right side of his body. That is serious and the consequences should not be ignored. These people knew what they were doing.

Another important point is that this bill makes no mention of the responsibility that could accrue and should accrue to parents or guardians who can be shown to have been negligent in the bringing up of their child or in the behaviour of their child. When that can be proved I believe there is a responsibility that should be accepted by the parent or the guardian.

I come to something which is far broader even than any provisions within the act or the suggestions I have made so far. We are all responsible for the values that our young people hold and the manner in which we expect them behave. This is something that all of us as parents, as colleagues, as associates need to recognize. We need to develop a balance. It is the responsibility of parents, of the church, of the school, of the community and of the neighbours to recognize that there is an acceptable and an unacceptable way to behave. When youths are behaving in an unacceptable manner there is a responsibility and a consequence.

We should demonstrate an ideal or a model to our young people as to how they ought to behave. It does not mean we should go around bragging about the way in which we beat the RCMP in the last little while and avoided perhaps the tax collector or whatever else the case might be.

An hon. member: A speeding ticket.

Mr. Schmidt: Yes, for speeding if you will.

There is one point on which I want to commend the minister. I am very encouraged he has suggested that phase two be a complete overhaul of the provisions of the Young Offenders Act. I am pleased with that. However, it is not enough. We need to look beyond the Young Offenders Act into the whole area of criminal behaviour in our society. As this review takes place I hope the minister and the committee that is going to be charged with the responsibility of examining this will recognize that the problem goes beyond even government. Government cannot be expected to solve this problem alone. We will have to work together.

(1940)

I am confident the committee will discover the important and central role of the family and the way in which the values are transmitted from one generation to another.

I have a few more pages left to go. I will try to shorten them as much as I can.

I believe that we need to recognize that each one of us has a responsibility for what goes on in our community to make it a safer place to live.

In conclusion, I would like to thank Tanya and Jennifer, young people in grade 10 in Kelowna for drawing this to our attention. I want to commend all MPs who are trying to work together to make this country a better place. I do not think there is anyone, in the House who is not concerned about building a stronger Canada, a safer Canada and young people who we can look up to and admire.

To the people listening this evening I would like to suggest there are many more young people who behave themselves and are positive people we can look up to. I would encourage those young people who are not living up to their standards to look at their colleagues, look at their associates and see the good things they are achieving and take a lesson from them.

Just recently in the town of Kelowna one of the local churches honoured the outstanding citizen at each of the respective high schools in the community. The nine of them were sitting on the stage and were honoured because of what they had demonstrated in their lives, how you can live positively, how you can live successfully without getting into trouble with the law.

That should be our goal. That should be the direction and the focus of the Young Offenders Act.

[*Translation*]

Mr. Benoît Sauvageau (Terrebonne): Madam Speaker, today, we are debating the judiciousness of Bill C–37, an Act to amend the Young Offenders Act. The object of the reform is certainly to reduce the incidence of crime among young people, but the Bloc Quebecois doubts that this reform, under its present form, will reach that goal. For, in fact, the bill favours repression rather than rehabilitation and prevention. We believe that such a move proves once more that the government prefers to wash its hands of a social problem rather than attempting to root it out.

As Gilles Lesage, a journalist for the newspaper *Le Devoir*, said in May, and I quote: ''Nobody denies that there are occasional slips, difficulties, and a lack of speed, but it is not with backward measures that problems will be solved. Everything is not perfect, far from it, but the approach chosen by Quebec is profoundly worthwhile. Now is not the time, because of some particularly revolting crimes, to call for repression or

be blindly intolerant, which in the end will only make matters worse and will not solve anything''.

To really understand the problem, let us look at the kind of crimes young people commit. A study conducted in May 1994 by the justice department reveals that the number of young people charged with murder has substantially dropped since 1970. Contrary to what members opposite would have us believe, between 1974 and 1979, on average, the police charged 60 young people with murder. This number dropped to 46 for the period between 1986 and 1992, a considerable drop indeed.

Homicides are certainly the greatest source of fear for people, however, as I just showed, there is no cause for alarm since the number of young people suspected of homicide has dropped. On the other hand, it is true that, in general, the incidence of crime among young people is on the increase. In a recent article by J. Frank, entitled ''Violent Crimes Committed by Young People'', we learn that common assaults have drastically increased.

Should we send young people to jail for taking part in a gang brawl? Do not worry, I am not trying to downplay this kind of violence which is increasingly prevalent in our society. I only wish to repeat that the bill does not seem to address the right problem.

(1945)

We are tightening the rules regarding serious bodily harm, when statistics clearly show that the problem is elsewhere.

There probably is a number of members who, in their youth, were involved in some street fight—this was mentioned earlier even by Reform members. In most cases the problem was dealt with at home, by the parents, or in school, by the principal. Where would these young people be today, had they been dragged before the courts?

Clearly, any attempted answer would be hypothetical, but we all know that prisons are more apt to produce criminals than facilitate re–entry into society.

Generally speaking, any increase in the crime rate can be linked to poverty and unemployment, in other words, to the recession. It is not sentencing we should review. As Raymond Giroux was saying in *Le Soleil*, on June 4: ''Governments should look after education and employment. The schools and the labour market would do more to lower the crime rate than all the jails in the country''.

The bill is only a band–aid on a wound that should have been seriously disinfected. Increasing the sentences and releasing the names of young offenders will not put an end to youth crime. We should draw a lesson from the American experience, since it clearly shows that heavier sentences have really no effect on the crime rate.

We should not discount the problem or deny it completely, but rather give ourselves adequate and effective means of reducing crime among young people. This bill will not do that.

With these amendments to the Young Offenders Act, the government seems to have yielded to right–wing lobbyists. By trying to avoid controversy, the government is not solving anything. Gilles Lesage, a journalist with *Le Devoir*, wrote on June 4: ''By branding young people, as proposed by the red book, Minister Rock is discrediting himself. The status quo would be better than this pseudo–reform''.

Youth crime is a reflection of social unrest, which imposes a heavy burden on Quebec and Canadian societies. Today's social reality may have something to do with the gang wars that are becoming more prevalent.

In conclusion, I think we must stop sticking our heads in the sand and trying to resolve the problem through inadequate means. Let us give our young people the hope that tomorrow will be a better day. The future of our achievements is in their good and not–so–good hands. Let us stop placing the burden of our social failures on the backs of a whole generation, because if we have 11– and 12–year–old kids committing crimes, we have a serious social problem.

Canada strongly condemned, with good reason, the horrible Tiananmen Square massacre in China. However, does the proposed reform of the Young Offenders Act, silently, under the cover of words and without bloodshed, not deprive young people mistreated by life of any hope of pulling through, for prison will certainly hurt and mark them for life.

[*English*]

Mr. Jake E. Hoeppner (Lisgar—Marquette): Madam Speaker, I had a prepared speech for the debate on Bill C–37 yesterday. I did not realize I would be on House duty during this debate today. I have thrown the speech aside and I will talk for a few minutes on some of my personal experiences over the last couple of months.

I agree with a lot of what has been said today. We probably are going in the right direction with Bill C–37.

One of the hon. members on the other side said this morning that 95 per cent of our youth are real good kids and I would say the percentage is probably higher. However there are bad apples and they are very bad apples. This House has the authority to deal with them. If we do not do something about those bad apples, the whole barrel will be spoiled. That is why I want to address this debate in a different way today.

(1950)

About two months ago when I was home for the weekend I got a phone call at 2 a.m. It was the Winnipeg Health Sciences Centre. My son had been attacked and we were to make haste and get to the emergency ward as soon as possible.

I wish I could convey what my wife and I went through in the next five hours before knowing that he would live. I would never wish that experience on anybody. You feel so helpless. You feel so devastated. It is your own son, your own child you have raised and you do not know what is at stake. We walked into the emergency room and I could not recognize my own son. I could not find him. He was so badly beaten that Fran and I had to have somebody point out who was our son.

No one can imagine what that kind of experience does to a mother and a father. So it has been very hard for me to quietly sit here today listening to some of the comments of the bleeding hearts trying to smooth over the serious problem we have.

If we as a House and with the authority do not address this, the history books will record us as absolving our required duty. I would like to stress that tonight. If I run short of time, Madam Speaker, please remind me because I could get carried away.

After five or six hours when we finally got the news that our son would live, I phoned the Winnipeg City Police to see what had really happened. Our son could not tell us. The sergeant pointed out that the two detectives on the case had worked all night and had gone home. I asked whether somebody else had been put on to make sure that the people were apprehended. He replied: ''Jake, how can we do it? There are still 30 calls we have not answered''.

We are being brainwashed if we do not think there is a problem out there. The violence on our city streets is unbelievable and it is spilling over to the small towns.

About one week after our crisis, a constituent wanted to know the real facts. We were at a coffee shop discussing what happened when all of a sudden, a young gentleman from a few tables over walked up to me and said: ''Mr. Hoeppner, you do not know me but I know you. You are my member of Parliament. After I heard you talking about your son I wanted to tell you that I was one of those young offenders a few years ago. I paid my dues. Today I am married and I have a child. I will tell you, Mr. Hoeppner, I know how the system works. It is a joke. If you as a member of Parliament do not do something, my kid does not have a chance in this society''.

It was as simple as that. He talked with experience. Why are we going in this direction?

(1955)

A grandmother approached me a few weeks ago. She had been at her son and daughter–in–law's place and their young daughter who is in grade one was misbehaving. She was running around the house and her mother gave her a slap on the bum. The kid turned around to face her mother and said: ''Mom, do you know you cannot do that?''

That is where the problem is. We have lost discipline. We have lost respect. If we do not address those issues we can pass all the laws in this House we want to and we will not correct the problem.

Why are we not going to fix it? It is very simple. We have to get back to the basics where morality is more important than the justice system. For 20 centuries we have followed the guidelines history has laid down for us: our fathers and mothers; respect the law; pay unto Caesar what is Caesar's, not what is legally possible to do or get around. This is why we have problems in our youth system today.

It was never brought home harder to me than when I was visiting my relatives in the Soviet Union in 1991 after the coup. We were watching television one night. The head of the KGB was being interviewed on why they were allowing all the religious literature back into a country where for 70 years they had burned everything that portrayed morality.

For 70 years that system had tried to do away with the family, with all the moral guidelines the western world thinks are important. Forty million people were murdered to impress the socialist system upon that country. The head of the KGB said: ''If this country does not bring back morality into its society, it will never get back on its feet''.

That is what is important to me. That is why I am addressing this House in this direction today. If we do not want to address the problem, passing laws for juvenile offenders will never solve it.

[*Translation*]

Mrs. Christiane Gagnon (Quebec): Madam Speaker, as the critic for the status of women and multiculturalism, I am pleased to have this opportunity to outline the specific reasons why I oppose Bill C–37.

Once again, Canada is not respecting Quebec's wishes. Once again, Canada is trying to impose on Quebec legislation which does not respect its culture, its way of doing things and its attitude toward children. A new federal law will go against the collective will of Quebec. The current opinion in Quebec is that the justice minister's proposed amendments to the Young Offenders Act must be rejected. Those who work directly with young people, the psychoeducators, criminologists and specialized lawyers, and those who work indirectly with them, the members of the National Assembly, are unanimous in their condemnation of the proposals we are debating today. Liberals and PQ members in Quebec are in agreement. This is not a whim.

Over the years, Quebec has developed its own approach, one which has proven successful. The rate of juvenile delinquency in the province is the second lowest in Canada, after peace–loving Prince Edward Island. Our approach focusses on minimizing detention. The detention rate for young offenders in Quebec is

the lowest in Canada. Not surprisingly, we oppose the provisions in Bill C–37 which increase the period of detention in some cases to seven and even ten years.

(2000)

They want to put young people in adult jails for ten years. That is unthinkable. The Quebec groups and individuals concerned reject such an approach. Based on Quebec's experience, they are convinced that young people can be rehabilitated. Young people, who are necessarily more vulnerable than adults, are also more likely to change and more amenable to positive influence as a result.

Quebecers have adopted a penal philosophy that emphasizes to rehabilitation and social reintegration. The various stakeholders in the legal process and in society work to make the young person found guilty of illegal behaviour assume his responsibilities. This is done without incarceration. In most cases, if he must be kept in detention, it is for as short a period as possible.

This approach is successful; it works for Quebec. Remember, as we said a few moments ago, that the juvenile delinquency rate is the second lowest in Canada. We can thus say, as workers in the system do, that there is no relation between more systematic and prolonged imprisonment and the juvenile crime rate. We therefore think that the measures in Bill C–37 are unnecessary and do not reflect the Quebec reality.

Of course, too many crimes are committed by young people in Quebec, as in Canada. We do not live on another planet. Nevertheless, to improve this situation, we believe that efforts must focus on prevention. We are talking about the causes of juvenile delinquency here. We are talking about poverty, substandard housing and unemployment. We are talking about living conditions likely to promote antisocial behaviour.

Of course, these problems are much more serious in Quebec and they will not disappear anytime soon. It is nevertheless through improving the conditions in which young people live that reductions will be achieved in the number and the seriousness of crimes committed by young people. It is also through attitudinal changes in the people around them that changes can be achieved in young people's attitudes.

For these reasons, the people of Quebec object to the control exercised by the minister over custodial provisions. They wonder, and rightly so, if these are not motivated by political reasons. Otherwise, why would the central government impose such a blatantly anti–Quebec approach, one so in line with the complaints of certain citizens of Canada?

Why indeed? Such action seems to indicate that the reality and aspirations of Quebecers do not count for much in the decision–making process at the national level. Never mind that Quebec, as a society, has taken a slightly different approach. Never mind the fact that this approach works well for the people of Quebec. Who cares? If English Canadians have problems, they will go on finding ways of resolving them at the expense of Quebecers. It is but one more way for them to get rid of one of the three founding nations of this country along with its realities.

Let us now look and see if the proposed changes will actually contribute to reducing violence against women, this everlasting social evil. The minister purports that imposing harsher treatment on young people will bring down the number of attacks on women.

We would be curious to know on what basis the minister makes such a statement. We would like to know how the minister can promote his bill by establishing a link between juvenile delinquency and the protection of women. The representatives of women's groups directly concerned with violence reject that allegation by the Minister of Justice. Mrs. Lee Lakeman, who is the president of the Canadian Association of Sexual Assault Centres, believes that young people pose no threat to women. I want to emphasize here the role played by these sexual assault centres.

Their staff is on the front line and is more aware than anyone of the problem of violence against women. So, if the spokesperson for these centres says that young people pose no threat to women, then we should believe her.

(2005)

As for the president of the National Organization of Immigrant and Visible Minority Women of Canada, she fears that the amendments to the Young Offenders Act will create a more punitive and repressive justice system for Black and native people, as well as for the poor. Under the circumstances, I can only go back to my original comment and wonder if the amendments debated today are the result of a law and order mentality. This social philosophy has nothing to do with improving the situation of women and young people. It is also totally foreign to Quebecers' way of thinking and we reject it.

[*English*]

Mr. Garry Breitkreuz (Yorkton—Melville): Madam Speaker, every week we hear another horror story in the news involving young offenders and violent crime.

Between 1986, the year after the Young Offenders Act took effect, and 1992 violent crime rose 117 per cent in that short time span. The total number of youths charged with murder, manslaughter, attempted murder, sexual assault, aggravated assault, robbery, weapons offences and minor assaults in 1986 was 9,275. In 1992 the number of youths charged with violent

offences more than doubled to 20,033. That probably does not include all of them, as we have heard previously.

How did things get so out of hand? What can we do to stop it? I could give a list right now of horrific crimes that have been committed and have gone virtually unpunished in the last couple of years. We just heard one. It is a serious situation.

RCMP officials tell us there are definitely problems with sentencing under the Young Offenders Act. They say that young offenders are often put on probation for their first, second, third and fourth offences. For the next conviction they might get alternate measures such as community work. For the next conviction they might get open custody. Finally, after six or seven convictions, they might be put in closed custody or a group home. I might point out these are just the crimes the police prove in court.

What about all the other crimes these kids commit before we catch them? What about the crimes committed by kids under the age of 12 for which we have no statistics at all? What about all the unreported crimes that the police cannot even follow up? A local RCMP officer said that they are not holding young people accountable for their actions. They catch the kids and the kids say: ''I did it. So what?''

The media was in a big flap about an American kid who was caned four times in Singapore for spray–painting cars and tearing down traffic signs. I do not think the use of corporal punishment should be dismissed. Many people are telling me that corporal punishment might just help to straighten out some of these kids. A poll conducted by *Newsweek* magazine in the United States found that 83 per cent of Americans approved of caning. Maybe some form of corporal punishment should be considered.

I must say it is not just Reformers who are upset about the Young Offenders Act. The Liberals are too. The hon. members for York South—Weston and Scarborough—Rouge River have both been critical of their government. On May 2 the hon. member for York South—Weston said in the House: ''While these murders, rapes, robberies and assaults are taking place we in Parliament are sitting on our hands. Unfortunately the justice minister's agenda calls for simply introduction of a bill in June and he is not expecting the passage of the bill until later this year or some time next year. That is just good enough''.

The hon. member for York South—Weston even beat the Reform Party to the punch with the introduction of his own private member's bill to amend the Young Offenders Act. The bill was very similar to Reform Party policy and had the support of the Reform Party during the one–hour debate. Unfortunately Her Majesty's loyal official opposition, the Bloc Quebecois, blocked the bill from going to second reading and review by the justice committee.

I would now like to spend a few minutes to tell the House what the Reform Party would like to see done in the Young Offenders Act.

(2010)

First, the Young Offenders Act should place the protection of society and our citizens as its first priority. I do not mind giving first offenders a chance to turn their lives around, but allowing kids to get off with crime after crime without even so much as a slap on the wrist is ridiculous.

Second, it should be clear in the Young Offenders Act that young persons have responsibilities or obligations to the larger society. They should be punished if they do not meet those obligations.

Third, the Reform Party feels that parents and guardians should be made legally responsible for exercising parental control over their children and responsible for the crimes their children commit if they fail to place reasonable controls on their children. Parents should have some responsibility. We should have a charter of responsibility, not just a Charter of Rights and Freedoms.

Fourth, any offender aged 16 and older should be considered an adult and be tried in adult court. I appreciate the direction we are taking.

Fifth, young offenders should be redefined to include those offenders who are between the ages of 10 and 16 compared to the current definition of 12 to 18. We support moves in that direction.

Sixth, young offenders aged 14 and 15 who repeat serious crimes should be automatically transferred to adult court. It only makes sense. They know what they are doing.

Seventh, any young offender who uses a gun in the commission of an offence should be automatically tried in adult court.

Eighth, young offenders who are incarcerated would be obligated to complete education or skills upgrading within a disciplined environment. I happen to think that work camps would be a very good idea. I appreciate what the Liberal member opposite explained with regard to some of the very effective work programs that have taken place and how they have been almost 100 per cent effective in turning these kids around. We need to listen to that kind of evidence.

Ninth, low risk offenders refusing to participate in education and skills upgrading would be obligated to work for their keep by contributing to some civic or business projects.

Tenth, only young offenders who show a determination to rehabilitate themselves would be given special privileges and/or early parole. Parole should not be automatic.

Eleventh, young offenders and their parents would be held legally liable for providing compensation to their victims. If they commit damage or vandalism they should be held responsible, not like what happened in my riding recently where a group of teenagers got together, completely demolished a car, and six out of the group of eight were let off completely, with no penalty whatsoever. The taxpayer has to pay for all that damage.

Twelfth, the criminal records of young offenders would be treated the same as adult criminal records.

Last, the public has a right to know through the media, to be informed of the criminal activities of young offenders. We need to know where these people, what they are doing and where the risk to society exists.

At a criminal justice rally in Yorkton last month over 80 per cent of the people present thought there was a place for corporal punishment in our criminal justice system. As a result I will be introducing a motion in the House advocating that a national referendum be held at the time of the next general election. It will ask Canadians if they want both corporal and capital punishment as sentencing options. These should be options that judges and juries in Canada can have for extremely horrific, violent, sadistic crimes. We cannot condone these any longer. We must show that these crimes are serious. The protection of society must be paramount.

When we compare a Reform Party Young Offenders Act with the tinkering proposed in the bill, we see why Canadians are saying that it is a move in the right direction but we have not gone far enough. We must do something about our problem.

Does the Minister of Justice really think that he is going to solve the problem of youth crime with a few minor adjustments?

(2015)

Does he really think that kids are going to have more respect for the law by making these minor changes? My constituents are telling me that the Young Offenders Act needs a complete overhaul along the lines I have proposed just now.

While Reformers support this bill, we support it with the understanding that there is still more to come, we hope. We will be pressing the government and the Minister of Justice to make the changes Canadians are demanding. We will be spending the summer asking Canadians what they think.

When we come to this House in the fall we will tell the minister what they are saying. If this government has not got the message yet, it will.

[*Translation*]

Mr. Maurice Dumas (Argenteuil—Papineau): Madam Speaker, Bill C–37 to amend the Young Offenders Act and the Criminal Code runs counter to the rehabilitation of young people and the fundamental principles of the Canadian Charter of Rights and Freedoms, and also fails to take into account the consensus in Quebec.

On May 4 of this year, the Quebec justice minister reiterated the position of the provincial government. He recommended the rehabilitation of young offenders, rather than repressive measures. He also pointed out that the major amendments to the Young Offenders Act changed the spirit of the Act. The present Young Offenders Act contains all of the provisions required by courts and prosecutors to adequately ensure the protection of society. Ultimately, the problem is one of enforcement, not revision of the Act.

The Young Offenders Act came into force in 1984. It deals with matters of criminal justice concerning young people between 12 and 17 years of age, inclusive. Its philosophy and provisions differ from those of the Juvenile Delinquents Act, which governed the administration of justice for young people in Canada from 1908 to 1984. Its purpose was not to punish offenders, but to facilitate their reintegration into society.

The Young Offenders Act, which replaced the Juvenile Delinquents Act, is the federal law which currently governs matters pertaining to crime and justice as they apply to young people in Canada. The Act tries to reconcile, on the one hand, the need to protect the public from young people who break the law by making these young people take responsibility for their own actions with, on the other hand, the need to protect the rights of young offenders while helping them to become productive and law–abiding adults.

The Minister of Justice and Attorney General of Canada tabled Bill C–37 on June 2, 1994. Among other things, the minister sought to increase the maximum sentences for young offenders convicted of first– or second–degree murder in youth courts to ten and seven years respectively. The minister also sought the referral to adult courts of young people aged 16 or 17 who were accused of causing serious bodily harm, unless they could convince a judge that the objectives of public protection and rehabilitation could both be served by trying the young person in youth court. Third the bill would increase the length of time the criminal records of young offenders who have committed serious crimes can be kept on file.

These repressive measures will obviously create another problem: overpopulation in youth correctional facilities and in adult courts. Young people will waste their lives in prison and waste taxpayers' money, since the cost of incarceration will be much higher than the cost of rehabilitation. We should also point out that the bill will create further delay. It goes without saying that the long wait for a court appearance and the stress attached to it are perceived and experienced differently by young people.

(2020)

In the United States, the rate of imprisonment is higher than anywhere else in the world. Despite the fact that, in 1990, they were spending more than $70 billion on correctional, judicial and police services, they had the highest rates in the world for murder, robbery and rape. We must try to solve the crime problem through prevention rather than repression, yet the bill favours the latter.

The Reform Party wants even more repression as we can see from the amendments they are proposing. It wants to lower the minimum age for criminal responsibility to 10 and the maximum to 15. Reformers would like the identity of young offenders 14 and over to be made public, and in some cases even the identity of those between 10 and 13 years of age. They want the criminal records of young offenders to be kept and, finally, they want parents to be legally responsible for illegal acts committed by their children.

As a retired teacher who taught at the high school and college levels for 46 years, I can tell you that the violent and repressive methods proposed in these amendments to the Young Offenders Act are not the solution to the prevention of crime among young people. A zero tolerance policy towards violence in school often exacerbates violent behaviour rather than preventing it. Mediation and prevention programs against violence in schools would be more effective than expulsion and possible imprisonment of offenders.

In the twelfth report of the Standing Committee on Justice and the Solicitor General, it is mentioned that ''—abused children are three times more likely than the rest of the population to become violent adults. Physically abused children are five times as likely to be violent as adults towards a family member''.

We are all revolted by violence, and I mean violence among young people as well as adults. However, these past few years, the average number of people under 18 charged with homicide has been considerably lower than in the 1970s. According to national crime statistics, only a minority of young offenders are involved crimes against in violent crimes. In 1991, 70 per cent of all federal charges against young offenders involved crimes against property. The media are creating a climate of fear by reporting violent crimes in a spectacular manner, as if we were faced with an epidemic or the plague.

On June 9, 1994, the newspaper *Le Droit* reported that the chief coroner, Pierre Morin, said at a press conference in Hull that the suicide rate in Quebec was a disaster. In 1992, there were 1,246 suicides, around 100 of them involving young Quebecers. One of the main cause is often related to the stress suffered by young people during the judicial process.

(2025)

Many researchers believe that economic conditions have an impact on crime levels. We have a striking example of that with the violence happening now in Russia where the crime rate has reached gigantic proportions during the present economic crisis. In the United States there is no real variation of the crime rate in the states waging the usual fight against crime.

Furthermore, in 1992, maximum sentences under the Young Offenders Act went from three to five years. We have no statistics to prove the effectiveness of such measures. Why not wait for the results?

For all these reasons I will vote against this bill which will do nothing to reduce the crime rate among young offenders. I support wholeheartedly the amendment submitted by the member of the Official Opposition for Saint–Hubert asking that this House refuse to proceed with the second reading of Bill C–37 which is based on a repressive principle.

[*English*]

Miss Deborah Grey (Beaver River): Madam Speaker, I rise tonight to address Bill C–37. I will say along with my caucus members that we will support this bill. I also must stress that I do so only for lack of a better alternative in this House.

This bill is a step in the right direction but it still falls short of the necessary changes that would alter the tragic course of youth crime today. I am pleasantly surprised that the Liberals have decided to tackle the issue of youth crime. Events over the last few months should have been a clear indication to this government that much more stringent amendments are called for, are in fact necessary.

The horrendous drive–by murder on Elgin Street in Ottawa and the death of a fellow House of Commons cousin across the river in Hull are two alarming examples of the state of criminal justice concerning youth in the capital region alone.

When thousands of Albertans gathered in Edmonton, the city that is closest to my home, on May 8 of this year to demand the overhaul of the Young Offenders Act, the government should have realized that the people want real change and not just cosmetic change.

The current justice minister's response to this alarming state of criminal justice in Canada has been: ''I insist that we keep this issue in perspective and I repeat that the justice system on the whole is in very good shape''.

Bill C–37 is a bill that was obviously tailored by this same minister. It has all the hallmarks of a government that believes the justice system is in good shape. It would not convince Edmontonians and the family of Barb Danelesko that the justice system is in good shape.

I question I often ask myself is why is the government so hesitant to drastically overhaul the Young Offenders Act? Is it still clinging to the old Liberal philosophy of stressing the rehabilitation of individuals over the protection of society as a whole?

As many may recall, this policy was first publicly stated in 1971 and has been the policy toward crime ever since, clearly. More important, that philosophy is alive and well in the present government and in fact tonight in the members opposite.

One need only look at the paltry amendments proposed in Bill C–37. Let us look at the facts. Since the introduction of the Young Offenders Act, youth crime has actually risen by 117 per cent. In 1992, 12 to 17–year old males accounted for 3.9 per cent of the Canadian population and yet they accounted for 12.6 per cent of all crimes and 27.6 per cent of all property crime in the country.

It is difficult to dispute numbers and statistics. This state of affairs cannot stand and it must be addressed. Unfortunately it will take a lot more than the trivial changes of Bill C–37 to bring youth crime under control.

Rather than lamenting the missed opportunities this bill presents, let me illustrate what would have satisfied the tremendous anxiety of the Canadian people and effectively brought youth crime under control.

This bill should have entailed or been part of a larger program that would have established youth crime registries across the country. Such a program would alert potential victims of dangerous young offenders and avoid disasters from occurring such as the one brought on on the west coast by Jason Gamache. Gamache of Courtenay, B.C. was recently convicted of first degree murder in the death of a six–year old child, Dawn Shaw.

Evidence showed that Gamache was a repeat sexual offender who was not allowed to be with children. This fact was not known to the local authorities or Gamache's neighbours because of the privacy sections of the Young Offenders Act.

(2030)

This is frightening. The elimination of this section of the act and the establishment of an offenders registry could have saved the life of Dawn Shaw. The terminology concerning ''information sharing'' in Bill C–37 is too vague to allow for any considerable change from the present.

Currently the age of operation of the Young Offenders Act is 12 to 17 inclusive. This will remain unchanged under Bill C–37. The age of operation should be modified to reflect the realities of youth crime. Sixteen and 17–year olds should be offered no special treatment under the law. Why should they? For all intents and purposes they resemble adults. Young people at age 16 are allowed to get licences to drive cars. They are considered adults. Why should it be any different in the Young Offenders Act?

The age of operation should therefore be modified to 10 to 15 inclusive. I believe this modified age of operation would prove to be a solid deterrent for 16 and 17–year olds. The current provisions for 16 and 17–year olds under Bill C–37 are far too loose and will undoubtedly allow the current tragedy of crimes to continue.

In conclusion, I fully support the Liberal member for York South—Weston when he stated that: ''The tragedy of youth crime is a ticking time bomb in this country''. Perhaps that backbencher should have, could have, would have had more input into the committee stage of the drafting of this bill when some committee somewhere got together to put this legislation together. This is a government member who is not allowing the Liberal ideology to go along with what he is hearing back home in his constituency.

It is simply tragic that all the government has proposed in response to this dilemma is Bill C–37. I will nonetheless vote in favour of this bill simply because the current status quo cannot stand. The urgent need for real reform however will remain and I am confident this issue will return to the House sometime in the near future.

As my colleague from Yorkton—Melville suggested earlier, we will make sure as a caucus that this will be continuing to come forward in the House of Commons. We will not let this matter rest. There are Liberal backbenchers as well, and they know who they are, who will not let this matter rest until we know that people can sleep safely in their homes without young people lurking around their hallways and when they get up to check on their children they are brutally stabbed, murdered in front of their own family.

[*Translation*]

Mr. Gilbert Fillion (Chicoutimi): Madam Speaker, I could never forgive myself if I did not speak in this debate about Bill C–37 since a lot of Quebecers and Canadians are very concerned by the issue.

Before commenting specifically on the main changes defined in the Act to amend the Young Offenders Act and the Criminal Code, I first want to speak about young people, the ones affected by the bill.

Like my colleague for Argenteuil—Papineau, I worked for many years with young people, as a teacher, and I understand their reality, their everyday life. During my 34 years of teaching, I worked with over 4,000 young people.

Let me tell you that the way we describe them today is not close to reality. Young people simply need to feel we love them to realize their potential. They do not need a repressive bill. That

is why we bear such a heavy responsibility for them. We must be able to come to them with a social formula that would allow them to fit into the community instead of marginalizing them. It is a big challenge indeed, but it can be done.

(2035)

In this House, let us show that we have the political will to help them and not send them to reform school when they do something wrong. That does not get rid of the problem. It just makes matters worse.

Everyone agrees that measures to fight crime have a punitive effect but are powerless to recognize and neutralize the factors behind crimes causing bodily harm or crimes against property. The Young Offenders Act looks at things from only one perspective, but when all is said and done, it is only one element of a crime prevention strategy.

Youth crime is connected with a number of factors, and generally, criminologists agree there is no single cause of criminal behaviour. Such behaviour is caused by the interaction of a set of related factors, including the environment, unemployment, physical abuse, often by adults, sexual abuse, neglect, illiteracy, poor self–esteem, drug addiction, violence and pornography in films, videos and television programs, poverty, which sometimes causes young people to drop out of school, dysfunctional families where these people were abused and, of course, the gang phenomenon. Gangs as such are not unnatural, but they do influence certain behaviours.

Those are the types of factors we should work on, and we should not deal with these problems by introducing repressive laws. I do not think the present government is prepared to consider these solutions without truly proposing a global strategy. Of course I am not denying that youth crime exists. However, we must admit that they also act as a mirror, in that they make us wonder what we have to offer young people, what we value and what we are. We need both the political will and a favourable social climate if we are to have any impact on youth crime.

How can we create responsible citizens if we cannot offer them the dignity of work? That is where it all started. It is important for young people to feel involved, and not just as a group that is criticized because of its age.

We are inclined to accuse our young people of every crime under the sun. However, according to national crime statistics, only a minority of young people are involved in violent crimes. In 1991, 13 per cent of charges laid against young people under federal laws involved violence. Almost half of all crime charges involving violence laid against young people in 1991 were related to minor assaults. Moreover, in 1991, 70 per cent of all federal offence charges against young people were for crimes against property, and not against people.

(2040)

Finally, criminologists have long been arguing that there is a huge gap between the public's perception of crime rates and their actual level. Many people think that violent crime is a plague, particularly among young people, while it represents only a very small percentage of crime in general. I am not saying that there is no violence among young people or that it is tolerable, but we must be aware of the fact that our perception of this phenomenon can be misleading and make us demand inappropriate solutions.

So, Bill C–37 deals only with one part of the problem, that is when an act that we consider reprehensible has been committed. The bill is repressive and overlooks the purpose of any criminal legislation, which is crime prevention, rehabilitation and reintegration into society. These are three aspects which we should examine in this House. I repeat them: crime prevention, rehabilitation and reintegration into society.

It is not by reinforcing the laws that we will get better results. In this regard, we only have to look at the American experience. I would like to continue, but I will give other members the opportunity to speak. In conclusion, I must say that the problem is most of all an adult problem.

[*English*]

Mr. Myron Thompson (Wild Rose): Madam Speaker, I am pleased to address this bill dealing with young offenders. Having spent 30 years of my life working with young people, it is of very great interest to me.

At the outset I would like to set some members on the opposite side and some members of the Bloc straight. I want them to understand that I have never in my life stood anywhere and believed that all young offenders need to be thrown in the slammer, locked up for good and treated with cruel punishment, like so many on the other side and so many Bloc members like to make people believe that is what I say.

I visit some of our youth. One from my hometown made the statement to me: ''Mr. Thompson, if only they would have been tough with me the first time I got caught I would not be here now''. That has been repeated a number of times.

I had the privilege of visiting Kingston penitentiary for 16 hours just a week ago. I cannot tell you the number of inmates who are in their twenties now who said: ''If only when I was a teenager the system would have come down on me a little bit and got a little tougher and made it just a little more understandable that you are going to be punished and that crime is serious, I would not be here''. That is an important thing to remember. I know the people on this side of the House have all kinds of experience. Let me tell you a little bit about some of the experiences I have had working with young people.

(2045)

We must illustrate to them that there are certain things they have to abide by. The line is drawn and if they cross the line certain things will happen. If you are consistent and make sure it happens, in a short time you find that things start getting very mellow and they are very co–operative.

We have this precious sacred cow of the Liberals, called the Young offenders Act. This legislation bounces around all over the place, has never had any consistency. It just plays silly little games, depending on who they are, where they are, who the judge is, how he thinks. Everything is all a mish–mash. You come up with nothing, no standard at all.

I want to make sure the whole world understands when we are talking about legislation of this type, it is ear–marked toward a very small group of people. I spent 95 per cent of my time as an administrator of a school working with about 5 per cent of the population.

Some things are standard. Whether you are building a system or building legislation that would seriously look at young offenders, you have to be fair. We want to be fair. We are going to be firm. It should be made clear that it is going to be firm. It is going to be swift. Enough of this lollygagging around for two or three years before you even get to settling any issues. It has to be consistent.

If you want to have an education program, then why do you not throw it in there? You should make it loud and clear in the minds of these young people that if they cross the line, this is what will happen. Then make certain that is what happens.

I know that probably has a little bit too much common sense for some of the fellows across the way. Common sense never seems to enter into anything. They lollygag around and they come out with a bill that will change nothing.

They talk about their wonderful red ink book that makes promises to change things. They come out with this bill which does suggest changes. It is full of suggestions. I would say I really cannot find anything in it that says for one moment that anything is going to definitely change.

For example, they say that 16 and 17–year olds are now in adult court, except if the defence and the defendant can convince the judge he should be in juvenile court.

We made a big change there. We put the onus on the other end. If they think for one minute that every case of 16 and 17–year olds is not going to be challenged in court, they have another think coming. Every one of them will be. It will be a wonderful package once again for the lawyers. Boy, will they be busy. Members sit over there and say: ''Oh, baloney.'' Oh yes, they will be challenged, you can bet on it.

If they had the guts, and of course they do not; if they had the will, and of course they do not, they would draw those lines. They would educate the young people. Let the schools handle the education, let them be taught they cannot cross these lines because crime is serious and they have to pay a penalty. This will to be the penalty. Make sure it sticks with no ifs, no ands and no buts. You will find out that will work.

(2050)

It works in homes, it works in schools and it can work in communities and countries if you have the will and the guts to give it a try.

If you want to take the old sacred cow and keep changing a few words and dancing around the mulberry bush like politicians are so capable of doing, and if you want to try to impress Canadians that you really want to make things safer for communities, then you would heed a couple of things. You are not going to make it happen if you continue to only play and tinker with legislation.

I look at some of the things that they are suggesting, and they are only suggestions. It is very important that I should point out something that might be worthy of the trust of Canadians and the members of the House. When I look at this I look at one thing. This bill proposes maintaining youth offender records so they are more accessible to law enforcement officials during later adult court cases. That is a good idea.

I also see that they are going to make information available to certain people who ought to know about young offenders when they are in trouble. Believe you me, as a principal of a school, I would have liked to have known on a few occasions about some of the students that ended up in my place of education. It could have been of benefit to them as well as to others in the school, but because we were not made aware, there were some things that happened which were tragic to others and once again we ended up with victims. I know beyond a shadow of a doubt it could have been prevented if only we could have known.

The government and the minister stopped short. They want to make sure that a few people know about it, those who they think are important, but they forgot about the next door neighbour. They forgot about the shop on the corner, the convenience store. They do not think they are the victims. I would just once like to see some kind of legislation come from the government that would indicate to the rest of us that the most important part of any crime is the victim.

I have said enough. There is not much you can say when you send somebody to the hospital with a gash and they need stitches and you give them a band–aid. There is nothing more to be said.

[*Translation*]

Mr. Ghislain Lebel (Chambly): Mr. Speaker, this whole issue of youth crime is beyond us. Let us act as if we understand what this is all about. That is what the Liberals probably told themselves, since Reform members have been badgering us, during question period, five days a week since the beginning of this Parliament, by reading us reports from regional scandal sheets and making rabble–rousing remarks on youth crime.

Bill C–37 is a repressive piece of legislation, where the end results of any criminal law, which are, as my learned colleague from Chicoutimi reminded us, crime prevention, rehabilitation and reintegration of offenders in our society, have been forgotten. Strengthening the law will not bring about better results. We only have to take the United States as an example. This bill does not do anything to curb youth crime. Tougher sentences for murders are not justified, according to data from the Department of Justice which indicate that the number of murders is down from the 1970s.

(2055)

Also, in 1992, maximum sentences under the Young Offenders Act went from three to five years. Why does the minister not wait to see how effective the 1992 amendment is before making further changes? The Quebec Minister of Justice would have preferred the status quo and was disappointed and concerned with Bill C–37. That goes to show how costly duplication in the justice area can be.

Finally, the province of Quebec will be responsible for managing the system. But the recommendations made by Quebec have once again been overlooked. This is another tug of war between Quebec and the other regions of Canada which have different legitimate aspirations. In 1992, the crime rate increased by 2 per cent, compared to an average of 5 per cent for the previous years. The rate is lower than it has been in previous years, which leads us to conclude that it really is not necessary to strengthen the legislation.

Between 1986 and 1991, the murder rate, the true reflection of serious crime according to some criminologists, among young people has remained constant. Current literature does not support the argument that increasing the length of a sentence has a deterrent effect. The legislative provisions are being tightened up, but no global solution is being offered to young people. To my mind, this reform is regressive. It is a victory for those who take a repressive approach to youth crime.

I recall sitting comfortably in my living room several years ago watching inmates in a maximum security facility being interviewed. Just listening to some of these individuals in their thirties sent chills down my spine. They had become animals. They were no longer human. They had nothing in common with human beings. One of the inmates in the group spoke directly to the cameramen and to the interviewers and said: ''I was 13 years old the first time I was sent here. The government raised me. The prison system raised me and look what kind of animal I have become''. And now the government would have us believe that this repressive measure—

Obviously a society must find ways to control crime and to deal with those who commit crimes. However, a society which quenches its thirst for vengeance by taking it out on young offenders is taking the wrong approach. The outcome could be as devastating as the results I saw in that prison where human beings had become wild animals. Some of the inmates in their thirties had been in prison since the age of thirteen. They were raised by the government. Honestly. And no doubt the government must also accept responsibility for their failed lives.

I think that the government should have focused on the three themes my colleague from Chicoutimi mentioned earlier, including prevention. Naturally, crime cannot be managed or controlled without any prevention. The first thing to do if we want to reduce crime is to try and prevent crime, to create public awareness of the dangers of living in society. It is sad, but it is a fact that cannot be denied. We must also take more serious steps concerning more serious crimes. This goes without saying. I continue to think that prevention could produce untold results compared to those we can expect from Bill C–37.

About rehabilitation, when the whole administrative machinery is set in motion to prosecute young persons in some cases for a senseless, irresponsible act, the risk is that the life of a future citizen will be wrecked because this person will spend the rest of his or her days behind bars. Prisons are known to teach much more about crime than the science of life.

(2100)

When criminal offenses have been committed and an offender convicted, society must also carry out its reintegration duty. It must help young people get out of the mess they got into out of stupidity and, without harbouring any hard feelings, try to put them back on the right track. I think that full employment policies, job creation policies, policies that would give our young people hope, the hope of finding lasting employment and leading an honest, decent life, would go a long way to resolving our crime management problem.

Our young people have no career opportunities. They go to university knowing that as educated as they may be, they are basically facing unemployment. For those who have not had the opportunity or who are unable to go as far as that, it is even worse; it is even more tragic for them. My friends in the Reform Party say that those people should be put in jail. It seems to suit the Liberal Party, because I think that people in jail are not counted as unemployed. Perhaps that is how they intend to solve

their unemployment problem: send our young people to jail for five or ten years and send them at a younger and younger age.

Listen, I find this bill to be very wrong. I think that the government should honestly withdraw it, admit that it was misled by some members of this assembly who see repressing crime as the way to salvation, the panacea for all social problems, and I respect their opinion.

I think that the government is going the wrong way, that it has been misled and that it should withdraw honourably, consult its provincial counterparts and try to bring forward a bill that meets the provinces' aspirations, but first and foremost a bill designed for the young people in our society whom we do not want to lock up in prison unnecessarily until the end of their days with no hope of rehabilitating them.

Mr. Réal Ménard (Hochelaga—Maisonneuve): Madam Speaker, it is always a pleasure to rise under your skilful guidance and speak to an important bill, if only because we think that the crimes committed by young people and by adults cost our society around $8 billion.

I will start by saying that the bill before us represents a missed opportunity for a man who could have tabled a consensual bill. This is a missed opportunity and I will demonstrate, as my colleagues did before me, that this bill is strongly biased towards repression.

Our disappointment is twofold because we expected the government to be more partial to communities. Our disappointment is twofold because, if you had asked after I was elected to the House: ''Who is the most promising minister? Which minister do you trust the most? Who is the most respected minister and the one we associate with the future of the Liberals?'' I would not have hesitated to answer, ''the Minister of Justice'', because he had shown good judgment so far and earned the esteem of his colleagues.

We do not understand how the Minister of Justice, whom we associated with the more liberal, progressive and forward–looking wing of the government, could lend his name to such a conservative and backward bill.

So far very few stakeholders in Quebec and elsewhere are satisfied with this bill.

(2105)

Just what is this Bill C–37 which, like the birth of a first child, was so anxiously awaited? This legislation provides that, from now on, 16 and 17 year olds charged with serious crimes involving violence will be proceeded against in adult court unless otherwise decided.

The wording of this bill is reminiscent of the old conservative mentality, something which we certainly should not be proud of as parliamentarians. This attitude, which is not based on any substantial evidence, means that in our society a 15 or 16 year, old is an adult. I personally do not believe that at all. A 14 or 15 year old is a young person, and the hon. member, even though he looks sharp, certainly reached and passed that milestone a long time ago.

All this to say that it is a grave mistake to think, and to make the public think, that a 14–, 15– or 16–year–old is an adult when, socially speaking, everything points to the contrary. Unlike the situation which prevailed in your days, young people today stay at home longer. Today's 14–, 15– or 16–year–olds have a lot more difficulty finding their place in society than was the case for your generation. Consequently, these young people stay home longer and join the labour force later.

Another principle of the bill which truly reflects this appalling and useless conservative mentality is the one whereby sentences will be increased from five years to seven years in the case of second degree murders and from five years to ten years for first degree murders.

This is basically what this legislation proposes. There is also the principle that we will not only keep young people in jail for a longer period, but that they will also have to serve a longer period of time before being eligible to apply for parole which, in the past, has often been associated with rehabilitation. The position of the Bloc Quebecois, thanks to the extraordinary work done by the hon. member for Berthier—Montcalm and the hon. member for Saint–Hubert, is very clear. No one on this side of the House thinks that repression will contribute to rehabilitating young offenders and criminals.

That is why we are so disappointed with this bill and that is why we will not support it. Our position on this issue is very clear. You should never forget that, in order to understand delinquency, the legislative tools and finally the very complex world of criminal law, you have to realize that the only goal of social and criminal laws must be to rehabilitate people.

There can be no other goal than to give a second chance to these people, because they are not born to a life of crime. It is not genetic. Under some circumstances, to which I will come back later, and for all kinds of reasons, mostly social ones in my humble opinion, people wander from the straight and narrow and turn to mischief, but there are reasons behind their behaviour that we must try to understand.

It would have been better if a piece of legislation like Bill C–37 would have provided us with more community tools. Although the mover of this bill, the Minister of Justice, is recognized as being liberal–minded, we cannot find in this bill any community tools that would put the people concerned on their way to rehabilitation.

We have another concern. Given the sensitive nature of this issue and all the moral considerations involved, since no one is pleased with the crime rate in our communities, we fail to understand why the Minister of Justice felt compelled to act now.

(2110)

Why change the Young Offenders Act now when the Conservatives did so in 1992—that was only two years ago—also to impose stiffer penalties? We do not have any statistics or comprehensive studies that can help us evaluate the consequences of the amendments made to the act in 1992. The people involved do not even have a good understanding of this legislation and the minister is already asking us to revise it.

We would have liked more information and more studies on the ramifications of the amendments made in 1992 before embarking on a substantial revision of the Young Offenders Act. What I find unfortunate and even irresponsible, if not unparliamentary, in the attitude of my friends from the Reform Party is that they reinforce the popular belief that youth crime is on the rise. Just look at the numbers; there is no indication that this is in fact the case.

In closing, I would like to say that people are not born to a life of crime. That is simply not true. Sometimes there are circumstances that lead people to act a certain way. I want to read an excerpt from a brief submitted to the justice committee, which says: ''Children who are abused will become abusers. Children who are mistreated are three times more likely than other children to become violent as adults. Children who are physically abused are five times more likely than other children to commit acts of violence against a member of their family as adults. Children who are sexually abused are eight times more likely than other children to sexually abuse a member of their family as adults. And the determining factor is not the severity of the abuse, but rather the mere fact that the child was abused in the first place''. I would have liked the Reform Party to look to this brief for inspiration.

Mrs. Madeleine Dalphond–Guiral (Laval–Centre): Madam Speaker, on June 6, the Minister of Justice moved in this House that Bill C–37 be read the second time and referred to a committee for further study. On that occasion, the minister reiterated his desire that this bill to amend the current Young Offenders Act be passed.

During the last federal election, the Liberal Party of Canada made this bill the centrepiece of its policy on criminal justice. The Official Opposition has had the opportunity to note that this bill has major flaws. Like many experts on that subject, both in Quebec and in Canada, the Official Opposition believes that Bill C–37 is essentially a repressive measure and that it ignores, to a large extent if not completely, the fact that the purpose of any criminal legislation is not only to protect the public but also to rehabilitate and reintegrate them into society.

Despite the minister's good intentions, we have to recognize that Bill C–37 serves only one purpose, that is to silence the hard liners in his own party and try to mollify those in the Reform Party. So, what is the Minister of Justice proposing? Essentially, the bill is based on three major elements. It radically changes the statement of principle in the current act, and I quote: ''the protection of society, which is a primary objective of the criminal law applicable to youth, is best served by rehabilitation, wherever possible''.

Moreover, it provides for more severe penalties for young offenders and an automatic transfer to adult court for 16 and 17–year–olds charged with serious crimes. Finally, Bill C–37 brings in an important amendment by providing that professionals involved in a case may share information on young offenders, and the police may retain for ten years records of offenders convicted of serious offenses, and only for three years in the case of minor offenses.

In 1984, the Juvenile Delinquents Act was replaced by the Young Offenders Act.

(2115)

It only applied to young people between the ages of 12 and 17, and its goal was to help young people face the reality of their own criminal behaviour even if their degree of responsibility may differ substantially from that of adults. Society was also made more responsible.

If our society is entitled to protection against acts that threaten its security, crime prevention is nonetheless an important social responsibility. Young offenders were entitled to a fair treatment since their young age and lack of maturity called for a special kind of help that was not provided by the justice system for adults.

That is why the 1984 act forbade the media to disclose the identity of young people charged with offences and that of witnesses in their cases. That ban did not last for long. As early as 1986, an amendment allowed the identification of wanted or convicted young persons considered a threat to public security.

In 1992, the Conservative government brought in more amendments to increase sentences for murder from three to five years in prison. It also introduced the principle that a young offender could be transferred to adult court if measures to protect public security were not considered adequate. Since 1986, there has been an undeniable movement toward the two overriding principles on which this bill is based: stiffer penalties for juvenile offenders and a major change to the statement of principle in the law.

In effect, the harshness of the sentences imposed for crimes or serious offences means more time in prison. In the case of first–degree murder, it would increase from five years to ten. For second–degree murder, it would increase from five years to seven years, during which those teenagers would not be eligible for parole. The present period is five years.

Many specialists and social workers in the field of juvenile delinquency have observed that the harshness of sentences for serious crimes has very little deterrent effect on young offenders. Many studies have clearly shown that individuals who become serious delinquents are incapable of thinking about the

consequences of the acts that they have committed or are about to commit.

In the case of serious crimes, there are three categories of young offenders. The first category is made up of those whose psychological state or mental health can be considered fragile. These young offenders, with the help of adequate rehabilitation programs, can have every chance of making it and returning to society.

A second category is composed of young offenders who commit petty crimes and who, in unpredictable circumstances, commit the irreparable: murder or another serious crime. Finally, the last category is made up of 16– and 17–year–old teenagers who committed serious crimes because their delinquent past had shown them the way. This juvenile delinquency could be described as hard–core.

Young offenders are referred to adult courts in these cases because prevention and rehabilitation have proven ineffective. The majority of young offenders who have committed serious crimes are in the first two categories that I have described.

Many studies indicate that the homicide rate among young people has increased very little in recent years. A federal justice department document published in May 1994 found that the average number of people under 18 suspected of murder was considerably lower than in the 1970s, and that the number of people under 18 that police suspected of murder averaged 60 annually from 1974 to 1979, compared to only 46 from 1986 to 1992.

But public awareness of youth violence has risen. It seems clear that the public overestimates the number of violent crimes. In fact, a 1992 survey found that Canadians believed that violent crimes accounted for 30 per cent of all crimes committed. The facts are quite different: 10 per cent of crimes are violent. The facts are often distorted by the media which, for obvious reasons, often report spectacular crimes, and people are led to believe that there has been a significant rise in violent crime.

(2120)

The Official Opposition believes that the repressive measures provided for in this bill are not justifiable for all young offenders. The law already contains clauses to punish offenders who commit serious offences. The statement of principle proposed by the Minister of Justice in Bill C–37 opens the door to punishment rather than crime prevention. As a matter of fact, no new clause relating to prevention, rehabilitation and social reintegration is included in the bill.

Quebec and some other Canadian provinces like Ontario focus their efforts on crime prevention, and on the rehabilitation and social reintegration of young offenders. Several studies, namely the Boscoville study, have shown the positive results of that approach.

However, many provinces do not have the structures and resources needed for that approach, so that punishment may look like an easier solution.

This bill is denounced by all stakeholders of the judiciary system as well as by the Minister of Justice of Quebec because it ignores the whole issue of rehabilitation and social reintegration. Youth crime goes beyond the judiciary system.

Could our society be responsible for youth crime? To refuse to ask that question is to ignore reality and the root causes of delinquency. Does a society have the right to choose the simplistic option of punishment and pretend that it is thus facing its responsibilities? Madam Speaker, Quebec does not believe so and I am convinced that the rest of Canada does not favour that approach.

[*English*]

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Madam Speaker, I of course could not resist saying a few words to finish the debate this evening, having listened to numerous speeches from the other side of the House.

I found myself particularly incensed by some of the speeches by my friends in the Reform Party. I want to commend the hon. member for Wild Rose on his presentation. I expected a little more bombast which is normally the case with him but he was somewhat mollified tonight. I suspect his colleagues put the clamps on him, and it is as well.

I do want to say that I also have spent a lot of time in prisons in the Kingston area. There are many of them—

Some hon. members: Oh, oh.

Mr. Milliken: Hon. members opposite seem to think it is for reasons other than visitation, but that is fine.

I have not encountered inmates who have told me that the reason they were there is because they got off too lightly the first time. I have never heard this and I have met with dozens of inmates in the last five and a half years that I have been representing that area.

I have been to Kingston penitentiary. I have been to Millhaven penitentiary. I have been to every one of them and I have never been told that by any inmate, nor has any of the custodial staff of Correctional Services Canada told me the reason they thought the inmates were there is because they got off too lightly the first time if it happened to be in juvenile court.

I do not know where the hon. member got this. I am very surprised to hear someone from the Reform Party, which is a staunch advocate of individual rights and the need for individuals to pull themselves up by their own bootstraps and not be dependent on others, to then accept as an explanation from these people that the reason they are in trouble is because somebody else was not harsh enough earlier on. Yet he puts that forward as the basis for saying we should lock them up and throw away the key, which is the approach of the Reform Party.

Tonight we even heard advocates from that party saying we should have caning and corporal punishment brought back to Canada in order to stop delinquency. I have never heard such nonsense in my life.

Whipping was done away with in the 1960s. It is now 30 years later and you would think we would have learned something over that time but never mind. The fact is it was established back then that whipping was not stopping people from committing crimes. We got rid of it and the crime rate has not gone up as a result.

The second thing members of the Reform Party should do is show a little compassion in their consideration of cases involving people who have fallen into error, because there but for the grace of God go one of us. People who have had this problem—

(2125)

An hon. member: What about the victims?

Mr. Milliken: I agree the victims have a problem and victims are often able to get some kind of relief. The public generally goes to the aid of their neighbours when they are hurt. We hear of people whose houses have been burned down and they get help and so on.

Sure, there may be shortcomings. But we have to live with the person who committed the crime too because that person has obviously fallen off society's apple cart and into trouble. Surely we have an interest in getting that person back on the cart, making that person a productive member of our society instead of spending thousands and thousands of dollars a year by locking the person up and throwing away the key.

Somebody has to look after that person in prison. You do not just lock him up and nothing happens. He is there, he has to be looked after, and it is costing us money. Surely it is a waste of that money if we do not make some effort to make the person a viable and responsible member of our society at some future time. Everybody who goes to prison will get out one day, unless they have a life sentence, and not everyone gets a life sentence as much as the Reform Party might like to see that they did.

However that is not the case. These people are released and have to live in our society. They are our neighbours and we need to make them productive members of our society. That issue has to be addressed and it is not being addressed with any sense of compassion. I invite hon. members to review their thoughts on this matter and see if there is not some shred of compassion that can be dragged out to help people who have suffered in this way.

Another thing is that Reform Party members talk about the protection of society. The protection of society is very important. Indeed, it is stressed in the Young Offenders Act and in the criminal law as an important element in every sentence. In fact it is the important element. Reform Party members take the view that the protection of society means lock them up; if you lock them up then society will be safe.

I urge the Reform Party to look at the American experience. At least three if not four times the number of people are locked up down there than here. Where would you rather live, here or there? Where are you going to be safer, here or there? You are safer here. They lock up three times as many and their crime rate is double or triple ours. It does not guarantee safety. It is not the answer. We have to look at other alternatives and that is what this act does.

The hon. member says this is too open–ended because it gives too much discretion to judges. If we do not give the discretion, if we do not show the compassion then we are not going to solve our problems. We are not going to make the world safer. We are not going to make Canada safer and we are not going to make Canadians sleep any easier in their beds.

Look at your conscience in this matter, I say to those members. Look at your conscience and see if there is not a shred of compassion that will allow you to accept that the criminal law is not going to solve all our problems. If we do not look at it with compassion and fairness in mind and try to deal with everybody involved in it, victim, criminal and the law enforcement agencies, then we are not going to get anywhere in this country.

It is going to take more work than the criminal law but we all have to pitch in and go at it with an open mind and a fair heart. I urge hon. members opposite to consider that when they vote on this bill.

Mr. Jim Abbott (Kootenay East): Madam Speaker, I rise to speak very briefly because I spoke on this issue about five or six weeks ago. I believe it was on the Thursday prior to the Liberal convention in Ottawa.

I recognize that this whole issue of the Young Offenders Act truly is not a partisan one. I am trying to stay away from calling it a partisan issue or even referring to it in that way. However after the last speech I could not help but realize there is a very significant difference in the approach of the Liberal members of Parliament, the Reform Party, and the Liberal members of their party.

The point I am making is that when I spoke on this issue—what was it, five or six weeks ago that the Liberals had their convention in Ottawa—there were no problems. As a matter of fact I showed a tape of my speech to the kids who had helped me prepare the speech. Bear in mind that my speech was prepared in part by the hard work of some kids in grades 10 and 11 at Fernie Secondary School. So after watching the tape they said: ''Yes,

right on, that is exactly what we were talking about'', which is basically the Reform position.

I then showed them the questions and comments by the Bloc and by the Liberal member. They were wondering what planet these people were on. The thing that came to me in listening to the debate of six weeks ago is the fact that the only place where there is any concern, the only place where the people are speaking up in Canada is in the Reform constituencies.

(2130)

We have 52 constituencies where this is a problem. We have 52 constituencies in Canada where this is a problem where people want the issue dealt with in a straightforward firm manner or we have 52 constituencies where we have members of Parliament who are listening to their constituents.

The comparison of the position that the Liberal members were taking that day prior to their convention and the position that the Liberal members came back into this House with as a direct result of listening to their Liberal Party members at large was very similar. It was significantly changed from the position they were all expounding at the time when we had the original debate.

I do not really understand why except finally perhaps because the people that were talking happened to have Liberal Party membership cards they were forced to listen. They listened and they came back with an altered position.

I think it is absolutely amazing. I commend the Liberal government as far as it has gone with this act but the question that I have is why did it not listen to all of the input that it received from its own membership?

Mr. Milliken: We did.

Mr. Abbott: I see. The member opposite says that they did listen. I am sorry. I did not take the time to go to the Liberal convention. I can only go on what I saw on television and listened to on the radio and read in the paper. It seems to me that the difference is that the Liberal members of Parliament learned something from the Liberal Party people. That is terrific.

I just wish that they would bring it forward in legislation that would be more meaningful and deal with this issue in a more forthright manner.

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Madam Speaker, I think you will find that there is unanimous consent for the following motion:

> That when the question has been deemed to be put to the House on the amendment that a division has been deemed to be demanded and that the division be deferred until Monday, June 20 at 6.30 p.m.

(Motion agreed to.)

Government Orders

STUDENT FINANCIAL ASSISTANCE ACT

Hon. Ethel Blondin–Andrew (for the Minister of Human Resources Development) moved that Bill C–28, an act respecting the making of loans and the provision of other forms of financial assistance to students, to amend and provide for the repeal of the Canada Student Loans Act, and to amend one other act in consequence thereof, be read the third time and passed.

She said: Madam Speaker, it is my pleasure to rise today to speak to this piece of very necessary legislation. Canada as it is known is a very vast country encompassing both geographic and demographic diversity.

Coming from the Northwest Territories such as I do I appreciate the size and beauty of this land and also the complexity of governing such a huge geographically challenged country. I also know that each generation of Canadians has had to learn to adapt to the country's reality to make a living to survive.

(2135)

In today's world Canadians must learn new skills and gain new knowledge to compete in the international marketplace. This bill is intended to help needy Canadians from all parts of the country to obtain the college training and university education required to succeed.

Part of my mandate as Secretary of State for Training and Youth has been to listen to young people and to respond to their concerns. That is why I have taken time in numerous consultations with young men and women across the country to hear what they have to say and to exchange ideas about their plans and hopes for the future.

One such recent opportunity was the wide ranging consultations undertaken by Human Resource Development Canada on the creation and design of the Youth Service Canada. As we continue to undertake other such projects we will continue to consult such as we do.

It is truly exciting to hear what is on the minds and in the hearts of young Canadians and our government remains committed to continuing this dialogue. Young people need to be given an opportunity to make a contribution to the social and economic fabric of this nation.

It therefore gives me great pleasure to begin this third reading debate on the Canada Student Financial Assistance Act, Bill C–28. This legislation represents a tangible result of our government's commitment to support Canadians as they pursue education and training opportunities.

Members are likely aware of a recent report of the United Nations which places Canada at the very top of the list in terms of human development. The results were based on an assessment of a number of elements within various countries. It is significant to note that one of the main successes contributing to Canada's number one ranking was our enviable rate of participation in education.

Canadians recognize the value of pursuing educational opportunities, value in terms of personal growth and fulfilment and also in preparing oneself for the marketplace. In view of the ever changing nature of the marketplace, however, we cannot afford to stand pat and be satisfied. We must continue to invest in Canadians.

The bill we are debating today will strengthen and improve our investment in the education and training of Canadians both young and old.

[*Translation*]

This bill clearly does not infringe upon provincial and territorial areas of jurisdiction when it comes to education. It still provides for an appropriate compensation for provinces and territories that opt out of the Canada Student Financial Assistance Program and set up their own programs.

In this case, this is what Quebec and the Northwest Territories have decided to do, and the opting out clause remains an essential part of the new act.

[*English*]

Let me speak for a moment about the Northwest Territories. The Northwest Territories decided in 1988 that it wished to administer its own student aid system and receive compensation from the federal government. This has worked very well indeed.

Under this bill the formula for compensation would be expanded to include the new program elements such as the proposed, deferred and special opportunities grants. This will ensure that students in the territories will also benefit from the improvements to the federal student aid program. The opting out provision is a clear indication of the federal government's commitment to co–operate with provinces and territories to deliver student aid to post–secondary students in all regions of the country.

We do not intend to interfere, but we very much intend to respond to the needs that are there in all of the programs that we deliver and co–operate with provinces and territories on. That includes the youth initiatives as well.

In many respects the Canada student loans program has epitomized co–operation among governments. The federal government provides for the financing of student loans through the lending institutions. The participating provincial and territorial governments play a role in determining students' eligibility and assessing their financial needs.

Federal student aid is complemented by provincial assistance. Provinces have encouraged the federal government to remain involved in the area of student assistance. The maximum levels which a student can borrow will be increased by 57 per cent to account for today's costs. This is a key component of the reforms that will benefit thousands of students starting in August. Although the costs have increased over the years there has been a freeze on those amounts. This is very much welcomed by the students as well as by the general public.

(2140)

In developing these reforms through consultations with provinces, students and interest groups, it became clear that loans no longer meet the needs of all groups of students. There is the need for new instruments of assistance to maintain debt loads at reasonable levels and to help groups with special needs obtain the benefits of post–secondary education.

It is vital that the government continues its role of promoting access to higher education and training and helping those who otherwise would be denied opportunities. This is where the special opportunity and deferred grants introduced in the bill come into play. We propose to reach out to those students whose particular circumstances mean that their educational costs are above and beyond what the vast majority of students encounter.

Specifically this includes students with disabilities, part time students in particularly tight financial situations, women in certain fields of study at the doctoral level, and students who will face very high debt loads because of financial institutions.

The creation of special opportunity grants for women in certain Ph.D. programs is an important initiative. It was stated in 1991 in the Smith commission report on Canadian universities that there was a troubling under–representation of women mainly in graduate programs, mathematics, physical science and engineering. While women are participating in professional schools not as many women as men are seeking Ph.D. degrees. The women remain a small minority in most engineering schools. There is a serious lack of women not only in faculty positions but in positions of administrative leadership.

Need I say more? The government is committed to bringing citizens with disabilities into the mainstream of society. We intend to build upon the important progress which has been made so far. We recognize that much needs to be done to ensure that Canadians are not denied opportunities because of their disabilities. In this regard special opportunity grants of up to $3,000 per year for students with disabilities will help them pursue post–secondary education by addressing those special costs related to disabilities that other students do not face.

This group is vastly under–represented at the post–secondary level right now. These grants will encourage greater participation. It is only fair that Canadians with disabilities avail themselves of higher education and training opportunities that will help improve their lives and lead to greater self–sufficiency. As a society justice demands this in terms of human dignity. This alone would be reason enough to introduce the measure.

In addition, however, helping those with disabilities study and achieve their full potential enriches our society and results in economic dividends. It is truly the finest expression of democracy such as it should be once we have achieved the goals to include these people with disabilities. Some needy individuals including single parents and those receiving social assistance are not able to pursue full time studies because of family responsibilities or insufficient resources.

While they could consider part time studies, they are unable to meet the repayment obligation of part time loan programs. Once again the special opportunity grants we are introducing will help these very needy Canadians participate in the learning system on a part time basis. It is to the credit of those people that they are willing to pursue part time studies. The government wants to support their efforts through non–repayable assistance.

The amount of these grants will be relatively small, a maximum of $1,200 a year which means a difference of survival for many individuals within the system and an opportunity to a future otherwise not available to them. This can make a difference in their lives. Nevertheless this small investment can make all the difference for instance to a single mom. These grants will cover her tuition and books with a little left over for bus fare and babysitting. As vital as these grants are in terms of actual assistance they may be even more important psychologically. These grants send a very practical message to thousands and thousands of Canadians who are going through rough times, saying: ''You have potential. Canada needs your contribution''.

(2145)

Special opportunity grants will also be available to women enrolled in certain doctoral studies. These grants of up to $3,000 per year will be directed to women who tend to have a higher debt load than men when undertaking programs in areas such as the applied and physical sciences, engineering and mathematics. Traditionally these fields have been the domain of men both in school and in the workplace.

The under–representation of women in graduate studies particularly at the Ph.D. level, is widely acknowledged. For example, less than one in ten doctoral degrees in engineering and applied sciences are currently awarded to women. Such low levels in turn adversely affect the number of women who are able to secure teaching positions at colleges and universities and to advance to the level of professor.

I am really proud to say that at a recent graduation at the University of Calgary I had the opportunity to meet a young woman who had just graduated with a group of other native students with an engineering degree. This is a real success for one out of the eighteen aboriginal youths who intended to go into a non–traditional area. It is something to be celebrated and something that is possible if these people are assisted and encouraged.

The conclusion of a recent report issued by the National Advisory Board on Science and Technology was that the Ph.D. is becoming a condition of employment for college and university teachers. The lower level entry qualification of some women represent a significant barrier to their advancement through the ranks of the professorate. Today at universities throughout Canada it is estimated that men outnumber women by almost four to one as full time faculty members.

The board's report also indicated that female students are increasingly pursuing opportunities in fields which traditionally have been male dominated. This is most encouraging and will ensure that Canadian women have increased access to employment opportunities in a variety of fields.

While Canadian women are proud of what they have achieved in recent years, we must build on these successes to ensure an even brighter future for all of our daughters, including the daughters of those in the House who have tried to label this modest program of grants reverse discrimination.

[*Translation*]

Women do not ask for special treatment from universities. With enough financial assistance, they will succeed in any discipline. All needy students, men as well as women, who meet the eligibility criteria will be entitled to financial support under the Canada Student Loans Program. Special opportunity grants for women are a way of encouraging women to go on with their studies beyond the master's level in non–traditional fields.

If we want to be competitive in world markets, it is imperative that we take advantage of the potential of all our people. We have to count on the abilities and skills of women as well as men, in particular in fields like science and engineering, which are going to play an increasingly important role in every country's economic strength and stability.

[*English*]

In considering these three types of special opportunity grants, let us go beyond the statistics and look at the effect these initiatives will have on real Canadians. Let us look at David from Winnipeg who is visually impaired. He has always aspired to attain a degree in journalism but may be prevented from doing

so because of the extra education related expenses associated with special equipment and support services that he requires.

Let us look at Janet from Toronto, a single mother on social assistance who is seeking to improve her life and that of her daughter by enrolling in a part time computer studies program at a local community college. She is willing to invest her time and energy to secure a diploma which she knows will improve her chances for employment and self–sufficiency. Without these grants she may not be able to have the opportunity, because the costs of her tuition and books are well beyond her limited financial needs.

(2150)

Let us look at Laura from Halifax who has always excelled at science and mathematics right through to the university level. She is hesitant to go further, however, because she will need to borrow a lot more money and she knows the difficulties women face in pursuing non–traditional careers.

It is Canadians such as these who will benefit from what we are proposing under the bill. Members on all sides of the House can undoubtedly provide countless examples of others within their ridings and communities who are seeking to better themselves by taking advantage of education and training opportunities.

For them post–secondary education represents more than a dream. It means a chance to excel and to make a contribution to society. If we support their commitment and their goals now, we and they will reap the benefits in the future, rewards such as better employment prospects, higher paying jobs, reduced dependency on government and greater economic stability for Canada as a whole.

Special opportunity grants will make an important contribution to people who need the support of government the most. After a 10–year freeze in loan limits I believe we can agree that reform in student aid is needed at this time. Let us demonstrate to the Canadian student population that we are aware of their needs and are willing to act. Our investment in this education and training goal will help ensure the economic viability of our country.

We have not just the challenge of making the appropriate amendments, but we have the enormous challenge of abating the cynicism and of abating the negativism that are eating away at the population. We are working hard to restore faith and hope in the Canadian population.

Every step is important. This is one of them. We hope we will receive the co–operation of all hon. members on this very practical step for people who have those specific needs.

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Madam Speaker, I think you would find unanimous consent for the following motion:

> That the hon. member for Mercier, the hon. member for Medicine Hat and the hon. member for Lévis be recognized as the next three and final speakers in this debate.
>
> That at the conclusion of the speech of the hon. member for Lévis the question shall be deemed to be put on the motion for third reading, a recorded division shall be deemed to be demanded, and the division would be deferred until Monday, June 20, at 6.30 p.m.
>
> And that the House would continue to sit past the hour of adjournment, if necessary, until the foregoing has been completed.

(Motion agreed to.)

[*Translation*]

Mrs. Francine Lalonde (Mercier): Madam Speaker, during the time I have, I would like to explain why the Bloc Quebecois will vote against this bill. I want to do so particularly because the last member who spoke would have us believe that the government wants this bill passed for noble and admirable reasons and because it will help disabled persons, single parents and women who want to obtain a Ph.D. or to study in non–traditional fields.

I want to say right off that this avowed intention of the government raises an important problem: if you look both at these intentions and the government's budget, you can see there is only a one million dollar difference between last year's expenditures and the planned expenditures for this year.

(2155)

This means that for the whole of Canada, there is only one million more. One million to be distributed among all students of Canada and one million to reach all those objectives and they say hundreds of thousands of students across Canada are waiting for this House to end its proceedings.

This is all hogwash. The main reason for this bill is quite different. The bill does propose a reform, yes, but a reform with three very specific purposes which, given that we are at the very beginning of this government's mandate, are a warning of things to come in other areas like social program reform.

This bill shows first of all that the government does not respect provincial jurisdictions, that it completely ignores exclusive provincial jurisdiction in the area of education. Secondly, not only does it show an intent, but since the government has the majority it needs to impose its will, the bill also reveals an excessive, immoderate will to centralize. Centralization being immoderate by nature, it is even more so in this case.

Thirdly and finally, whereas historically the right to opt out was unconditional, now if provinces or territories decide not to participate in the national plan, they have to apply national

standards as far as objectives are concerned and meet some very exacting administrative conditions.

Right off the bat, I want to say that since the end of the 1970s and the beginning of the 1980s, the most dramatic event for Canadian students has been the gradual withdrawal of the federal government from post–secondary education funding. Clearly, this gradual withdrawal has been really detrimental to our young people's access to post–secondary education.

If we could show graphs in the House, you would see on this graph from a study by the Economic Council of Canada, that this withdrawal shows as a descending curve. What were the consequences of this gradual withdrawal? Post–secondary education being essential, especially at the present time, the provinces had a tendency to fill the void, that is to say put more money in.

And the poorer they were, the more they had to put in. Quebec, despite its large population, is far less wealthy than Ontario. A study was done by the Economic Council of Canada, which was abolished by the previous government, as we all know, but not re–established by the Liberal government

(2200)

The Economic Council of Canada said that from 1977 to the last year considered in the 1992 study Quebec spent twice as much of its own money on post–secondary education as Ontario which is wealthier.

This proves that what is important in Canada is not, despite what the government says, to pass this bill quickly—I am not saying that we are going to filibuster—what I am saying is that this bill will not change substantially the situation of the vast majority of students in need, those who require substantial assistance to complete their post–secondary education.

The truth is, this bill is grossly inadequate. It is inadequate and it radically transforms the relationship between the provinces and the federal government.

In fact, I must say that since 1964, when the first piece of legislation regarding student loans was passed, the relevant authority, the authorities which were going to decide which universities, colleges would be eligible institutions for student loans purposes, the appropriate authorities entitled to exercise the provinces' democratic responsibilities under the Canadian Constitution and determine which students would qualify for loans, were the provinces themselves—or are still the provinces until the vote—I am still trying to convince government members of this—, until the government's intentions become law, and change the current situation.

Under the Canadian Constitution, education is an area of provincial jurisdiction. The provinces are primarily responsible for choosing who, among their needy students, is going to have access to post–secondary education.

From now on, in a unique, historical move, a move never seen before in any legislation, the government decides, on its own accord, to deprive the provinces, which have primary jurisdiction under the Constitution, of the right to designate the appropriate authority, as they have been doing since 1964 under the various acts regarding student loans. Once the bill is passed, and that is why the Bloc has been trying so vigorously to convince the government it was on the wrong track, the provinces will no longer have this responsability which is rightfully theirs under the present legislation.

Some will say that what is going on in the world right now has compelled Canada to get involved in education. The Canadian government must ensure that young Canadians have access to post–secondary education, as if the provinces were unable to do so. The focus is wrong.

(2205)

The provinces, which have jurisdiction, have extremely limited resources, and the central government, the federal government, the Government of Canada, wants to take their place. It only puts another $1 million in the kitty for all the provinces of Canada. And in moving speeches it tells us that young Canadians can now have hope; they can hope to have adequate skills in an increasingly demanding society.

This is an attempt to camouflage, to disguise a relentless desire to centralize, a sort of overweening pride that makes them think that if it is done from Ottawa, it will be better. They want to decide instead of the provinces what is the provinces' own responsibility, namely ensuring that as many of their young people as possible can go to university and that post–secondary institutions can as many young people as possible.

This bill is hiding something under the guise of generosity, of providing educational opportunities that young women, single mothers and the handicapped did not have before. It takes powers away from the provinces.

Why can I say that? Quite simply, because under the Student Loans Act, whereby the central government has helped the provinces meet their responsibilities for education, from 1964 until now, the provinces have made the most important decisions on education.

What are these decisions? First, deciding which institutions are eligible institutions for student loans purposes. You can understand that a university whose students could not obtain loans would be doomed. You can also understand that a student who is refused a loan he needs is in an extremely difficult situation; it is almost impossible for him to pursue his education.

Given that the appropriate authority is responsible for determining the level and the results achieved, clearly it also decides issues of an educational or academic nature. As it so happens, the federal minister is acquiring a great deal of power in that from now on, he will be designating the appropriate authorities. Perhaps he does not understand the full implications of this new power because he will now be able to influence not only students, but university programs as well. We have said it and we will say it again: this legislation is a thinly veiled attempt to lay the groundwork for a federal department of education.

Some of my hon. colleagues, in particular those who sit on the same side of the House as the Bloc, will say that we are somewhat paranoid about jurisdictional matters.

Let me just say this: hon. members should know that the way to analyze legislation is to look at the words it contains, not at the intent expressed by the legislator. When the legislator says: ''I would never use the powers that I have been given'', you may well question his motives and even if you trust him, you never know who will be the next minister or the next party in power. Legislators cannot frame laws by saying that the strong words they have used are just words, the full force of which will never be applied. They cannot say that these strong words really mask some good intentions, but that the important thing is that the authority provided will never be abused. Legislators would be wise not to ignore the meaning of the words used. And this law is saying the following: the only real power the provinces have is to opt out of the federal program. This is the only power they have left, the only way they can exercise any influence. They have nothing else.

(2210)

Basically, with the two pieces of legislation passed in 1964 and in 1994, we have moved from the provinces having complete decision–making authority over educational matters to the provinces, even if they exercise the right to opt out, being subjected to fastidious regulations.

That is what I mean, what the Bloc Quebecois means by centralizing legislation. I might add excessively centralizing, because not only does it give this minister powers he assumes in jurisdictions which are not his, but he assumes these powers with such intensity, such excess. It is practically unheard of.

Not only does the minister have the power to designate the appropriate authorities but listen to this: ''The Minister may give directives to any appropriate authority respecting the exercise or performance of any of its powers, duties or functions under this Act or the regulations, and such directives are binding on the appropriate authority.'' Madam Speaker, you may never have encountered such a provision in an act and if you did, it must have been very occasionally. At least, that is what the legislative counsel told us in committee. Personally, I am familiar with a number of these acts and I have never, ever seen anything like this.

The minister assumes not only power, but absolute power. In the future, any decision regarding the designation of universities as the educationals institutions attended by the students for the purpose of obtaining a loan as well as all decisions regarding educational levels, satisfactory results and student needs will be made at the discretion of the prince. This legislation is surprisingly centralizing. This is a bill about which our colleagues opposite will say: ''Some provinces are applauding'', while my opposition colleagues will say: ''We have consulted with one or two provinces and they seem quite pleased.''

(2215)

We know that three Canadian provinces have already carried out their own reforms and aligned them on what they knew was coming. But it came before the current government took office. The reforms were carried out last year. As you know, Madam Speaker, a new government will follow its predecessor's policy if it lacks imagination and the will to do otherwise.

Three provincial governments, namely New Brunswick, Nova Scotia and Alberta, had already aligned their policies on that of the federal government. Coincidentally, it was these governments that the Committee on Human Resources Development was advised to invite. Before we knew that these provinces had already aligned their own programs on that of the federal government.

That said, these provinces putting their trust in the federal government are keeping their eyes closed. If they dared read the text and go beyond the minister's generous promises, they would realize that there are left with only one option: opting out of the program. We said it very clearly in committee: ''If they are not happy, all they have to do is opt out''. It is the only way they can still exert some influence.

After the federal program is in place, it will be costly for the provinces to opt out, which means that centralization will continue. You may say: ''But is this centralization not desirable? Is it not preferable to have in Canada a super department of Education dealing directly with universities and colleges?''

You know that I am a sovereignist, that I would never accept that, and that I would fight to the bitter end to protect Quebec from such a measure. The rest of Canada might want a super department of education. I say that we should hold a debate and decide whether or not to have such a department of education, but the provinces should at least have a role to play. In this legislation, the provinces have no role. I should qualify that and say that they have no role other than the one which the federal minister is prepared to give them. It is for the minister to decide.

It is getting late, but I absolutely want to discuss another provision of this bill which is totally unacceptable to us. As the Official Opposition, we did what we had to do. We could have said that this issue does not concern us since, in any case, we will leave and Canada will have to look after its own affairs. But we did not do that. I really think that this legislation is a serious mistake. I do not believe in one Canada and I do not feel part of it, but I do think that it is a good country and that this bill is not a good measure for it. Instead of relying on the co–operation of the provinces, the overcautious minister prefers to keep the decision–making power, for fear of having to convince them. If this is the foundation of the new Canada, when the provinces wake up, they will see that their role is very minor. As I said this afternoon, even with Quebec gone, Canada will have vigorous constitutional debates to say the least.

(2220)

I absolutely want to discuss the provision which, ultimately, is the one that concerns Quebec. I am referring to the opting out clause. I should point out right away that so far only Quebec and the Northwest Territories have opted out and do not participate in the national program. If the previous speaker, my hon. colleague from the Northwest Territories, had read the act carefully, she would have seen that the Northwest Territories, like Quebec, will have to meet nitpicking conditions—conditions that have nothing to do with student eligibility and that would not force provinces that want to opt out of the program to ensure that specific groups of students—needy students—are entitled to pursue their education.

Allow me to say a few words on that subject. In 1964, the first time there was a federal student loans act, when co–operative federalism was the order of the day and before centralizing Liberals came to Ottawa, some of their leading lights arriving from Quebec in 1964, there was an unconditional right to opt out. Distinguished members who are familiar with the law of the land need only read it. The logic was simple: either you participate in the national program because you are interested in it, or you opt out, set up your own program and Canada places enough confidence in you to think the money will be used in the students' best interests.

Remember that the provinces hold primary jurisdiction over education and that the same people who elect provincial legislators also elect federal legislators. There is no reason to think that the quality of democracy will be less in a province; quite the contrary, in fact, since the people are closer to the seat of power than they are in Canada, whose citizens, as we can see here, are far removed from power.

When the act was reformed in 1985, two small conditions appeared. Provinces opting opt out were given the same amount per capita as provinces participating in the program, but they were asked to ensure that part–time students and students who had completed their studies had the same opportunities as those covered by the program. These may be said to be national standards relating to accessibility objectives.

But the present act radically changes the relations between the central government and the provinces or territories that opt out of the program. From now on, the required conditions pertain to the administration of money. Not enough confidence is placed in the provinces and territories to assume that the money they receive will be managed responsibly in order to ensure that as many students as possible receive loans. No. They are told that they must ensure that so much, and so much, and so much— In fact, there is more concern about the terms set for the banks than about access for students.

This is too bad, because the government is prepared to be generous, and I would like to believe that. It sounds wonderful. However, we cannot take them at their word.

(2225)

We cannot take either senior officials or the politicians at their word. We must look at the legal texts and the hard facts. And when we look at the texts and the facts, this legislation is excessively centralistic. It ignores provincial jurisdictions and introduces provisions, in a manner unheard of before in this country, that have no connection with the general rules or objectives for opting out and regulate administrative details, which is not only unacceptable but also entirely inefficient and inconsistent.

If a province or territory can decide to exercise its opting out rights, one would imagine it is capable of exercising good judgment. I am very disappointed to see this legislation before the House in its present form. I must say that the Official Opposition did everything it could in committee, even going so far as to propose amendments that were not entirely consistent with its basic premises, including that the minister must consult the provinces before designating the appropriate authorities.

We feel it is absolutely inconceivable—I say this not as a sovereigntist but as a person who sees and understands the present Canadian perspective and how it evolved—it is inconceivable that fundamental powers given under the Constitution should be withdrawn without further ado, all in the name of generous objectives that are not at all supported by the budget.

[*English*]

Mr. Monte Solberg (Medicine Hat): Madam Speaker, it is a great pleasure for me to stand in the House today and speak on Bill C–28. It is a bill that unfortunately has some great flaws in it. I will talk about some of our concerns about Bill C–28 in a moment.

It also has a couple of good things in it that our party supports very much and about which our party has spoken in favour in times past. It is primarily for those things and the hope that down the road they will become a reality that we will be supporting this bill.

Before I talk about C–28 specifically, I want to talk about the education system in general. I think it has to be our goal in this country to have very lean and efficient universities and colleges whose primary goals have to be to give a very strong education to the young people of this country, to give them the skills that they need in a modern economy. That will ultimately help propel this country forward.

I think the best way to do that is to put the proper incentives in place so that the universities and colleges have a reason to compete to get those students and a reason to use all those resources that they get in the most efficient way possible so that when they have a choice between giving a university professor tenure or spending that money on ensuring that there is another professor in place to give more education to even more students, they will make the right choice and they will choose to provide more services for those young people.

One of the problems in this country today is that students cannot get into universities despite the fact that they may even have good enough marks. Sometimes when they can get into universities they cannot get into the disciplines that they want to, the ones that will provide them with a job when they get out in four years.

(2230)

I would argue that we have a lot of fixing to do in the universities beyond some of the things Bill C–28 touches on to make sure our universities prepare our young people for the changing world ahead.

One of the reasons students very often cannot go to university is that they do not have the funding. Unfortunately when students apply for a student loan the government too often looks at the income and assets of the parents of that student. This is a very unfortunate part of the system. The government will say they have too many assets. Sometimes people may have a lot of assets but very little income.

For example, people in Newfoundland may have fishing boats which are worth a lot of money on paper. However, if they cannot use their boats to fish because of the moratorium in the fishery and they have no income, how in the world can we justify not giving their children student loans? Unfortunately, that is the way the system works today and it is completely wrong.

One aspect of Bill C–28 would cure that. It is called income contingent repayment. The government has taken a very lukewarm approach to including income contingent repayment as part of Bill C–28. To me it is a beacon of hope for many Canadians, especially middle–income earners who may have some assets right now but do not have the money to send their children to university.

We have to get an incentive in place that will allow these young people to get a student loan and which will also encourage them to use that money in the most prudent way possible, to choose classes that will get them the degree that will get them that job down the road. We want the incentives in place to encourage them to finish up as fast as they can and not become a professional student. We want the incentives in place so that they do not take a course in basket weaving. We want them to become great contributors to the economy down the road.

Two hundred and fifty years ago during the Scottish enlightenment there were great philosophers and economists, people like David Hume and his friend Adam Smith who wrote the great book *The Wealth of Nations* in 1776. They lectured in universities 250 years ago. As the students entered the room they would put a silver coin in a cup at the door. That was how those professors were rewarded. They were rewarded because students knew they were going to learn something when they went to those courses. They would gladly deposit their silver coins to listen to these great men.

Imagine what kind of incentive that was for David Hume, Adam Smith and many other great lecturers and thinkers in the past. The better job they did, the more money they would get. The better job they did, the more incentive they would have. As they gathered some of the returns from their lectures, the more often they would want to speak because they were rewarded.

The same thing happened 2,000 years prior to that. On the outskirts of Athens when Aristotle opened up his Lyceum students came from all over the Greek peninsula. They would come to the Lyceum and pay cash on the barrelhead. They knew of his great reputation and wanted to learn something. Of course there was a great incentive for the students to learn because they had paid cash and they wanted to get something for their money. Of course Aristotle had a great incentive to keep teaching and thinking and coming up with his great ideas.

Compare that to the system as it is today. The universities pay the teachers; the government pays the universities; and the taxpayers pay the government.

(2235)

I point out today that about 80 per cent of the education that a student gets at university is paid for by the taxpayers indirectly and about 20 per cent by the students directly.

We have very little direct accountability. We have very little incentive to ensure that students get the best possible education. We have very little incentive to ensure that resources are used by the university in the best possible way. For instance, there is no real incentive for them to spend money on getting more students because that is not necessarily how they are rewarded. To a small degree they are, but in many cases they are rewarded on a per capita basis. They get a per capita grant based on the population of the province.

Also the students do not always have the incentive to use the resources in the best possible way. Much of their education is funded indirectly by taxpayers and many times those people have not had the benefit of an education. They might be taxi drivers or clerks in grocery stores. They are funding education through their tax dollars for people who will go on to be doctors and lawyers and who will earn tremendous incomes.

It is also important that there be an incentive in place to encourage young people to get jobs that will help them pay back the money they borrowed in the quickest possible way. When there is incentive like that they go out and do exactly that. They end up trying to get jobs that will pay more. Those are ones that inevitably are the most productive for the economy.

The question I guess is: How do we fix all this? Bill C–28 will just scratch the surface of the problem. It will help a bit. In other ways I would argue that it is part of the problem. I will say more about that in a moment.

Our party supports taking the $2 billion or so paid directly to the universities and giving it to 650,000 university students in the form of vouchers. Universities would be forced to compete to get students to come to their institutions with their $3,000 vouchers.

Can we imagine what that competition would do? I can see now how universities would be running around the countryside telling prospective students about their teachers and how their best teachers spend so much time in the classroom because they want to give the best possible education to the students coming there.

How different that would be from today when very often many of the best teachers are the ones who sit in their offices, write papers and make a contribution but not the primary contribution they could make, the most important one. That is one of the great advantages of a voucher system.

Another thing a voucher system would do is make teachers, colleges and universities more accountable. If they knew that in a much more direct way than presently they would be rewarded on the basis of how many students they attracted to universities and colleges, we can imagine how much effort they would put into preparing their classes.

We can also imagine how much effort the universities and colleges would put into ensuring the graduates of those institutions would get jobs. That would be a major selling point. When they went out to the high schools around the country and spoke to students they would say that last year out of the nursing school, for example, 85 per cent of the nurses got jobs within six months. They would say that is why students should take nursing at their school, because it is a great school and people actually go on to get jobs that actually exist.

How different that is today. For instance, I know in my own province of Alberta we had a situation just last year at a school of physiotherapy. There was a great demand for physiotherapists in the province but people could not get in. On the other hand there was lots of room in some other schools where there was no demand for the graduates of those schools. We really had things reversed. We had lots of resources going into that institution to train people for jobs that did not actually exist. That is a shame. It is a tremendous waste.

(2240)

Meanwhile, if students were given the opportunity to get a student loan regardless of the income of the student's parents and if that loan was repayable contingent on their future income and done through the income tax system so that they could not avoid it, the proper incentives would be in place to encourage the most prudent use of that loan.

Those students would know that if they got a job that paid well, they would end up paying off their loan much more rapidly than if they went into, to use a pejorative term, a basket weaving course or that type of thing. It would take forever to pay off their loan. It would be a disincentive for them to pursue that type of course in a university.

I would also argue that the university would soon get rid of those types of courses and focus their resources in areas that are going to be best for students and ultimately for the country. We would also see students study harder. We would not have as many professional students as we have today. They are in the minority but still some students use to their advantage the fact that so much of the university is funded by taxpayers and only about 20 per cent by the students.

We might even see the best universities and colleges charge more for their services if they had a record of quality, if they had a record of putting people into jobs. However they could never ever charge more than the market could bear.

The result of all this would be a much leaner and much more efficient system of universities and colleges whose very existence would depend on their ability to provide excellent services. As I mentioned before, Bill C–28 begins to address this by allowing for pilot projects to establish income contingent repayment in some of the provinces. This is a very timid step that the government has taken.

Countries like Sweden, Australia and New Zealand have gotten into these programs in a big way and have been very successful. It is true that getting the banks to assume a risk premium is a positive step and that is something that Bill C–28 does. All it does really is make a bad system more efficient. It is still a bad system. We still have to look at getting into the income contingent payments in a big way.

One of the other problems with Bill C–28 is the lack of resolve on behalf of the government to allow committees to have more say in the type of regulations that will flow from this bill and ultimately will have a tremendous effect on it. In the committee part of this bill, our party proposed four amendments, three that specifically addressed regulation. Although my colleagues in the Bloc supported these amendments and we even had some Liberals speak in favour of them, ultimately they were defeated.

That is really unfortunate, considering especially that in the Liberal red book the government spoke very loudly during the election about the need to reform committees to give them more power. The Liberals were long on talk but short on action. They have all the power and in committee they could have allowed us to make those changes but they did not.

This is a tremendous shame because Canadians on the doorsteps during the election said they wanted MPs who were more accountable, who did not want to have all the power of Parliament concentrated in the hands of the cabinet and the Prime Minister's office. We have seen that happening over the last dozen years or so. The government had a chance to reverse all that. It certainly had a chance to do it while we were looking at Bill C–28. It did not and that is very unfortunate.

In Quebec, if my information is accurate, committees regularly review regulations along with the bill at committee stage. They are able to give the regulations a thorough vetting and ensure that they are in harmony with the spirit of the bill as opposed to having the regulations vetted by a completely different committee or worse yet, by bureaucrats. It is very important that the same committee that deals with the bill also has a hand in crafting the regulations. If it does, members can be assured the regulations will be in line and will be harmonious with the spirit of the bill.

(2245)

I touched on some of the concerns I have about regulations that might affect how student loans are handed out based on the assets of parents. This is another area that could have been dealt with in the regulations as it came before the committee. Unfortunately it was not. We received a draft of some of the regulations that were coming forward from the bureaucracy, I believe dated April 8. In that draft they spoke of counting assets such as the family farm, RRSPs, fishing boats. Presumably if you had those types of assets it would be grounds to deny students a loan.

We speak against that. It is a terrible idea and is completely contrary to the spirit of giving people a chance to get an education. I cannot emphasize enough how little bearing it has on many middle income Canadians. In other words, middle income Canadians are going to be penalized because although they are classed as middle income, because they have assets they may not have enough income to send their children to school. Unfortunately the government will not give those people a student loan.

I also want to talk about a clause in the bill that would give students in some cases the chance to get grants. They would get a grant in some cases if they are disabled. Our party speaks in favour of that. We think it is only fair. It also speaks of giving grants to people who are high need students. It also speaks of giving grants to women who are pursuing doctoral studies.

I want to speak out against that last regulation which flows from Bill C–28. If there are not very many women pursuing doctoral studies it is not because they do not have opportunities. This bill would give high need students a grant anyway. In other words, if you are a single mother and you had little or no income this bill would already look after you.

Why are we choosing women? Why are we saying they specifically will have grants for doctoral studies? If there are not enough women in doctoral studies for the government's liking, it has nothing to do with how many finish their BA. It has everything to do with how few women are choosing the sciences in grades 7, 8, 9, and 10 and how few women are choosing to become proficient in math in those grades. It has everything to do with the education system at those levels. It is up to the secondary schools and the parents to do a better job of encouraging female students in those grades.

It cannot be decided arbitrarily that we are going to start to grant moneys and make special provisions for women for doctoral studies based on the judgment that somehow there is discrimination in the system. Let me say why.

It is true that many times individuals do discriminate against people on the basis of gender, age or perhaps skin colour. There are provisions in place to deal with that. There are provisions under the law that allows the government to deal with that. The government does not enforce them for whatever reason. Instead it has taken the approach that it is going to fix one wrong by opposing another wrong, a wrong of reverse discrimination, with the full authority of the government.

(2250)

To me that is scary. We are not talking now about isolated cases of discrimination by individuals. We are talking about the government deciding that it is going to discriminate against some people based on their sex, skin colour, and the language they speak.

I point to the case of the RCMP. There are many people who would love to become members of the RCMP right now, but they are told they have no chance because they do not speak the right language, because they are the wrong gender or because they are the wrong skin colour. To me, that is abhorrent. I disagree with that. Most Canadians disagree with that.

I wish this government would have the courage to bring the whole issue of employment equity and reverse discrimination into this House for a full and free debate. Despite the deep flaws in this bill, and I have talked about a few of them, we are going to support it, not because we particularly like some of the things I have talked about but because income contingent repayments are a part of this, albeit in a small way. They do provide a glimmer of light and a glimmer of hope for some Canadians.

I hope, however, that in drafting future legislation the government will listen closely to what some of the speakers from our party have said about this. Consider very carefully whether or not what they are proposing, particularly with this reverse discrimination, really is part of a free, fair and just society.

I hope the government listens very closely to some of the suggestions we have made with respect to the voucher system, pursues this and is prepared to sit down and talk with our party. We really do feel it would bring more students into the system, making the universities more accountable. I know the members across the way would be very much in favour of that.

I think we could sit down, talk about that and have a great discussion. At the end of the day, despite the flaws, it is our intention to support this legislation.

[*Translation*]

Mr. Antoine Dubé (Lévis): Madam Speaker, as the Official Opposition critic for training and youth, I have the pleasure to speak once more on Bill C–28 respecting federal financial assistance to students. It is getting late, and we are all a little bit tired. This is the end of a rather special day, since we reviewed two bills regarding young people: this one on financial assistance to students and earlier, Bill C–37 concerning young offenders.

The opposition presented three amendments, and this is my fifth speech on the issue of young people. In the present case, it is good to remember that Bill C–28 is part of the youth employment and learning strategy announced on April 15 last by the Minister of Human Resources Development.

I had immediately denounced this strategy as, in my opinion and the opinion of the Official Opposition, it was an even greater infringement in the field of education which, it bears to be repeated once again, is an exclusive provincial jurisdiction under the Canadian Constitution. Let us also remind the House that this move flies in the face of Quebec's fundamental interests since there is a wide consensus among Quebecers to the effect that education is the main tool for developing and promoting our identity as Quebecers.

The changes to the student loan and grant system are only a few of the social program reforms about which the Minister of Human Resources Development has supposedly started to consult Canadians and Quebecers.

(2255)

This week, the provincial ministers of social services warned the federal government that it should not ignore them when preparing this reform. Also, last week we learned that the details of this reform would be made public only during the summer when the House will not be sitting. Why is the Minister of Human Resources Development in such a hurry to change financial assistance to students when this reform has not yet begun? This means that they consider young people, students, as a separate group and feel it is not necessary to complete the review of social programs, in which the population was invited to participate by the minister himself. To reach the minister's objective, that is, to raise the loan ceiling from $2,500 to $4,000, all that was needed was to amend the existing legislation; the students would have received their increased loans for the next academic year, and the Official Opposition would not have opposed such a measure.

After the reflection, after the consultation, after the reform, with the complete picture in mind, the minister could then have passed a new legislation to complete the process and integrate the young to the rest of the population.

If you read between the lines, it is easy to conclude that the minister will, from now on, ignore provincial jurisdictions and, among other things, impose national standards for education. Worse yet, they even hint at the possibility of finally having a federal department of education. The most important question to ask when studying this bill is why does the government want to modify financial assistance to students. The first answer is there is only $1 million in the current budget for that. Why then pass a new legislation which will modify considerably the management, the administration of financial assistance to students just to distribute $1 million this year?

In our view, this is just smoke and mirrors. The real reason is that Bill C–28 gives more power to the Minister of Human Resources Development. That is the main purpose of this bill, particularly with regard to appropriate authorities. The bill says that the minister may designate for a province an appropriate authority, which authority may in turn designate as designated educational institutions any institution of learning, in Canada or outside Canada, offering courses at a post–secondary school level. It is also the appropriate authority which will issue certificates of eligibility to students. There are two conditions to fulfil in order to get a certificate. First, the student should be in need of financial assistance, that is quite obvious. Second, he or she must have attained satisfactory scholastic standards. This aspect, which normally comes under the jurisdiction of the provinces and the educational institutions, will now be subject, through regulations, to verification by the minister who will satisfy himself that satisfactory standards were attained before issuing a certificate of eligibility.

Under the present Student Loans Act now in effect, the appropriate authority is designated by the Lieutenant Governor in council in the province concerned.

(2300)

From now on the Minister of Human Resources Development will be able to exercise this power, since clause 3.(1) says:

> 3.(1) For the purposes of this Act, the Minister may, by order, designate for a province
>
> (*a*) an appropriate authority, which authority may designate as designated educational institutions any institutions of learning in Canada that offer courses at a post–secondary school level, or any class of such institutions; and
>
> (*b*) an appropriate authority, which authority may designate as designated educational institutions any institutions of learning outside Canada that offer courses at a post–secondary school level, or any class of such institutions.

Then there is a very important new provision:

> (2) An appropriate authority may revoke any designation made by it under subsection (1), and any designation made in respect of the province under the Canada Student Loans Act, in the case of a designation of a class, may exclude any named institution from that designation.

Now, the federal government will be able to designate an institution of learning.

> 4.(1) The Minister may enter into an agreement with an appropriate authority, or with an appropriate authority and the government of the province for which the authority was designated, respecting the exercise or performance of any of the authority's powers, duties or functions under the Act or the regulations.

This could ultimately lead to some agreements, but then clause 4(2) stipulates:

> (2) The Minister may give directives to any appropriate authority respecting the exercise or performance of any of its powers, duties or functions under this Act or the regulations, and such directives are binding on the appropriate authority.

It is one of the first times that such a clause has been used, according to several experts. The truth is finally coming out. The Minister has full power over the appropriate authority and he would be free to sign agreements with the provinces with a view to harmonizing the management and the funding of financial assistance. This is just another centralizing effort by the federal government in the area of education.

Clause 12(1) is very ambiguous. It stipulates that a certificate of eligibility will be issued to students who have attained a satisfactory scholastic standard and who are in need of financial assistance.

As I said, this is very important. If I may digress, in Quebec, the legislation does not limit access to financial assistance but provides a bonus of up to 25 per cent for students who complete their education within the prescribed time. This means that the amount of the loan to be paid back is reduced. This incentive limits in no way the access to financial assistance.

Considering the powers that the Minister is granting himself and the centralizing tendency of this government, national eligibility criteria are to be expected, I fear.

Furthermore, under clause 14(7) of Bill C–28, amounts paid as compensation to a province that does not participate in the federal student loan program will be included in the calculations only if the government of the province satisfies the minister that its student financial assistance plan has substantially the same effect as the plan established by the act.

Will the minister base his decision on national standards for education or financial assistance to students? Because, I repeat, the bill gives the minister full authority to do so. The minister could also use the federal spending power derived from the money paid by all Canadian taxpayers, and 24 per cent of all taxes comes from Quebec. So, this spending authority, the fact that the minister has to be convinced and that new conditions must be added in each of the sectors, contrary to how things were done previously, or only when part–time students or special exemptions are concerned.

It is disturbing to see that banking institutions also have greater discretionary powers. And what about the risk premium that will be given to the banks, when everyone recognizes that the businesses which are currently making the most profits are the banks?

(2305)

Clause 18 on the general provisions says that the minister may enter into agreements with federal or provincial departments to facilitate the administration of this act and to harmonize its administration throughout the different levels of government.

We are seeing here a major addition to the existing act on student loans. Once again, the notion of a centralizing federalism is implied here. This notion does not take into account the specific realities of the various provinces. That approach is one of wanting to control everything from the top, without any concern for the exclusive powers of the provinces in the area of education.

Let us talk a bit about student indebtedness. In Canada, tuition fees have tripled since 1984. Because of this increase, students must get deeper into debt in order to pursue their studies. The federal and provincial governments' reduced funding of education institutions will force them to raise tuition fees.

The result is that, with a slow job recovery, 10 per cent of young people are currently filing for personal bankruptcy because they are unable to repay their loans. These bankruptcies entail major costs for governments. The Minister of Human Resources Development tabled this bill on financial assistance to students which, unfortunately, does not reflect all recommendations made by the academic community. When they appeared before the human resources committee the universities were quite concerned about regulations that were rumoured to allow the minister to centralize financial assistance to students.

Consider what the student associations had to say. First, they would have liked to see a program that made a distinction between tuition fees and living expenses. Earlier, I was talking about this incredible increase, in fact, the amount has tripled in the past ten years, and we can expect this trend to continue. In their recommendations the students made it clear that they did not want to become the victims of this trend.

Thanks to the Official Opposition—the Bloc Quebecois—we managed to obtain an amendment during the clause by clause consideration of the bill by the Standing Committee on Human Resources. This amendment provides that in determining the financial needs of students, we must consider the real cost of their education, in other words, their courses or subjects, the province where the institution is located and the province of residence.

That was one of the demands made by young francophones outside Quebec, because to study in their own language, they often have to go to a university in another province. This provision will allow for consideration of both the place of residence and the place of study.

A second thing that we have been able to obtain is a definition of lender. It was not contained in the bill and is now provided according to the definition given in the Financial Institutions Act, which includes the *caisses populaires*. At the beginning, this was not in the bill. It has been included as a result of our representations and at the request of francophones outside Quebec, who are especially fond of this kind of institution. There are also the co–op credit unions, the cooperative type. That is why I think it is very important.

As was to be expected, Quebec students call for less federal government intervention in the area of higher education.

What students as well as universities really deplore in the present bill is the fact that there is no recourse, no right of appeal. Neither the lending institutions, the provinces, the financial institutions, the educational institutions nor the students will have the right to appeal.

I am not going to stretch out the debate any longer. The opposition has proposed a lot of amendments. Three of them have been adopted in committee. Reform members said a moment ago that they had put forward four amendments which were rejected in spite of our support, in some cases. Unfortunately, we did not always get their support in return.

Our goal was to preserve two things. We wanted first of all to maintain Quebec's right to opt out in this area. We also wanted the provinces to keep their say when it comes to education and the way to manage financial assistance to students.

I want to thank you, Madam Speaker. This puts an end to today's debate. This has been a memorable day since we have dealt with two bills concerning the young people of this country.

[*English*]

The Acting Speaker (Mrs. Maheu): Pursuant to an order made earlier, the question is deemed put and a recorded division is deemed demanded and deferred until 6.30 p.m. Monday, June 20.

It being 11.12 p.m., pursuant to order made Thursday, June 9, 1994, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 11.12 p.m.)

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