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Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

Monday, March 13, 1995

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

[*English*]

DIVORCE ACT

The House resumed from Friday, November 25, consideration of the motion that Bill C-232, an act to amend the Divorce Act (granting of access to, or custody of, a child to a grandparent), be read the second time and referred to a committee.

The Deputy Speaker: When the matter was previously before the House, the hon. member for Elk Island had the floor. He has seven minutes left in his intervention.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I am delighted to continue my speech. It is the first time that I have had 108 days to contemplate the next sentence in the middle of a speech. I shall carry on. I am not going to waste my time.

We are dealing with a very important matter. It is very important to recognize we are dealing with the lives of real people. Quite often in this place we can sink into a way of thinking and we forget the people behind the rules and laws we are passing.

It is the same when we deal with a budget. The budget affects real people. This is another bill that does the same. It is a bill that deeply affects the lives of people, grandparents in particular but also grandchildren. It also affects the parents.

(1105)

When I was contemplating what to say next, I decided I would try to put a human face on my remarks. I want to share the importance of the legislation before us concerning the rights of grandparents to have input into the lives of their children's children. Nothing is more precious than this.

I would like to share correspondence I received on this subject. I received a very moving letter after I had participated in the debate last November 25. This letter came from people in

Ontario who told a story of how they have been separated from their grandchildren. They simply asked for a measure that will safeguard the vital connection and relationship between grandchildren and grandparents.

We live in a age in which many people are disconnected. Many young people, many children have had their roots ripped away from them for one reason or another. The connection to grandparents is a very important connective root for these people.

This lady said: "For us it is over three years since we have heard from our only grandchildren". I read this letter several days after receiving it. Just as many MPs do, I work on correspondence in the evening and I answered this letter quite late at night. This is what I said: "I am sitting here at 10.25 p.m. miles away from my wife and son in Alberta, my daughter, son-in-law and only grandson in Saskatchewan and half way around the world from another son and daughter-in-law in Rwanda. When I read your letter I detected the pain you must feel. I cannot imagine the hurt you feel when you cannot talk to, cannot touch, cannot hug and spoil your own grandchildren. My family is so precious to me and I am sure that you feel the same about yours". I really felt the pain that evening because the story so touched my heart.

When we contemplate legislation that will grant grandparents reasonable and fair access to their grandchildren, there can be no reasonable doubt in the minds of parents or of the courts, if they are involved, that there is anything detrimental to the children, but only favourable to the children, we then proceed to provide this.

Many people across the country are watching this on television right now. Certainly here in the House we have observers that have been touched by this issue. It is incumbent on us as legislators to do all we can.

I received another letter from this lady after Christmas. She said: "Nothing new has happened regarding news from or about our grandchildren. It was our fourth Christmas of not hearing, despite our sending cards and letters, even by registered mail. We feel so helpless in all this". This is the crux of the matter. There is a helplessness and nowhere to turn for assistance.

We are not asking for anything in this legislation that will be a great hardship on anyone. We are asking for legislation that will grant a point of connection between children and grandparents.

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I cannot help but relate this to my own situation. I really cannot tell members how much I really love my little grandson. I might as well tell the whole world that he will soon be having a little brother or sister. It is such a tremendously touching experience for us. We are so privileged to have a wonderful, loving relationship between our children, our son-in-law and our grandchild.

(1110)

I cannot, for the life of me, see why anyone would put a barrier between children and their grandparents. Therefore we are not dealing here with people who have a normal relationship. That is true for probably 95 per cent of people whose relationships are not torn. As in almost all legislation, we are trying to introduce measures that will accommodate those people where a relationship is broken and there has to be some kind of intervention.

We are asking all members of the House to support the bill. In this way people who cannot reach out and touch and hug their grandchildren will be given at least occasionally the privilege of doing so. We are asking that those parents who would stand between their children and the grandparents to carefully think about what they are doing when they introduce these barriers.

Barring a response from parents we need legislation that would require them to give to some disinterested party, like a court if necessary, their reasons. If there is a valid reason for maintaining the barrier I am sure that the courts would understand. If there is not a valid reason then we believe it is in the best interests of children and grandparents to be able to see each other, to talk to each other, to send and receive letters, to send and receive phone calls in order for them to be able to communicate and to build on their relationship.

In conclusion, we have so many young people in our society who are anchorless. They have had so many disruptions in their lives. Nothing is more solid than a familial relationship between children and parents, between children and grandparents that will give them, on an ongoing basis, a sense of security and belonging.

I urge all members to support the bill. Let us do what is right for the children of our country.

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, 1994 was declared the International Year of the Family. The theme as defined by the United Nations is Family, Resources and Responsibilities in a Changing World.

In making this proclamation, the United Nations outlined some basic principles. The first of these principles is that the family is the basic unit of society and therefore deserves special attention.

The widest possible protection and assistance should be given to families so that they can assume their responsibilities in the community. Another principle is that families take different

forms and serve different functions from one country to another and within each country.

This is very important. Changing social and economic conditions are bringing to the fore new issues affecting families, particularly children. One of the realities that cannot be ignored is that many marriages in Canada now end in divorce. A related fact is that many children are directly affected by these divorces although it is difficult to determine the exact number because there is no official information about out of court custody decisions. We know, for example, that in 1990 approximately 34,000 children were involved in divorce cases in which the courts made custody decisions.

From a social policy perspective, this means that Canada's laws, policies and programs should take into account the many diverse needs of families today. More specifically, our laws restricting divorce should reflect our society's changing needs and continue to ensure that the best interests of the children are met. That is why I am pleased to be given the opportunity to comment on Bill C-232 which proposes amending the Divorce Act to promote grandparent access.

(1115)

I want to start off by saying very clearly that I believe the relationship between grandparent and grandchild is something very special, especially after the parents divorce. Grandparents can be an important resource to children. They can offer care and support and buffer children from the many changes and stresses associated with family breakdown. I therefore agree wholeheartedly with the basic principle that a child's continued contact with grandparents, indeed with all members of the child's extended family, is something that very often is in the best interests of the child.

I emphasize that the best interests of the child test is a standard that has come to be accepted both in Canada and internationally as the appropriate standard to apply with respect to matters relating to children. It means that laws directly affecting children should focus on the needs and best interests of the child rather than on the rights of adults.

In applying this standard it is important to acknowledge the writings of sociologists and psychiatrists on the subject of the effect of divorce on children. Researchers generally agree that the breakdown of the parents' marriage brings about a major crisis in the lives of most children and adolescents. It is an acutely stressful event for a child. Equally important is the fact that researchers also highlight the detrimental effects on children of ongoing conflict and litigation.

There is widespread agreement that the most tragic and clinically vulnerable children are those who become the object of continued acrimonious custody or access battles. It is not difficult to imagine how upsetting such a court battle would be to a child with the stress, uncertainty and loyalty conflicts that

would accompany the litigation and with the child right in the centre. I bring this up because Bill C-232 seeks amendments to the Divorce Act which effectively would provide grandparents with independent standing to apply to the court for access to, or custody of their grandchildren at the same time the grandchildren's parents are getting a divorce.

This bill proposes that grandparents be allowed to make a custody and/or access application under the Divorce Act without being required to obtain leave of the court. Currently under the Divorce Act third parties, including grandparents, must have leave of the court to make an application for custody of or access to any or all children of the marriage. The requirement that grandparents obtain leave of the court to make application ensures that only where the truly serious disputes exist will recourse be made to the courts. In other words, it discourages the use of litigation.

I am concerned that despite its good intentions this bill, which would allow grandparents to make a custody or access application under the Divorce Act as a right, could have the effect of encouraging grandparents to formally apply for court imposed access orders. I realize this is not its primary goal; rather it is an attempt to formally recognize a grandparent's legal right to access. It may however have the unintentional effect of increasing custody and access disputes and promoting litigation. I do not believe that would be in the best interests of children because, as I mentioned earlier, the best interests standard means focusing on the needs of children rather than on the rights of adults.

I want to emphasize that I do appreciate the grandparents' overwhelming desire to ensure that they continue to see their grandchildren. We have to remember however that formal court intervention is not always required and should not be encouraged.

Surely it is preferable to encourage that arrangements for grandparent access be worked out on the basis of trust and co-operation. I believe that in many cases, indeed in the overwhelming majority of cases, regular contact between grandparents and children of a broken marriage can continue without the need for court intervention.

In my view, marriage breakdown is a traumatic personal experience for the parents and children. Children who are already experiencing the distress of a parental divorce do not need to be additionally upset by a courtroom dispute between the parents and grandparents concerning grandparent access rights.

(1120)

Another important point which should be made is that it should be recognized there are limitations as to what a court order can accomplish and what the law can do to enforce it. It

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would be ideal if a court order awarding grandparent access could ensure that meaningful access would occur without further problems. Unfortunately this is not the case.

A court cannot order people to change their attitudes, feelings or manner of relating to one another. In reality, attempts to enforce an access order often lead to more conflict and often even more litigation.

As I said earlier, I support wholeheartedly the idea that children should have continued and ongoing contact with their grandparents. However, I fear that Bill C-232 could have the effect of encouraging grandparents to formally apply for court imposed access orders. I do not think that would be in the best interests of a child. I truly believe there are more efficient and less stressful ways to work out post-divorce access arrangements without the need for court intervention.

The law is a blunt instrument. A court imposed judicially enforced order for grandparent access cannot take the place of a relationship that is allowed to occur and develop naturally.

[*Translation*]

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, here we are in the second hour of debate on the bill tabled by my colleague from the Reform Party. The aim of this bill is to amend the Divorce Act, by simplifying the procedure for grandparents to obtain legal custody of their grandchildren.

At the moment, grandparents wishing to obtain custody of their grandchildren must submit an initial application to the courts for leave to debate the legal custody of their grandchildren.

Grandparents are currently treated like any other interested person. All persons other than a spouse must first obtain leave from the court to apply for a custody order. Grandparents have no special status in divorce proceedings, and the aim of a preliminary application is to verify the claims by the grandparents and to decide if it is in the best interest of the child for them to intervene.

Bill C-232 would eliminate the need for grandparents to make this preliminary application and would enable them to become a party to the dispute in the same way as the spouse.

I would first like to say to this House that I am deeply saddened by the number of cases in which grandchildren lose contact with their grandparents following a divorce. Divorce proceedings are extremely stressful, and the break up of the nuclear family is traumatic for children. It can have the effect of altering their personality or behaviour. Children losing contact with their grandparents, in addition, face further hardships.

Children kept from their grandparents by mean parents, who use them to take revenge on one another, become the innocent victims in a form of hostage taking. They become the bargaining

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chip of parents whose meanness is matched only by their self-centredness. Nobody wins in this sort of game.

In this light it is therefore easy to understand why my colleague's bill elicits such sympathy. At first glance, it seems to resolve the problem of the additional trauma children must face when their parents divorce. However, despite appearances and its commendable objectives, it creates more problems than it solves.

Let us take a good look at Bill C-232. The proposed amendments aim to make it simpler for grandparents to request custody when parents divorce. In fact, grandparents would no longer be required to obtain leave of the court to present a request for custody of their grandchildren. Bill C-232 amends section 16 of the Divorce Act and places parents and grandparents on the same footing when it comes to custody requests. Six people will be involved from the outset instead of two.

This six-way struggle could become an eight-way or sixteen-way struggle, since the Divorce Act does not define "grandparents".

(1125)

What about *de jure* grandparents? Does the term "grandparents" include both biological grandparents and grandparents by right? What about a single mother who marries the father of a child, which she later adopts, and therefore gains a share of parental control? Can the single mother's parents be considered the child's grandparents under the Divorce Act? What about remarriage after a divorce where custody is shared?

Take the example of the parents of Julien and Laurence. These children have four biological grandparents. Their parents divorce. The two parents remarry spouses who each have a child, Isabelle and Christine respectively. Isabelle and Christine each have four biological grandparents. If joint legal custody is given to Julien and Laurence's parents, these children will become part of two reconstituted families.

If one of the new couples divorced, no less than eight grandparents would be able to obtain custody of the children. If both couples divorced, twelve grandparents could be involved, I kid you not. Julien and Laurence's four grandparents could each demand custody of their grandchildren by way of two distinct divorce proceedings. Just imagine the legal wrangling.

If its main goal is to foster relationships between grandparents and their grandchildren, Bill C-232 is ineffective. It simplifies the procedure for grandparents but complicates the issue when both parents retain custody and there is no reason to take it away from them. In fact, with respect to their access to information regarding the education and welfare of the child, grandparents are given more rights at the time of the divorce than during the marriage. It is as though they have acquired parental authority, without the spouses being deprived of it.

The children will be subjected to a more complex dispute involving a greater number of parties. Everyone will make their pitch, claiming to act in the best interests of the child, but it is still the child who suffers.

With respect to parental authority, this is an exclusive power of the provinces under section 92 (13) of the Constitution Act of 1867. This concept of civil law is the prerogative of Quebec.

In granting more rights to grandparents, in interfering with the concept of parental authority at the time of a divorce proceeding, this bill represents an out and out encroachment on the jurisdiction of the provinces. It looks like Bill C-232 is trying to accomplish indirectly what direct action has failed to accomplish.

The common law provinces have no legislation explicitly protecting personal relations between grandchildren and their grandparents. The other provinces have been concerned with protecting the relations between a child and his parents. This is a laudable goal, but it is not enough.

Quebec, on the other hand, has enacted legislation promoting harmonious relations between grandparents and grandchildren. Article 611 of the Civil Code of Quebec allows grandparents who are denied such relations to make an application to the court for a decision on the terms and conditions of their relations with their grandchildren. Such an application can be made at any time. The spouses can be engaged in divorce proceedings or not. The application can be made even if the parents have never been married.

Article 611 of the Civil Code is the real solution to the problems created when there is interference in the personal relations between grandchildren and their grandparents. In Quebec, the recourse of grandparents is clear if the dispute is about a deterioration in harmonious relations attributable to the parents. Notwithstanding its honourable intentions, Bill C-232 is no more than a stopgap solution to the failure of certain provinces to bring in legislation in the area of civil law.

There is another aspect of Bill C-232 that concerns me. Clause 1(2) gives grandparents the right to make inquiries, and to be given information, as to the health, education and welfare of the child.

(1130)

If this amendment was made to the Divorce Act, the grandparents of children of divorced parents would have the right to be given information that the grandparents of children of non-divorced parents cannot obtain.

Furthermore—and we think this is very serious—section 1(2) of the bill directly encroaches on Quebec's jurisdiction over the protection of medical and school information. Quebec already has its own Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information.

Following her consultations with legal experts, my Reform colleague admitted in this House on November 25, 1994 that this provision of the bill, and I quote: “—may also contravene privacy acts or rights of the child—”

She went on to say: “Therefore while procedurally it cannot be removed at this time, I trust when the bill gets to committee this clause can be deleted”.

I must congratulate my colleague on her honesty. She admits she was wrong about the impact of her bill and tries to compensate by hoping that the Standing Committee on Justice can improve it. Unfortunately, it is not Bill C-232's only shortcoming. I cannot support a flawed bill.

In closing, I wish to reiterate my position on the fate of children whose parents are divorcing. I find it appalling to see some parents relentlessly prolonging the suffering of the young victims of such circumstances.

The governments of common law provinces should make laws facilitating relations between grandchildren and their grandparents, as was done in Quebec, which is a pioneer in family rights.

[*English*]

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Mr. Speaker, I am pleased to address this bill today. I would first like to acknowledge the presence in the gallery of many grandparents. I welcome them here. These are people interested in this issue and I encourage them to listen and to work with us as we look to this legislation.

I also recognize their contribution, especially as seniors or grandparents in our society, to the past, the present and hopefully the future of this country.

Bill C-232 addresses the issue of granting access and custody to grandparents. This is a very real issue in our society. There are a growing number of grandparents and a growing complexity of marriage breakdowns and blended families within society.

As chair of the family task force of our party, we have done a fair amount of work looking at families and the importance of families in society. In that process we have determined a definition of family that we are using as a benchmark, those individuals related by ties of blood, marriage or adoption, where marriage is the union of a man and a woman as recognised by the state. It very much includes relations of blood, which means that grandparents are an important part of family and should remain so.

I will illustrate something that happened this week within my riding. We have a unique French community, one of the original French communities in British Columbia. It was established

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with the logging industry on the banks of the Fraser River at the turn of the century.

It was a thriving community, a mill town, called Maillardville. Every year we have the festival du bois which recognizes the importance of that in our community. This year there was a rededication of the original Millside school. It has been renovated and changed with the changing neighbourhood.

I talked with seniors, many of them watching with pride as being part of this community. In that crowd there were also second and third generation people, seniors who had attended that school in the 1920s. It was a French community of people who had shared in that community throughout their lives and watched their children and grandchildren raised there.

(1135)

Through them and through their activity within their families, they have managed to maintain the language, the culture, the knowledge and the pride of their heritage, the sense of belonging in and around their community, the sense of history, the values they share and a sense of permanence within their families in this changing world.

There was an understanding between those generations. It was not an externally imposed understanding but an internally shared understanding between the members of families.

Is that typical in our society? Unfortunately it probably is not. We have had changes because of the tremendous new pressures in this society. Seventy-five per cent of mothers of school aged children now have full or part time work which keeps them out of the home. The average number of working hours in the 1950s was 48 in order to earn an average family income.

Today an average family income requires two people on average working 65 to 75 hours every week. The stress on families is tremendous. Therefore, as we have heard today, there is a high incidence of divorce and separation within families. With that comes the stress, the uncertainty, the conflicting loyalties, et cetera, that we have heard.

It is interesting that we have the same number of husband-wife households now as we had in the 1940s. Eighty-seven per cent of households are husband, wife and children. However, many of those households are second and third marriages or blended family units.

We do have single parent families in our communities which are very much a reality. The term single parent family denies that a family had two parents at one point and four parents at some point related by blood. Single parents should not be deemed as alone and isolated in our society. There are relations and support within society for them.

There are the factors of immigration and the mobility of families across the country. These put further stresses on ties of

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blood but these separations are not as complicated by the tensions that we find in family break-up situations.

Death, separation and divorce are three real factors of our society and they all lead very much to the breakdown of fundamental family ties. What we are asking today is what we can do about it.

In this Chamber we should be asking about the government's role in doing something about this very real problem in our society. This Chamber recognizes in many ways that one of its primary responsibilities in society is to recognize the importance of heritage.

We hear in eloquent speeches the importance of heritage for our native peoples. We hear the importance of heritage for our visible minorities and our many cultures. However, I would like to see what the importance of heritage is in our laws for Canadians generally.

In family law there is an overlap between provincial and federal jurisdictions. Provincial law dictates what happens within relationships when a parent dies or when there is abuse within the family or when parents separate.

In B.C. when those situations come into the legal process, grandparents may be granted access by application to the courts on the same basis as anyone else. Within that province, as in most provinces, there is no recognition or privilege of any kind by the state given to a blood relationship outside of parenthood. There is a presumption that perhaps the court will make this decision but in law there is no recognition of that blood tie.

What we are looking at today is part of the Divorce Act. Forty per cent of grandparents who have access problems fall under the Divorce Act legislation. Anyone, blood or otherwise, can apply for access, and all non-parents must be given permission by the court to have that access. A parent comes into that situation with same status or same right of access as a bus driver or a neighbour. Their status in law is the same.

(1140)

We have just come through the International Year of the Family. There are a couple of publications from that period, "A Focus on Canada: Families in Canada" and a look at the statistics in our society, "The State of the Family in Canada". These were extensive studies that looked at Canadian families. They made reference to care of the elderly, reference to relative care, divorces and marriage. There was no mention made of grandparents in Canadian families.

This is in contrast to the fact that within those studies it was pointed out that the most common choice of child care in Canadian homes was by a relative in the relative's home or a relative in the child's home. Grandparents probably made up a large proportion of that. They are a very important part of what

is happening in our society and yet they are not recognized as such.

In aboriginal communities blood ties are recognized for many generations, not only one or two. It is only within the last few years that our immigration laws have been changed to not include grandparents.

As a legislative body we have recognized the importance of blood connections through multigenerations in other cultures. What have we done in the Canadian population? We have recognized child care by grandparents in unspecified statistics. They are disguised in a general statistic.

The recognition of rights of access in the laws both federally and provincially is no different than those for any non-parent or any person in society other than the parents.

I have discovered that within tax laws and support in foster care in the provincial jurisdiction, strangers have more support than grandparents when the state mandates the care of a child. Grandparents have been marginalized in our society.

This morning I heard about the rights of the child and the rights of the parent and even the rights of the grandparent. What do we do when these things conflict? It is time the government recognizes the importance of family, not multiculturalism or state run day care or even government programs, but looking at what creates a strong society. Strong families create a strong society. Strong families create strong cultural ties. Strong families create a just society. Strong families create a strong economy. A child's best interests are society's best interests because that child is going to grow up in that society.

One step is to recognize the rights of access by grandparents in law and the right of inquiry as to the well-being of their grandchildren and their right to know about their health, education and general welfare. Bill C-232 is the right step in the direction to empower families and underline their importance in our challenging and increasingly difficult role.

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, it is my pleasure to address this House regarding Bill C-232, an act to amend the Divorce Act proposed by the hon. member for Mission—Coquitlam.

This bill attempts to address the needs of many concerned, frustrated and in many cases emotionally distraught grandparents who wish to have, according to their perceptions, a more sustainable and meaningful relationship with their grandchildren.

This bill contains two main amendments to the Divorce Act of 1986. The first aim is to eliminate the need for grandparents to obtain leave of the court when making a formal application for access or custody of their grandchildren. The second area of emphasis is within the granting of rights to grandparents to

make inquiries and to be given information on the health, education and welfare of the child or children.

(1145)

Many people feel that these two amendments to the Divorce Act are long overdue and that many problems would be resolved. The problems to which I refer are those created by divorces, separations, the early death of one of the spouses or any other cause that results in grandparents being denied access to their grandchildren. In any one of these stressful situations the suffering of the child may be more devastating over a lengthy period of time than that endured by any given adult involved.

In many cases the grandparents, provided they are loving, nurturing types, can provide a sense of stability, security and comfort for the bewildered children. This is exactly what happens in many cases.

However, as the number of failed marriages increases, so do the number of court custody cases. My colleague from Hamilton Mountain has already informed us that in 1990 approximately 34,000 children were involved in divorce cases in which the courts made custody decisions. Many more go through varying degrees of distress as custodial care is decided mutually outside the courts.

In my community I have anxious grandparents who have no confirmed knowledge of the whereabouts of their grandchildren. This happens when a spouse passes away and the remaining nurturing parent moves to another community. It is also a common occurrence in separation cases in which the custodial parent moves away from grandparents. Such situations should not exist.

In most cases the court may order the custodial person to notify any person granted access to the child of a change of address at least 30 days before the change. There may be many reasons for strained relationships between parent and grandparent that are child centred. Often a dominant grandparent may incessantly try to impose his or her value system, customs, behavioural codes, et cetera, on the grandchild. This results in a pattern of ongoing confrontation between the adults with the suffering child squeezed between them.

In all such cases the child is the victim no matter how honourable the adult intentions may be. Although there are many factors causing the aforementioned disturbing situation, and even though we are aware of the potential harm to the children concerned, we must not endorse knee-jerk legislation that fails to address the issue in a rational and thoughtful manner.

It is important to note that presently grandparents are not by any means prevented from obtaining court orders that give them access to their grandchildren. Existing legislation pertaining to

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the access of grandparents contained in the Divorce Act, 1986, states in subsection 16(1):

A court of competent jurisdiction may on application by either or both spouses or by any other person make an order respecting the custody of or the access to any or all children of the marriage.

Subsection (3) states:

A person other than a spouse may not make an application under section 1 or 2 without leave of the court.

The intention of the amendments is an attempt to formally recognize a grandparent's legal right to access. Such a right without some screening process would result in a flood of custody and access disputes and wealthier lawyers.

Supporters of the amendments should be aware of the limitations on what a court order can accomplish and what the law can do to enforce it. It has already been stated that a court order cannot order people to change their attitudes, feelings, or how they relate to one another. Certain personality types will always be in conflict with each other because of certain personality traits and characteristics. In reality attempts to enforce an access order often lead to more conflict and litigation.

It is paramount to keep in mind that all legitimate and credible claims for access or custody have and will continue to have access to the courts, providing they are credible in nature. In this context a credible or legitimate case refers to claims wherein a close relationship between the kids and the grandparents existed for a significant period of time and a truly serious dispute exists between the grandparents and the spouse in custody of the children.

(1150)

Presently every claim must undergo a screening process to ensure its legitimacy prior to gaining admission to the courts. The provision ensures that unnecessary and unwarranted litigation is avoided, thus saving Canadians vast amounts of money.

We also need the check to ensure that grandparents who are overly intrusive and controlling do not interfere unduly with the parental responsibility of the parents in question. Opening the door for harassment of parents will not benefit children in any way, shape or form.

Another important caveat pertains to the second major proposal in Bill C-232 whereby private information regarding the children is granted to those who have been awarded access. If it becomes a reality, we would have created a very unfair scenario, one in which grandparents from within divorced families would have access to confidential information while grandparents of intact families would not be granted the privilege.

When grandparents strongly believe the child is being neglected or abused there are other avenues of proper and acceptable action available in Canada. For example, family service centres, the Children Aid Society or the police can be asked to assist in a process of protecting the child's welfare.

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As a grandparent I am truly blessed for my wife and I have unconditional access to the loving relationship of four wonderful grandchildren. We can only imagine the pain that some grandparents must endure who have been denied access to their grandchildren.

In our case our oldest daughter is divorced. With open arms, we welcomed her and her three children to live with us. The joy of witnessing each unfolding stage of development is indescribable. The meaning of family continually evolves as three generations share the solving of problems, resources and time and do our best in respecting and honouring each other's needs.

The amendments presented in Bill C-232 are directionally correct. I bring to the attention of colleagues the case of the death of a parent or parents, parental abuses, and even personality conflict between parents and grandparents. The rights of grandparents are governed by provincial laws that can vary widely.

In British Columbia grandparents can apply for access under the family relations act. Alberta has no legal recourse for excluded grandparents. Quebec and only Quebec has enshrined the rights of grandparents in family law since 1981.

The use of courts is a lengthy and very costly process. It is obvious that provincial and federal governments must co-operatively harmonize family laws and the Divorce Act to bring grandparents into a loving relationship with their grandchildren.

For the sake of all those concerned, may co-operative effort result in positive directives as quickly as possible thus avoiding unnecessary costly litigation and unwarranted intrusion into the lives of parents, grandparents and grandchildren.

Mr. Grant Hill (MacLeod, Ref.): Mr. Speaker, this is a piece of legislation that I look upon as an opportunity for the House of Commons to co-operate.

I listened to members opposite say that the bill is directionally correct. I have also listened to the bill being called knee-jerk legislation. Somehow, when I heard that term, my heart fell a little because it did not sound to me like a bill that was likely to get a co-operative view from all parties.

I would like to talk about the family in a general sense. Is the family in Canada under siege? We are treating families poorly.

There are popular myths about Canada and the family today. Popular myths say that most people prefer looser family arrangements than the old-time family ones. There are popular myths that say divorce does not really have that big an effect on children and that alternative lifestyles compete very nicely with the traditional family.

(1155)

Another myth is that the one parent working and one parent at home model of family is old fashioned, out of date and some-

what demeaning to the partner who is left at home. Another says that day care is a really good or almost better substitute than care in the home.

I would like to explore the myths in very straightforward terms. First, 70 per cent of Canadians feel the traditional family is the best way to raise children. A very recent poll says that the popular myth that other forms of family recognition are as good is just not true.

The second myth is that divorce has minimal effect on children. As a counsellor I have seen the effect divorce has on children. Children are far more likely to blame themselves in the event of divorce. There is almost universally increased poverty after a family splits up. Interestingly enough children from divorced families are more commonly involved in divorce when they become adults.

Are alternate lifestyles as good as the traditional family? Alternate lifestyles are neither happy nor healthy. They often recruit youth to that end. Who could possibly recruit youth to an unhappy, unhealthy lifestyle? I could not. The traditional family produces the most stable, well adjusted, law-abiding citizens from all socioeconomic groups.

On the myth that day care is as good as normal family care, a meta-analysis of the issue was done. How does day care fare under the age of five? This meta-analysis compared different areas of childhood development: cognitive or in other words how smart kids were, social, emotional, behavioural and attachment to other individuals. This is summation of the results. It found that infants and young children who received substantial non-maternal care, that is care greater than 25 hours per week, were affected socially, emotionally, behaviourally and in terms of attachment to the mom. On all four counts the children were affected negatively.

New data coming to light indicates that day care outside the home is not as good as care in the home. The data is not coming from wackos. It is coming from individuals looking at data from the U.S., Canada, Sweden; all over the world.

As legislators how do we treat the family? As I sit in the Chamber a novice politician I try to look at how we treat the family. Divorce is pretty easy in Canada. We have poor maintenance agreements so a dad can disappear and not look after children he has sired.

We make welfare very easy for single moms to access. Our attitude as legislators seems to be that the state can provide whatever might be missing if the family breaks down. However, if the extended family is willing, able and capable to take up the slack, if grandparents are available, willing and able to take up the slack, we say line up. Line up behind whom? Line up behind social workers, line up behind family counsellors, line up

behind lawyers and line up behind judges. The significant bond that exists must line up. As a legislator I think that is wrong.

I looked at the bill and said that it could well push a veritable army of bureaucrats and people who are not concerned about the child into the background and bring grandparents to where they rightfully belong in the foreground for the best wishes of the child.

(1200)

This is the opportunity in my view. A non-partisan private member's bill is available for an open, free vote in the House of Commons. It is not a good enough bill, I have heard a couple of people say it could be improved. Let us go to committee with this bill. Let us improve it, let us pass it and let us bring the grandparents to where they belong, in line with their grandchildren.

The Deputy Speaker: The hon. member for Macleod will have three minutes if he wishes the next time the matter comes up for debate.

The time provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 96, the item is dropped to the bottom of the order of precedence on the Order Paper.

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[English]

FIREARMS ACT

The House resumed from February 27 consideration of the motion that Bill C-68, an act respecting firearms and other weapons, be read the second time and referred to a committee.

SPEAKER'S RULING

The Deputy Speaker: Colleagues, on February 27 the hon. member for Yorkton—Melville sought to move an amendment to the motion for second reading of Bill C-68, an act respecting firearms and other weapons.

A question was raised regarding the procedural acceptability of the proposed amendment. The Chair heard arguments from the hon. member for Glengarry—Prescott—Russell, who is the government whip, and the hon. House leader for the Reform Party before reserving his decision. The Chair wishes to thank those hon. members for their helpful comments.

[Translation]

The proposed amendment, is asking the House not to proceed with the second reading of Bill C-68 on the grounds that its provisions link the licensing and registration of firearms with the creation of offences relating to firearms. This kind of amendment is known as a reasoned amendment.

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The honourable Chief Government Whip argued that this motion was out of order as a reasoned amendment because it was not opposed to the principles of the Bill. However, Speaker Lamoureux, in a ruling on August 30, 1966, noted that opposition to the principles of a bill is, and I quote:

only one of the several possible forms of a reasoned amendment.

[English]

Speaker Lamoureux pointed out that several forms of reasoned amendment were listed in May's *Parliamentary Practice*, 17th edition, at page 527 and that May indicated only that a reasoned amendment "may be declaratory of some principle adverse to, or differing from, the principles, policy or provisions of a bill".

Indeed, one of the other forms of reasoned amendment listed is that it "may express opinions as to any circumstances connected with the introduction or prosecution of the bill, or otherwise opposed to its progress".

Finally, Speaker Lamoureux cited Abraham and Hawtrey's *Parliamentary Dictionary*, which states in very clear terms what a reasoned amendment is. It reads at page 162 as follows:

This form of amendment seeks—either to give reasons why the house declines to give a second or third reading to the bill, or to express an opinion with regard to its subject matter or to the policy which the bill is intended to fulfil.

The Chair finds, after careful consideration, that the proposed amendment respects the definition offered in Abraham and Hawtrey and one of the forms listed in May, and further that it follows a long line of similar amendments presented in this House which have expressed an opinion regarding the policy or the provisions contained in a bill. Consequently, the Chair rules the amendment in order.

MOTION IN AMENDMENT

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.) moved:

That the motion be amended by deleting all the words after the word "that" and substituting the following therefor:

This House declines to give second reading to Bill C-68, an act respecting firearms and other weapons, because the principle of establishing a system for licensing and registration of all firearms and the principle of creating a variety of offences are two unrelated issues that should be addressed separately.

The Acting Speaker (Mrs. Maheu): When Bill C-68 was last before the House the hon. member for Jonquière had 17 minutes remaining.

[Translation]

Mr. André Caron (Jonquière, BQ): Madam Speaker, I am pleased to continue my remarks on Bill C-68.

(1205)

When I spoke on this bill previously, I said straight away that I agree with the principle of gun control and that, on the whole, I support the justice minister's bill. Later, I will raise specific

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concerns I feel my party should address in a parliamentary committee.

I was somewhat surprised with the type of debate that took place in this House around the gun control issue. I heard some speakers mention individual freedoms. Some spoke of the right for every Canadian citizen to own firearms. Others perceived the proposed measures as unjustified government interference in people's private lives.

To some extent, we are having a societal debate here. Many representations were made and many letters were sent to my office by Canadian citizens who oppose this legislation. I read almost all of them to have a good idea of what the problem is.

I think that this debate is about looking at society differently. It is a matter of individual freedom against public interest. No one in Canada, I think, opposes the right of the government to control firearms, to ensure that anyone who owns weapons, handguns in particular, be identified and be required to justify requesting permission to own such weapons. The problem right now is with the registration of firearms which are hunting weapons.

Some say: "I am an honest citizen and I am not going to cause problems for others with my firearms. Consequently, I do not see why the government wants to know if I own such firearms and determine whether I am allowed to do so". Those who use that argument forget something important, namely that our society—we are not talking here about American society in the 19th century, but about society in Canada and Quebec in 1995—has changed. Customs have changed, as well as the concept of community life, and I believe that one of the main thrusts right now is that society is opposed to violence.

Society is opposed to violence against women and children. Actions which were condoned 25 or 30 years ago are now being denounced and can trigger criminal proceedings. Society tells us, legislators, to control violence. If violence can sometimes show itself in such brutal and damaging ways, it is because some people are armed. It goes without saying that the vast majority, maybe 99 per cent, of those who own firearms will not commit violent crimes. This control which we want to implement over firearms may deter only a small number of people from misusing their firearms, or from using them with bad intentions.

But I want to make it clear that, in my opinion, this bill is a message. It is a message which society is sending to itself. It is society which no longer wants to live in a climate of violence, which wants peace and safe streets, and which wants to make sure that, if a neighbour, a person across the street or those people whom one meets in one's daily activities are armed, they will have had to state that they own firearms.

(1210)

Owning a gun does not necessarily mean a person is violent, but society tells us that it wants to know who has guns, so that the message is clear. To own a gun is, in a way, a right, but there is also a duty involved. Guns must be used carefully, so that no one is ever at risk.

That being said, I think it is important to adopt the kind of bill before us today, even if it means curtailing certain individual freedoms. I think that, to a certain extent, society is ready for this bill.

Some aspects of the bill are not entirely satisfactory, however. Before my time expires, I would like to comment on these aspects. There is the matter of prison sentences. The bill provides for a minimum prison sentence of four years for serious crimes committed with firearms. The bill also contains several provisions that would increase prison sentences for individuals convicted of contravening this legislation, once it is passed.

I question the use of prison sentences and their effectiveness. The other day, I read in the paper that Canada ranks third among a number of western countries for the number of persons incarcerated per population of 100,000. Countries like Germany, France or the Netherlands have incarceration rates that are lower than Canada's. There is no indication, however, in the newspapers or in reports on the subject, that in these countries violence has greater impact or that people are not as safe as in other countries where incarceration is the measure of choice to control crime.

Incidentally, the two countries where incarceration is used most often are Russia and the United States. The United States has opted for incarceration as a way of exercising social control, as a way of controlling crime. If we look at what is happening in the United States, we do not get the impression that American society is less violent or less dangerous than German or French society.

I think that incarceration is not the right way to deal with the crime rate, and that is why I question some provisions of the bill that seem to reflect this emphasis on the deterrent effect of more severe prison sentences. There may be other ways to approach this problem. This is a very complex issue, and I think my party should raise it in committee.

There is also the matter of sentencing. It is said that judges do not have enough leeway. The minimum sentence is too high to allow sufficiently for the circumstances involved. I think judges should be allowed greater flexibility in setting the minimum sentence. Obviously, when a crime is committed with a firearm, this is an aggravating circumstance. However, there are situations where a judge may have to penalize individuals because under the law, he must determine a minimum period of incarceration. This does not mean justice will necessarily be served in every case.

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(1215)

There is also the time frame. This is important in connection with the requirement to register a weapon and license it. If we add up all the possible time periods, and take into account the number of people currently owning firearms, we are talking about a period of almost seven years.

Obviously, enough time must be allowed for the appropriate administrative measures to be taken to ensure an effective registration and licensing system is in place. However, I think seven years is a lot. This is a very long time, in view of the urgency of the situation and the value of the firearms control measure of registration. It would be preferable to shorten the time period so that people with firearms could take note of their responsibilities and register their weapons as quickly as possible.

There is also the whole matter of costs. There are fairly low fees for registration and there are fees for licensing, which is renewable every five years. I think many people who opposed mandatory registration of firearms mentioned that significant amounts would be involved. Of course, if we add everything up, we arrive at a figure of perhaps several tens of millions of dollars. Not a mind boggling figure, but a reasonable amount, to some extent.

Clearly, if we could lower the administrative costs of licensing and registration, it would be easier on people who have to keep an eye on their spending. But I do not think that the \$50 or \$60 fee currently provided for under the proposed regulation is high enough to prevent people who would like to own guns from assuming their responsibilities and from registering them, a measure designed to let society know who is armed.

There is another aspect. Some categories of guns—for example the infamous AK-47—will remain in the hands of their present owners. In my opinion, these kinds of weapons have no place in a democratic and free country. They have a history in several countries. They have served all sorts of purposes, not always noble. I think it would have been appropriate for the minister to immediately recall these weapons.

Those are the main points I wanted to make about this bill, which is legitimate in a free and democratic society. In a society favouring non-violent values, it is important to know who owns firearms, because they increase carnage when violence breaks out. As well they are a symbol of violence.

These days, no one can walk the streets with a gun without alarming citizens. This was not the case 30 years ago. In my own town, which was closer to a medium size town than a small town, I recall that, at 17 or 18 years of age, we went through town carrying our .22 calibre rifles to go target shooting in the fields. People did not make a fuss because most of them knew

each other and knew who was who. They did not think we were violent. Nobody worried about it. But now, no one can walk the streets of my town, Jonquière, with a .22 rifle without the police hearing about it.

(1220)

In my opinion, this indicates a shift in society's values and I believe that the time has come for us in Quebec and in Canada to know who is armed, who owns guns, and why, so that people become fully aware of their responsibilities as gun owners.

[English]

Mr. Jay Hill (Prince George—Peace River, Ref.): Madam Speaker, I listened to my hon. colleague's speech on Bill C-68 with great interest, recognizing that the great thing about this Chamber is that we hold a wide divergence of opinion on controversial subjects such as gun control. I do respect his opinions.

However, I want to raise a couple of issues brought out in his presentation. He said we will not solve the problems of crime through imprisonment and that he is therefore opposed or has some difficulty with the more stringent and tougher measures in Bill C-68 on the criminal misuse and abuse of firearms.

He is opposed to deterrence through longer prison sentences. He mentioned there are better ways to deal with this than prison sentences. As is so typical when we debate bills, the Bloc fails to mention better ways. It consistently criticizes but does not bring forward any constructive criticism in the form of viable options.

For years we have tried to rehabilitate some of these violent offenders but basically there are those in society for which rehabilitation simply does not work. That is proven time and time again by the high incidence of repeat offenders. Some of our most violent and horrendous crimes are committed by people who have already served prison sentences and have been let out on early parole only to recommit.

Since the member raised the issue that there are better ways than longer prison sentences to combat crime and the criminal misuse of firearms, what are those better ways?

We are now debating the motion put forward by my hon. colleague from the Reform Party to split the bill in two. It was unclear from the member's presentation whether he is in favour of splitting the bill in two.

Reform feels there are two separate issues in the bill. One is more restrictions on law-abiding gun owners with the minister's firearms act and the second is more amendments to section 3 of the Criminal Code which deals with the criminal misuse of firearms which we feel are two separate issues.

I wonder if the member could enlighten the Chamber as to what his feelings are on splitting the bill.

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[Translation]

Mr. Caron: Madam Speaker, I thank my colleague for his question. With respect to the matter of imprisonment, I, of course, am not advocating that prisons be abolished or shut down. I do think, however, that the bill puts a little too much emphasis on imprisonment as a solution.

We may, for example, wonder why there are 49 inmates per 100,000 people in the Netherlands, compared to 116 in Canada and 519 in the U.S. I do not think that violence is commonplace in the Netherlands. I think that some societies do not see jail terms as a deterrent in the same way as we do in Canada and the U.S.

The question I ask myself about this bill is whether the proposed solution of systematically increasing jail terms for crimes committed with firearms is effective.

(1225)

My colleague's second question deals with Reform's amendment to split the bill in two and make a distinction between hunting rifles owned by ordinary, law-abiding citizens, as my colleague would say, and handguns more often used in committing crimes.

I think there is no reason to make such a distinction because, in my opinion, a firearm is a firearm. A misused firearm can cause definite, serious harm to people. It does not matter whether one gets shot with a 12 gauge shotgun, a hunting rifle or a pistol. I think that, in our society, it is important that all those who have the power to harm others with their firearms be aware of this responsibility and let society know that they have this potential power.

Although these people will not, of course, misuse their firearms, that is still a possibility. There is no reason to make a distinction between presumably law-abiding citizens—and I agree that they are—and less respectable people who own handguns or other types of firearms. I do not think that a distinction should be made.

In my opinion, some handguns should be completely banned or recalled, even if they are collector's items, because they are potentially dangerous.

I do not see how it would be prejudicial to a citizen to register his hunting rifles. Many things are registered. Many of our possessions are registered and I do not think this violates anyone's rights.

I will not vote for the amendment put forward by my Reform colleague because I do not think it should be adopted. In my opinion, all weapons are potentially dangerous and their owners should be aware of this. One way to make them aware of this is to require them to let society know that they own firearms and will live up to their responsibility to use them properly.

[English]

Mr. Myron Thompson (Wild Rose, Ref.): Madam Speaker, there are laws that presently exist for people who are negligent in the use of firearms. There are laws on the books that should be enforced and in some cases are.

After 61 years of registration of handguns, today one can get a handgun in the right bars across the whole country; there are even rent-a-guns. It is running rampant and the registration has failed to do anything.

Can the member please explain to me how spending another million or billion dollars, whatever it takes to register shotguns and rifles, is going to make one iota of difference when it has not made any difference in the past.

[Translation]

Mr. Caron: Let there be no misunderstanding, Madam Speaker. I believe that this bill is a message that society is sending to itself. It is citizens saying to each other that they want to live in a non-violent environment, in a less violent environment. They are saying that it is not good, that it is not acceptable in our society to possess firearms, to be able, as my colleague pointed out, to go to a bar and buy a handgun, something that I personally have never done, but that it seems is possible.

In addition to its practical effectiveness in controlling firearms, the bill that we are examining is symbolic, it is a message that society is sending to itself. It is not insignificant that hundreds of thousands of people have signed petitions calling for better control of firearms in Canada. There is a problem, contrary to what my colleague is implying in his question.

(1230)

[English]

The Acting Speaker (Mrs. Maheu): We will resume debate. We are now at 10-minute speeches only, no questions and comments.

Mr. Brent St. Denis (Algoma, Lib.): Madam Speaker, it is a pleasure for me to speak at second reading of Bill C-68, the Firearms Act.

My preparations for this began earlier last year but most seriously last fall with the tabling of the initial proposals in late November. Quite frankly I was really surprised at the degree and depth of response from my constituency. I represent the riding of Algoma in northern Ontario where we have a long tradition of hunting, target shooting, recreational uses of firearms and other reasons for having firearms.

I was surprised at how deep and emotional the response was to the issue. I have had a chance to meet with over 1,000 legitimate gun owners over the last few months and have received letters and phone calls from over 1,000 gun owners and have met many

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of them in groups and in private. I must emphasize that legitimate owners and users of firearms are law-abiding citizens who respect the law, who want the same kind of country that people in the cities want, a country that is safe for everybody.

I have to admit they make a good point when they say to me: "How do these new laws help the country become safer? How do these new laws not become a punishment for us?" We owe it to the legitimate gun-owning community to explain to them clearly, to provide them with details which indicate that they are not the victims in the situation but are partners with all Canadians in trying to make our country safer.

We have a way to go yet in providing full explanations. I am very hopeful that through the committee process, through this debate and future debates that many of these concerns will be addressed.

I have told the gun-owning community over and over again that I believe in parliamentary process. I believe that appropriate measures with respect to firearms control can be taken that respect the needs of rural and urban Canadians.

The balance between rural and urban Canada is difficult to find at the best of times but this is an instance where we must work together to find the balance. The primary purpose of my job with respect to Bill C-68 is to help my urban colleagues, urban members to understand better the needs of rural Canadians with respect to firearms legislation.

The issue is not really a partisan issue because it seems to cut urban-rural in all parties. At the same time, I do not want it to become a split between urban and rural Canada. It is an opportunity through the parliamentary process for both rural and urban Canadians to understand better the needs of the other.

It is incumbent on us to listen carefully to rural Canadians, those who legitimately use firearms, that they not become the target of this legislation. They must become partners. I look forward through this process to bringing forward ideas, amendments, proposals that will hopefully address these concerns. I will be seeking the co-operation of urban members in this regard.

I believe deeply that the minister has been listening to rural members, as he listens today. I believe we can, with good judgment, find solutions to this matter that will be helpful to all, including myself, a member representing a rural area. That is not to say all of my constituents are in favour of not doing something about gun control. I have constituents that are in favour of these measures. It cuts both ways. In my efforts to represent my constituents, I must remember that both sides are represented in my communities.

(1235)

I have some serious concerns with Bill C-68 that I will raise through the committee process and at third reading. I have invited my constituents, to the extent that they can, to participate in the process with me. I have guaranteed them my commitment to carry forward their concerns.

To start with, I would like to specifically talk about gun registration. My constituents have many concerns and worries when they have before them a plan to register their firearms. They worry that this will lead to the eventual confiscation of their firearms, particularly their long guns. They worry that the registration system will be an insecure information system to which criminals and others will have access, information concerning the firearms they possess.

They worry about the cost, to themselves as individuals and the cost to the country. They worry that the system will be cumbersome and that they will have to jump through hoops. They worry about privacy. The fact that they own firearms is a matter private to them and their families.

They wonder what impact registration will have on family violence and what impact it will have on the criminal element in our society.

We owe it to the legal gun-owning community to explain their concerns item by item. I do not believe we have adequately done that. We have an opportunity in the weeks and months ahead to do it. As I have in the past I will call on my colleague, the Attorney General, to help with those explanations.

Rather than go into the details of some of the things that I would like to see changed here, I will communicate with my constituents item by item as these matters come up. In view of the limitation of time, I wish to say that I have faith in the parliamentary process. I owe it to my constituents, not only on this issue but all issues to bring forward a balanced point of view.

I have tried to convince my constituents, the gun-owning community in my riding, that we have an opportunity with Bill C-68. I know many of them are upset. Much misinformation is out there but we have an opportunity here to correct some of the problems with existing legislation and to develop a system that hopefully will mean this is the last time we have to debate gun control in Parliament.

If we do a good job now as parliamentarians, if we do a good job listening to our constituents, and if the committee is prepared to listen and respond, as I am sure it will, then we can finally put this to rest.

As we have seen with the leadership in our budget, by the leadership of the government on the east coast and in many others areas, including measures that the Attorney General is

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dealing with in terms of high risk offenders, we too can respond to Canadians and come up with a solution that will be satisfactory. It may not be to everybody but it will to most.

In conclusion, I would like to acknowledge that at this very moment one of my constituents, John Rochon from Elliot Lake, is now in Argentina at the Pan American games. He is one of our shooters. He is a past medalist for our country and I wish him well. His wife, Donna, is at home waiting for news of progress in Argentina. It is people like John Rochon that are exemplary.

Lionel Houle is an elderly gentleman in Massey, Ontario who came to me with concerns about passing on his guns to his children. It is people like that who have convinced me that the gun-owning community in Canada deserves our respect, deserves to know that we care about their point of view. They are prepared to partner with urban Canadians to put this issue to rest once and for all and to obtain a solution that is effective for the entire country.

(1240)

Mr. Bob Mills (Red Deer, Ref.): Madam Speaker, it my pleasure to speak on the motion my colleague for Yorkton—Melville has put forward.

The motion recognizes the problems with Bill C-68 and the fact that the bill deals with two distinct areas: crime control, which everyone supports; and a repressive gun control scheme which will cost hundreds of millions of dollars, will not reduce crime and will turn thousands of Canadians into criminals for simply not registering their guns properly.

It is vitally important that the House legislates clearly and supports only those bills which deal effectively and efficiently with the problems of the country. The justice minister could have brought forward this kind of bill, but he put the two issues together. He knew that Canadians were sick and tired of violent criminals who use firearms. Therefore, Bill C-68 has tougher penalties, including minimum sentences of four years for certain crimes.

The bill also penalizes gun smugglers and provides a deterrent against smuggling crimes. Under the proposed legislation profits from smuggling and smugglers' vehicles can be seized. In addition gun smugglers can expect tough jail sentences when they are convicted. These are the types of measures that Canadians are calling for and I fully support those elements of the bill. In fact, I would like to see many of these penalties extended even further.

Unfortunately the legitimate desire of Canadians for crime control are exploited by Bill C-68 in order to forward the personal agenda of the justice minister. He has stated very clearly that he believes the army and police are the only ones in Canada that should be able to own guns. It is on the public record. Obviously the minister is using Bill C-68 to promote his own wish list and crack down on legitimate gun owners.

When the justice minister speaks about Bill C-68 he suggests there is wide support in the Canadian public for all elements of the bill. He cites polls and claims they support his views. What questions were asked? If you ask Canadians if they support legislation to reduce crime, of course they will say they support it. What are the facts?

This weekend I listened to a presentation by Brian Evans in Alberta and he made it very clear how the questions that are asked can determine the answers. He was quite open about showing the fallacies of the polling system. Again I remind the minister that John Diefenbaker probably stated best what polls are for.

What would Canadians say if we asked some of the following questions: First, do you believe that Canadians who do not register their guns should be subject to up to 10 years in prison, according to section 92 of the legislation? This means that a hunter who does not register his guns could be locked away for as long as multiple murderer, Denis Lortie, 10 years. How can this sort of extreme be justified?

Second, do you believe it is fair that under new rules allowing police to search for unregistered guns, all persons who do not "give the police officer all reasonable assistance" can be found guilty of an indictable offence and liable for a prison term of up to two years? This means that a farmer's wife who does not help the police to convict her husband by co-operating in a search for unregistered guns could be locked away for two years. Again this absolutely unbelievable.

Third, do you believe that the government should spend at least \$85 million to institute universal firearms registration? Of course the estimates go up into the hundreds of millions, depending on who you talk to. There is no evidence that this will reduce crime. When similar systems were tried in other countries they failed miserably.

The devil is in the details. When Bill C-68 is viewed in the light of these types of questions, we see how flawed this legislation is. In the justice minister's attempt to crack down on legitimate gun owners he is doing a fundamental disservice to all Canadians. Parliament cannot allow this to happen.

(1245)

The motion proposed by the member for Yorkton—Melville gives us an invaluable opportunity to get back on the right track and refocus our efforts on crime control which is the real issue in the eyes of Canadians. If we do this, then I am certain we will have all-party support for those measures that increase penalties for criminals. On the other hand, when it comes to universal firearms registration, splitting the bill will allow us to approach this debate in a direct way. If members of the House support the proposed motion, then maybe we will really see what the level of support for the minister's universal firearms registration plan is.

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In my own riding of Red Deer, the minister has told me by letter that 67 per cent of constituents support his universal gun registration program. Unfortunately though, when I invited the minister to test his theory by participating in an open town hall meeting in Red Deer, he would not come to my riding. Why not? If the minister believes his own claims then he should receive overwhelming support. I will tell you why not. The minister will not come to Red Deer because he knows my constituents do not support his registration process. He will not come because he knows his claims are ridiculous.

How do I know my constituents do not support universal registration? I have had over 5,461 constituents sign petitions against this legislation; I have had over 1,200 letters in the last two months; I have had hundreds of phone calls and contacts out on the street; all of this against universal firearms registration.

Some might ask whether I have had any from the other side. Yes, I have. My office has received fewer than 20 letters and I have received fewer than 10 phone calls supporting this bill. That is over 230 constituents to one against this bill. I ask: What clearer indication can I have as an MP? It seems astonishing to me that the justice minister could make such an outlandish claim that the people of Red Deer support this legislation by a margin of 2:1.

I travelled my entire constituency this past 10 days from early morning until late at night. I had six town hall meetings and many other meetings. I met many people. All of them are opposed to this legislation. Not one person has told me he is in favour of it.

There is no doubt in my mind that Bill C-68 will cause many problems if passed in its current form. Even with major amendments in committee this bill will still turn thousands of Canadians into criminals.

It has been made very clear that a number of justice ministers, including those from Alberta and Saskatchewan, will oppose this legislation and the enforcement of it. It will cost hundreds of millions of dollars if we count the enforcement costs. It will impose a tax on legal gun owners through registration fees and will threaten the private property of approximately seven million Canadians.

This legislation is unacceptable. Therefore I urge the House to act responsibly and adopt the motion of the hon. member for Yorkton—Melville. Let us split the bill into two portions.

The first part will contain those parts of the bill dealing with crime control. We will send out a tough and unified message that violent criminals and smugglers will be punished severely for their crimes. That is what the Canadian people are saying. I have heard that message in Montreal and Toronto, and I have certainly heard it in the west. It is the same message. They are against crime and are demanding crime control.

The second part of the bill will deal with the government's very unfair universal firearms registration system. In the interests of Canadians we will strike down that proposed legislation. I believe that will be right across the board as well.

We have an opportunity to clarify what the minister has mixed up. It is our responsibility as members of Parliament to do this. I request the support of all members for the proposed motion.

Ms. Roseanne Skoke (Central Nova, Lib.): Madam Speaker, I rise today to debate at second reading Bill C-68, an act respecting firearms and other weapons. Bill C-68 is 124 pages long and contains 186 legislative provisions which include amendments to the Criminal Code of Canada and creates a new separate statute, the firearms act.

(1250)

Moreover this bill would completely reorganize the gun control system putting provisions of a regulatory type in the proposed new firearms act while leaving the Criminal Code penalties in part III of the Criminal Code. It would also reorganize the classification of firearms and other weapons and the means by which controls are imposed on their acquisition, possession, use and transportation.

The three pillars of the existing system, controls on access, controls on particular kinds of firearms, and criminal penalties, would continue to exist but their forms would change. In particular much of the balance of the system would shift to controls focusing directly on persons rather than on kinds of firearms.

The Minister of Justice in opening the debate at second reading stage urged this hon. House to adopt the legislation in principle before sending it to the Standing Committee on Justice and Legal Affairs for detailed consideration clause by clause. The justice minister outlined three principles that motivated this government to introduce Bill C-68.

The first principle is that Canadians do not want to live in a country wherein the people feel they want or need to possess a firearm for protection.

The second principle is that if we are to retain our safe and peaceful character as a country, those who use a firearm in the commission of a crime will be severely punished. For example, those who smuggle illegal firearms, those who traffic in illegal firearms and those who profit by putting guns into the hands of criminals must know that penalties for such conduct must be certain and significant.

The third principle is that as a government we must acknowledge and respect the legitimate use of firearms by law-abiding Canadian citizens.

It would include but would not be limited to the respect for our Canadian heritage and culture regarding the traditions of hunting not only as a favourite pastime but as a very important economic activity contributing directly to the prosperity of many regions in Canada, and those whose livelihoods are solely

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dependent upon firearms. Government must acknowledge and respect the use of firearms for farming, ranching and hunting. We must not interfere with this. Also to be acknowledged are those who collect firearms and those who enjoy shooting sports and so on.

The third principle in summary recognizes and respects the rights and interests of law-abiding Canadian citizens. However while these legitimate interests are acknowledged and respected, Bill C-68 requires that they be carried on in a context that is consistent with public safety.

The three principles as outlined by the justice minister are fundamentally sound. They are consistent with the objectives of good government, a peaceful and safe society and an effective response to the criminal misuse of firearms and enhanced public safety.

It must be understood that the universal registration of firearms is a fundamental strategy, a fundamental support system that the government intends to use to achieve the principles and objectives previously outlined. It is at this point that controversy and a divergence of opinion ensue in debate.

There is popular public opinion calling for more stringent gun control measures principally in reaction to recent violent crimes. On the other hand, there is also public opinion that certain restrictive gun control measures are inappropriate and will not adequately solve the problems of violent crimes.

Specifically my constituents of Central Nova have expressed to me concerns and interests regarding the effect and impact Bill C-68 and universal registration will have upon them as law-abiding gun owners. By letters, by petitions and by 800 constituents attending two separate public forums they expressed their concerns, fears and apprehensions regarding the federal government's firearms control program which was announced on November 30, 1994.

Constituents of Central Nova raised issues regarding the fundamental strategy of the universal firearms registration. The concerns raised were: first, that registration would potentially lead to confiscation of their guns; second, that registration would interfere with the property rights and charter of rights, specifically to the right to security of person and property; third, that the ownership of a gun is a right and not a privilege; fourth, they failed to see the positive effects of gun registration in deterring and reducing crime in Canada.

I trust that to satisfy my constituents' concerns the constitutional validity of universal firearms registration and prohibition will be examined and considered in the Standing Committee on Justice and Legal Affairs.

(1255)

Some Central Nova constituents also raised a concern regarding the cost of registration both to taxpayers and gun owners. There appears to be much public misinformation in this regard. The Minister of Justice was quite clear on debate that the cost to gun owners in the first year of the five-year implementation period is expected to be zero. If for some reason it is not zero, it will be a nominal amount in the range of \$10. The estimated cost of implementing the universal registration system over the next five years will be \$85 million. This estimated cost will be reviewed in detail by the standing committee.

Potential non-compliance with Bill C-68 has been raised as an issue and how such non-compliance will be enforced. In my riding in discussing the issue of future non-compliance reference was made to past non-compliance. Reference was specifically made to the failure of police and crown prosecutors to enforce existing provisions of the Criminal Code of Canada regarding the usage of a weapon in the commission of an offence. Concern was expressed that crown prosecutors were irresponsible and failed to uphold public trust by plea bargaining and failing to enforce the existing provisions.

It should be noted that this concern is addressed by Bill C-68. Bill C-68 will toughen the penalties of the criminal misuse of firearms. With the restructuring of the Criminal Code there will no longer be plea bargaining of charges relating to the use of firearms because the penalties will be woven directly into the sections which provide for the offences themselves.

The firearms owners of Central Nova raised the concern that they were offended by having to consult the Criminal Code to determine the manner in which their private ownership of firearms was to be regulated. This concern has been addressed by Bill C-68 by the government changing the Criminal Code to toughen sanctions and by contemplating a separate statute, the firearms act, to deal with the regulatory aspects in relation to firearms acquisition, use and ownership.

Further concerns were raised in my constituency from the gun clubs and target shooters. These are highly skilled people, very law abiding and conscientious in their sport. These Canadians want to continue in those sports.

The justice minister has assured this honourable House that when Bill C-68 goes to the justice committee following second reading debate he will ask the committee to look at specific changes in the law. This is unprecedented and should be commended for being open to change and scrutiny of a government bill. The Minister of Justice stated in *Hansard*:

First of all, to ensure that we are accommodating all of those sporting competitions with handguns, we have already made it clear that the .22-.32 calibre Walther used by Linda Thom at the 1984 Olympics will not be covered by the ban. We want the

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committee to take the advice of the International Shooting Union to determine whether there are other handguns that should be exempted so that legitimate sporting activities will not be threatened.

Second, I will ask the committee to examine the question of whether there are black powder shooting events that might be affected by this legislation. It is not our intention in any way to limit historical re-enactments with the use of reproductions. We do not believe we have done that but we will ask the committee to look specifically at that question and to let us know whether additional technical amendments are required to make the meaning clear.

Third, we will ask the committee to look at the question of relics and heirlooms, recognizing that there are families and individuals who want to pass on to the next generation firearms that they have acquired and that have a specific sentimental or historical value to the family. That should be respected. We will ask the committee to fashion a way to allow it to happen consistently with the imperatives of public safety.

These three items were of concern to my constituents of Central Nova. I am satisfied that the justice minister will see that they are properly addressed.

The Minister of Justice stressed that Canadians will have the opportunity to make their views known when the legislation is reviewed by the House of Commons Standing Committee on Justice and Legal Affairs. I trust that the concerns of my constituents will be addressed. I urge all my constituents to partake in the legislative process by making their views known to the House of Commons committee.

(1300)

[Translation]

Mr. Gilbert Fillion (Chicoutimi, BQ): Madam Speaker, on February 14, the Minister of Justice and Attorney General of Canada tabled in this House his firearms bill to strengthen control over such weapons. It was high time. I support this bill, although my feeling is that it does not go far enough. I consider it is about time a country such as ours enacts legislation to protect all citizens.

We all know that gun-related crime has increased dramatically. We all remember the tragedy that occurred in the Quebec National Assembly, ten years or so ago, and the dreadful massacre at l'École Polytechnique, just a few years ago. Every day that goes by we hear about firearms being used to assault, threaten, intimidate and kill. Possessing a firearm gives criminals a great illusion of power, authority and strength.

In November, the president of the Canadian Association of Chiefs of Police commented that the issue of legal possession of firearms was not a game. The public, including hunters, competitive shooters, collectors and shooters, all people for whom I have great respect and law-abiding citizens, should consider these controls as reaffirming their rights and responsibilities. It

is up to them to act on reaffirming their rights and responsibilities.

There is no doubt that a more structured control system, providing among other things for the registration of all firearms, will help make this country a safer and more peaceful place to be for all of us. Indeed, weapons are dangerous and there is a need to legislate in this respect. The Minister of Justice and Attorney General of Canada is on the right track with Bill C-68. However, I firmly believe, as stated previously, that this bill does not go far enough and that the minister should use coroner Anne-Marie David's report, released on January 26, as a model.

As Ms. David suggested, has the time not come to revise the wording of regulations concerning the safe storage, display and transportation of firearms so as to make it more easily accessible to all? While ignorance of the law is no excuse, is it not the justice minister's role to make it easier to understand? Time has come to review regulations and require businesses to lock up, and even render inoperative, any firearm for sale.

Also, restricted firearms should only be stored in a vault. These regulations should not authorize weapons without a safety locking mechanism to be delivered to anyone. I would even add that the Minister of Justice should amend the Criminal Code to provide that firearms will systematically be confiscated if regulations are not complied with.

(1305)

Instead of spending millions of dollars on useless bodies such as the one on Canadian unity, should the government not invest these moneys in education and information programs for the public at large and for specific groups such as hunters, gun collectors, members of shooting clubs and others?

Several provisions in this bill need to be clarified. By spreading over an eight-year period the registration process for gun owners and firearms, did the Minister of Justice simply give in to the gun lobby, or did he want to please some members of his caucus? I am sceptical as to the deterring effect of such a reform.

The gun lobby encourages people to buy arms to protect themselves. Yet, it is proven that people are safer when they are not armed. A firearm kept in a house is 43 times more likely to kill a member of that household than an intruder. Why wait eight years, considering that a homicide is three times more likely to be committed in a home where a firearm is kept, while a suicide is five times more likely to occur?

Canadians, health specialists and particularly crime prevention experts all ask, and rightly so, for greater control over firearms. In Canada, 42 per cent of women killed by their spouse are shot, four times out of five with a gun or a rifle. Moreover, 78 per cent of these firearms are legally owned. Again, I ask the

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question: Why spread the whole registration process over an eight-year period? I am convinced that, as elected representatives of the public, we could help save human lives simply by reducing as much as possible that registration period.

Is it really reasonable to allow 13,000 military-type automatic weapons in the country, considering that such firearms are designed for rapid fire in a combat situation?

More than 560,000 Quebecers and Canadians signed a petition asking that military-type weapons be banned. Yet, the new legislation allows gun collectors to own such firearms. Why? Why this fixation about firearms?

According to a recent survey, 84 per cent of Canadians, including 71 per cent of gun owners, support a ban on military weapons. Again, I find it unacceptable to make it perfectly legal for the owners of these 13,000 firearms to keep such weapons.

We need a more rigid form of gun control.

(1310)

In my opinion, current legislation is inadequate, and Bill C-68 still does not go far enough, both in terms of its restrictions, as well as its deterring and punitive effects. It is our role to protect members of the public, often against their wishes.

[English]

Ms. Hedy Fry (Parliamentary Secretary to Minister of Health, Lib.): Madam Speaker, not only is it an honour for me to speak to the bill, I am enthusiastic and I would like to applaud something that is long overdue. The bill addresses the health and safety of Canadians. As Parliamentary Secretary to the Minister of Health, health and safety are extremely important to me.

Guns threaten, guns injure, and guns kill. I understand that guns are an important component of life in many parts of Canada: for hunters who live in isolated parts of the country and for people who play some competitive sports. Guns are also very important to the tourism industry.

The bill is not intended to harm that group of people or to stop any sport or tourism or person who wants to hunt in any sporting way. The bill is something most responsible gun owners would support. The firearms act seeks to bring into line those people who by their irresponsible use of firearms create a bad name for law-abiding gun owners, which is why the bill is supported by 68 per cent of gun owners. Those who operate within the law and act responsibly in storing and using their guns see nothing to fear in the bill.

The Canadian Centre for Justice Statistics and the Department of Justice have compiled a lot of startling data on the issue of guns. I bring them to the attention of the House today because they are what frightens me about the whole issue. Firearms

cause suicide. Some 1,100 suicides a year are committed with guns, which means that 78 per cent of firearm deaths are suicides. In 1990, 300 of the suicides were committed by 15 to 25-year-old youths. People who commit suicide with a gun have a 92 per cent success rate, compared with only 35 per cent if other means are used.

As a physician and a mother this is totally unacceptable to me. It is alarming and it is sad. I know as many health and social workers know that suicide attempts by young people are often only a cry for help by very desperate and frightened youth. As a physician I have treated many of those desperate and frightened youth who would not be alive today if they had access to guns.

Firearms not only decimate our youth but firearms create other household tragedies. Firearms victimize women. Over 40 per cent of women killed by their husbands each year are shot. Every six days a woman is shot to death in Canada in her own home by a legally owned gun.

In March 1992 the Department of Justice showed that 78.3 per cent of domestic homicides in Canada involving the use of firearms were by legally owned guns. I stress that they were legally owned guns. We know that domestic violence is endemic in society but firearms transform violence into murder. One fit of anger, one violent rage combined with access to a gun, can result in a dead woman.

These are not the only disturbing statistics about violence with firearms against women. In 1993, 75 per cent of female victims were killed in a private residence; 85 per cent of the guns used to kill women were specifically rifles and shotguns; and 82 per cent of the rifles and shotguns were legally owned at the time of the shooting.

Is this the type of society we want to maintain, where women and children are not safe in their own homes? Is this the freedom espoused by those who oppose the bill? Is there any freedom at the end of a gun? I would argue that there is not.

Deaths by firearms are preventable deaths. Injuries by firearms cost our public health care system millions of dollars a year. Over 1,000 firearm related deaths and injuries are treated in Canadian hospitals each year. The cost of this is estimated between \$15 million to \$30 million per year. Therefore in my book firearms present a major health hazard; in the book of anyone interested in public health and safety. Even if the value of human life lost is not very important to the members of the third party, I am sure that the cost to the health care system might make them think twice because it is enormous. I believe \$30 million a year is enormous. They did not factor into their recent budget the cost of firearms related injuries to the health care system.

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(1315)

One of the things that alarms me about firearms is that at the moment we do not have any data on the number of firearms in this country. Anyone who knows anything about public health will know data gathering is extremely important in preventive measures in health. The epidemiology of any disease or any health hazard, whether it be a virus, a bacteria, a poor sewage system or a gun depends on the amount of data we have.

There are very limited data right now on guns. We do not know exactly how many guns are in Canada. The gun lobby says there are 22 million. The Department of Justices says there are six million. It profoundly disturbs me that we have no real figures to answer this question. We know how many bicycles, how many cars and how many dogs there are but we do not know how many firearms there are. This is completely unacceptable.

This act will give us the database we need to take the preventive health measures we need to make this a safe and healthy society. By mandatory registration we will take the guns out of the closets and put them where we can find out exactly how many there are.

When police are called to an incident in a home they will know if they are walking into a risk or not. When police try to go to homes where there is domestic violence they will know whether they have to remove a gun because the woman in that house is in danger. Guns are lethal weapons and so it makes sense to have them registered, traceable and retrievable by our police forces in the case of use or abuse.

Some of my constituents have questioned the potential costs of this registration. I can understand that in a time of fiscal control we do not want to incur costs to the government. However, the justice minister tells us it will cost \$85 million over seven years to register these guns.

To the members of the third party, I do not believe \$85 million over seven years is too much money to spend on saving lives and decreasing disability, especially when balanced against the savings to the health care system. I hope even the members of the third party can figure out the mathematics of that simple equation.

Another concern raised by my constituents was they would be restricted from using firearms in the film industry, a major industry in British Columbia. I am pleased to say they can rest assured this new bill will not prohibit that.

Some other members of my community are concerned because they will not be able to export their replica firearms or that the investment value of their antique firearms will be decreased. Article 22 of this bill provides for the transfer, that is the sale, barter or donation of firearms, to persons who hold licences to acquire and possess that particular class of firearm. Their collections will not be devalued or frozen because they can

continue to trade and sell their firearms with people who have the same type of firearms.

More important, in a democracy we must follow the will of the people. The majority of Canadians, 86 per cent of all respondents to a recent Angus Reid poll, said they support strong gun control measures, 68 per cent of whom are firearm owners. Eighty-four per cent of respondents support a total ban on military weapons, 71 per cent of whom are gun owners. Seventy-one per cent of Canadians support a ban on handguns, 54 per cent of whom are gun owners. It is clear Canadians everywhere think gun control is very important.

People talk a lot about the right to bear firearms. Nowhere is this in the Canadian Constitution. The responsibility to store, register and use firearms reasonably and safely is incumbent upon anyone who feels it is their right to own a gun.

(1320)

Peace, order and good government are what the Canadian Constitution is all about and what Canada stands for. With this bill we will ensure that we continue to have peace, order and good government and that a cause of death and disability will be removed.

Mr. Myron Thompson (Wild Rose, Ref.): Madam Speaker, I would like to thank my colleague for his amendment to this bill. It is too bad the other members of the House are not knowledgeable enough about what we are talking about to address the splitting of this bill. I have not heard anything in that direction since it was announced over an hour ago that this is what we were supposed to be speaking about.

There comes a time during every government when those creating the legislation must face up to the reality of an issue and not the politics of an issue. This is one of those times.

The justice minister has tabled what he terms a firearm control measure, Bill C-68. Unfortunately this bill goes far beyond control and borders on the unreal. Realism in any bill means that the goals and the attentions of the proposed legislation are within guidelines established by and for the people governed by democratic values.

This bill allows neither governing by nor for the people. It certainly is not democratic in values or purpose. This bill seeks to be all things desired by a select group of individuals and special interests and removes democratic choice and ultimately democracy from law-abiding citizens who choose to hold private property deemed by the few and select to be tainted goods.

Instead of attacking the problems of criminal intent, this bill attacks the rights of peace loving and law-abiding citizens who safely use and own property without concern for due process and democratic values.

That is why this bill must be split. There are two paths in this bill. One addresses the need for safety and security of the person. It binds the law-abiding people of this land together, a path that mandates the state to protect its citizens from the

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ravages of those who believe power is purchased with violent, threatening and immoral means. No Canadian will have a problem travelling this roadway.

However, this bill also has another path, one of control demanded by the anointed few who have hoodwinked this government. They have blinded it with dreams of power by demanding it place them above the freedom of Canadians to choose.

This second path gives the power of right and wrong, good and evil to the few who believe those not accepting their mandate or their way are the criminals. To the select few, those who are law-abiding, hard working, family oriented, loving and caring but who choose to purchase and own a rifle or shotgun cannot be trusted, say the few, and will turn into immoral and radical outlaws.

This bill offers strict, swift and sure punishment for those who break our laws or who threaten to intimidate our citizens. This bill also offers dictatorial powers to the few individuals who believe theirs is the only understanding and the only truth.

This bill must be split along those thoughts so that Canadians can decide whether criminals must pay for their crimes and whether Canadians will allow the decree of the few to dictate to the many.

This can be easily done. All that is required is for this government to stand up for the principles of democracy cherished by the citizens of this land and make the decision to put the wishes of the many ahead of the demands of the few elites and special interests.

Perhaps this decision may not be as easy as stated, for all Canadians know this government only listens to the chosen social engineers and elites who continually confirm they know best.

Perhaps this government was controlled and dominated for so long by the politically correct who live and breathe and function in their ivory towers and have no inkling what really exists below their utopian vision of never-never land that it cannot choose of its own free will to place the people of Canada ahead of its favourite few chosen friends.

(1325)

In either case, whether the government has the political will to really consult Canadians or not, Canadians will know of the lack of vision and understanding the government possesses. The justice minister saw nothing wrong with the extraordinary order in council powers this bill would give his cronies.

The members of this party are so blinded by false polls and false idols of power promised by special interests that they are overlooking the clauses and language in this bill that create an

all powerful super structure of select dictatorship within their own government.

The members of this government who publicly state they support this bill are telling their constituents in private they will not vote for this bill. That is another reason why this bill must be split.

This bill is causing constituents to lose faith in politicians. Canadians want accountability from their members and this bill will only weaken further the faith of constituents. Constituents have had enough the two tailed explanations offered by Liberal members.

Splitting this bill will allow those deserving the wrath of taxpaying Canadians—criminals who believe power does come from the barrel of a gun—to be quickly shown that power comes from the will of the people.

At the same time it will give those members opposite the opportunity to fully explain the other portions of this bill which the members opposite have no doubt been instructed not to mention to voters.

Why is it every time we on this side of the House mention rifles and shotguns those on that side of the House speak of handguns? My guess is that many voters do not know that Canada currently has the toughest regulations regarding registration, ownership and purchase of handguns of any country.

The government knows many Canadians accept the ponderings that handguns are on the same scale as rifles and shotguns from their members when those same Liberals know that current regulations concerning handguns require police investigation, mental fitness exams and questioning associates in the community to determine whether an applicant deserves handgun ownership.

These same members opposite do not state the current requirements in this House for fear Canadians will fully understand that handgun ownership is already extremely difficult. Instead they say handgun ownership in the same breath with rifles and shotguns to further dilute the truth.

Splitting this bill will allow law enforcement agencies to immediately demonstrate to violent criminals that society will not and cannot tolerate crime. Splitting this bill will allow immediate passage of the crime control clauses.

Splitting this bill will allow the removal of those sections that declare law-abiding, chosen private property owning Canadians villains. It will allow Canadians to no longer fear being classified as criminals because social engineering elites have decided that law-abiding Canadians cannot choose what is right and decent and honourable for them.

We will no doubt continue to hear words such as murder, abuse and mayhem from the members opposite in the same breath as crime control. That is acceptable as long as those words are aimed at the proper target, those who truly are

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criminals, those who believe that power and control from the barrel of an illegally obtained handgun is the end all and be all to their existence.

Members opposite will try to convince Canadians that family oriented, loving and caring Canadians who choose target shooting, hunting or competitive shooting as a sport are the same as hardened criminals who place Canadians in grave or mortal danger.

We all know those words are further attempts at giving the elite the means to control our society through the portions of Bill C-68 never mentioned by members of this government

We all know those members opposite are being extorted to hide the true facts about the order in council clauses of this bill. They give absolute authority to the few elite and the few among the Liberals who still believe that total control from the top is the end all and be all of their mandate and that true democracy by way of frank and open debate with those who have opposing views is and must be opposed at all costs. That might convince Canadians they have a choice, intelligence and an opinion.

(1330)

In conclusion, there has been a wake-up call to politicians from all Canadians indicating to each and every one of us that they will have a voice from this day forward in what comes out of the House, and so they should. I encourage them to continue to be involved in this very contentious issue.

Mr. Paul DeVillers (Simcoe North, Lib.): Madam Speaker, I am pleased to participate in the debate on Bill C-68, an act respecting firearms and other weapons. As is the case in many rural ridings, the legislation has elicited a great deal of interest among my constituents.

Everyone participating in the discussion should do so with the following three points in mind. First, the government promised to toughen firearms legislation during the last election campaign and was elected with a strong mandate. Second, opinion research indicates a very high level of support among Canadians for the legislative initiative. Third, firearms owners have legitimate concerns about the proposed law. If we do not work with these axioms in mind, we will not have the constructive and open debate this important issue merits.

The Minister of Justice introduced a broad set of measures intended to increase public security in Canada. While I have difficulty fully appreciating all the benefits of registering rifles and shotguns, I nonetheless support most of the provisions in the bill.

Most Canadians, even the most sceptical, would admit there is some good in the legislation.

[*Translation*]

However, this debate is about how we can improve this bill even more, to make it acceptable to a larger number of Canadians. As we saw with the GST, for instance, if a new bill is not widely accepted, it will fail to do what it is supposed to do.

During the past few months I have received hundreds of cards and many telephone calls, faxes and letters representing the two poles of this debate. I met a number of constituents personally and also attended regularly the meetings of a special firearms owners advisory committee.

Of the approximately 500 residents of Simcoe North who communicated with me on this bill, about 10 per cent supported the bill and 90 per cent were opposed. The majority of the latter group expressed their views through a mail-in campaign.

[*English*]

Despite the opinion research showing strong support in every region of Canada for the measures contained in Bill C-68, it is clear that large numbers of hunters, target shooters and gun collectors are very dissatisfied. As legislators I feel we should do our utmost to balance these concerns with the will of the majority of Canadians. If we can eliminate the dogmatic rhetoric emanating from those with entrenched positions on either side of the issue and debate the matter with a rational approach and an open mind, we can make important progress toward this balance.

An example of a compromise that would not water down the bill in any way but would certainly render it fair in practice and in perception is the following: Bill C-68 could be significantly improved by removing from the Criminal Code the penalties in section 91 for non-registration in cases where the contravention is not wilful, for example where there has been an oversight. This type of non-registration would be more justly dealt with under the newly created firearms act.

Penalties for wilful non-registration in section 92 could remain in the Criminal Code. This simple amendment would take nothing away from the strength of the bill but would ensure that law-abiding Canadians are not recorded as having criminal records due to an omission, oversight or ignorance of the law. In my opinion the amendment would dispel much of the concern felt by many firearm owners.

(1335)

I have received a legal opinion that not only would the amendment be constitutional but it would actually improve the constitutionality of the bill. I have requested an opportunity to appear before the Standing Committee on Justice and Legal Affairs to seek its support for the amendment. Barring a chance

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to appear before the standing committee, I propose to move a motion in the House during report stage debate.

[*Translation*]

We have all witnessed the atmosphere of suspicion and misinformation around discussions on gun control. Quite frankly, much of the problem is due to a lack of information about the repercussions of the bill. We should not be surprised that gun owners get upset when their members of Parliament are unable to answer very basic questions like: how much will it cost?

The question is a legitimate one, and I would like to be able to give a clear and precise. In the absence of detailed information, individuals and organizations that have a vested interest in giving Canadians the worst case scenario have been quick to provide their own answers to these questions, sometimes drawing alarmist conclusions that have been greatly exaggerated.

For instance, in my riding people say it will cost between \$86 and \$102 to register a firearm. However, the Minister of Justice figures that it will cost only \$10 for up to ten firearms. If we cannot prove they are wrong, many people will think these agents of the gun lobby have absolute credibility.

[*English*]

The firearm debate has had a very polarizing dynamic. We have very determined firearm owners on one side and equally determined people on the other side who would rather not see guns in society. Both have legitimate and compelling concerns.

It is for this reason we as parliamentarians must try to take the middle road. Although the middle of the road approach may not satisfy extremists at either end of the spectrum, it will be satisfactory to the majority of Canadians. Canadians pride themselves as a fair and just people, but we must not forget our heritage and that even today firearms activities such as hunting, targeting shooting and collecting are important components of the Canadian identity particularly in rural areas.

The proposals embodied in the bill were introduced last November. In response to input from individual firearm owners and organizations that represent them, the legislation we are debating today contains important improvements to the original proposals. For example, owners of firearms in the restricted category will now be able to buy and sell to others in the same category. In addition to other provisions for divesting of restricted firearms, this will ensure that owners of restricted firearms will have a reasonable choice of options if they choose to retrieve their investment.

These substantial amendments to the original proposal demonstrate there is still room for compromise without undermining the basic principles of the bill. That is why I am proposing an amendment to remove from the Criminal Code the penalties in

section 91 for non-registration in cases where the contravention is not wilful. The amendment will make the legislation more just and will increase the degree of compliance without reducing its impact.

In addition to universal registration, Bill C-68 contains many excellent provisions that will undoubtedly improve public safety. I cannot say that I support every aspect of the legislation without reservation, but if I had to give it a grade it would be a *b* plus, and that is a decent pass.

I intend to vote in favour of Bill C-68, but in respect of the legitimate concerns expressed to me by firearms owners in Simcoe North and in view of my personal reservations I am seeking remedial action in the form of the amendment I described.

[*Translation*]

Mr. Bernard St-Laurent (Manicouagan, BQ): Madam Speaker, our concerns with regard to the legislation on gun control are shared by many of my fellow Canadians. We cannot, however, remain insensitive to the statistics on the number of shooting deaths.

(1340)

Firearms are involved in over one third of the homicides in Canada. Most of the homicides in the past six years were committed with shotguns or hunting rifles. In three cases out of four, a murdered wife was slain with a hunting shotgun or rifle.

Closer to home, in Quebec, between 1990 and 1992, there were 1,293 deaths attributable to shootings—an average of 425 deaths annually. Three deaths by shooting out of four, in Quebec as well, were suicides, for a total of approximately 300 suicides annually. These sombre statistics are very eloquent. They cannot therefore be ignored. It was essential to ensure a strict application of the provisions of the Criminal Code on the use of firearms. Moreover the regulations in force under the old legislation governing the acquisition, storage and transportation of firearms were incoherent and difficult to apply.

The Minister of Justice had to make them understandable and accessible to everyone. But, did he do so? Let us take the time to consider a few paragraphs.

The Bloc Québécois favours gun control without discriminating against those who use firearms reasonably and responsibly. I gave some statistics earlier. Here are some more. A descriptive study on suicides, homicides and accidental deaths by shooting was done on a data base available in the files of the coroner. For example, a number of files were examined by the Quebec coroner. The tally of deaths caused by firearms: from 1990 to 1992, 38 accidental deaths; from 1992 to 1993, 572 suicides; from 1991 to 1993, 227 homicides.

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The goal of this study was to obtain information on the firearm used, its owner and the situation leading to the incident, in addition to the characteristics of the victims and the circumstances of the incident.

Thus we can see that guns are the preferred means used by people who want to end it all. Let us look at the specific aspects of this kind of death. Between 1990 and 1992, a gun was used in 26 per cent of all suicides. This percentage varies by age group. Thirty-seven per cent of all people under 20 years of age use a gun to commit suicide. In the 20 to 29 age bracket, this percentage drops to 27 per cent, and bottoms out at 25 per cent for people 30 years of age and older.

What is the age of the victim? The rate at which people 10 years of age or older use a gun to commit suicide is 5.2 per 100,000. However, we find the highest rate in the 15 to 24 age bracket, which is 7 per 100,000. Men, in a proportion of 92.7 per cent, use guns to commit suicide, compared to women who, naturally, make up the difference of 7.3 per cent.

I would like to continue by citing an interesting statistic which, unfortunately, concerns my region. The average annual suicide rate varies from 1.9 to 16.5 per 100,000 depending on the region. The rate is highest in the north of Quebec and in Abitibi.

As you can see, guns are not always put to good use in my riding. The riding of Manicouagan has a very high unemployment rate, which exceeds the average in other ridings.

Geography has somewhat isolated us from big centres, and this is an added stress weighing on residents and is also one of the contributing factors to the high suicide rate. The isolation factor should be considered in the analysis. However, this region is graced with all of nature's splendours, and, like the North Shore region, offers its residents so much untouched nature and free access to the oldest sports on earth: hunting and fishing.

As you guessed, residents of the North Shore need their guns to hunt. They can put them to a full and healthy use and they have proved this for many years.

(1345)

With or without regulations, these people are able to make proper use of their weapons—for recreational purposes, needless to say.

Although it is important that Bill C-68 meet one of the goals established, namely gun control—no one in the Bloc Québécois is against this—, we must be very careful not to dig too deeply into taxpayers' pockets under the pretext of exercising some control.

We must ensure, among other things, that the registration fees collected by the department are not a kind of hidden tax. The Bloc Québécois is very wary of this.

Although we certainly agree with the principle that firearms must be better controlled and monitored, we should also be honest enough to admit that since a large number of firearms are used by suicidal people, gun control and registration will not solve the problem of suicide. Let us not forget that those who try to kill themselves with firearms may do so because they already have them in their possession; if not, the vast majority of them will simply use something else.

In closing, yes, the Bloc Québécois is in favour of better gun control. We must, however, avoid imposing extra costs on people like those in my riding who do not need them. These people are fed up with having to pay more and more all the time.

With all its facilities designed to control the system, the department is certainly in a position to control travel costs, so that Quebec taxpayers, including those in Manicouagan, do not have to pay excessive costs.

[English]

Mr. Joe McGuire (Egmont, Lib.): Madam Speaker, when the Minister of Justice announced his firearms control program in November 1994 he did so after extensive consultation with individuals, groups, organizations and various government departments.

The overwhelming support of the Canadian people for the program shows that the minister listened well and responded to the concerns expressed during that consultative period. Headlines, editorials and columns in newspapers across the country almost unanimously repeat the theme "Gun control law on target".

When we look at our neighbours to the south we see a society that has enshrined in its constitution the right to bear arms. This emphasis on rugged individualism is characterized in part by the fascination with guns in the United States. Its citizens have embraced an all-pervasive, gun-toting culture.

Canadians do not share the American fascination with guns. Our society is essentially different from theirs and in an overwhelming fashion this has been communicated to the Minister of Justice. The minister has proposed legislation which is a reasonable response to the desire of Canadians to maintain a different social and cultural attitude toward guns. Canada must not slip into the gun mentality of the United States. As the minister said: "Canadians do not want to live in a society where they feel they need to own a gun for protection".

I do not believe it is possible to devise gun control legislation that will satisfy all Canadians. However, I do believe that with this legislation the minister has taken a colossal step in the right direction. He has used a two-pronged, balanced approach in attacking the public safety problem on the one side and the use of weapons in criminal activity on the other. The law will not resolve all our problems, but as a Montreal *Gazette* editorial

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stated: "It is a superb and courageous proposal for gun control. It is almost everything that anti-crime advocates could ask for".

The legislation is also a reflection of the wishes and even the demands of the Canadian people, that we toughen our laws and our positions, that we make things tougher for criminals and that we improve the level of safety in the streets and homes of our nation.

The government was given a mandate in the last election to strengthen gun control laws. The Liberal program made that promise. It is most appropriate that the Minister of Justice, with the support of Parliament, move to fulfil it.

(1350)

Debate on this legislation will provide opponents with the opportunity to seek changes in the areas to which they object. However at the end of the day the will of the majority must prevail. It is most distressing to have Reform Party members indicate that they are not content to seek change but that they will flaunt the will of the majority and put themselves above the law.

It is distressing to hear statements that reflect a kind of wild frontier mentality. "I do not like the law, therefore I will break it". At this point, it is not simply a question of guns or gun control but rather a question of democracy.

The legislative proposals have been dealt with in detail by members who have spoken previously but I feel I should mention some of them again in brief. On the get tough on criminals side of the ledger, there will be a mandatory minimum sentence of four years in prison for the use of a firearm in the commission of any of 10 specific violent offences. This is not only a suitable penalty for such crimes but should also serve as a deterrent to the use of a firearm in the commission of crime.

There will be increased penalties for illegal importing and trafficking of firearms. These will be accomplished by increased border controls and surveillance measures.

On the other side of the ledger—the enhancement of public safety—there are two main items: a law applying to certain types of handguns, the restricted buying and selling of others and a national registration system for all firearms.

This registration will be administered by the RCMP in co-operation with the provinces and territories. Virtually no one has a problem with the get tough on criminals part of the legislation. If there is a criticism, it is that the mandatory sentences are not severe enough.

However when we get to the area of handguns, opposition grows. I believe that the treatment of handguns is eminently defensible. Target shooting and collecting are both legitimate

exercises and adequate provisions are made for both of them in the bill. These handguns and certain other prohibited firearms are also able to be bought and sold among existing owners. On the issue of handguns, I want to include a quote from Ontario Judge Hugh Locke.

When delivering a decision involving possession of a restricted weapon, Justice Locke said: "Handguns are the scourge of the human race and their unlawful possession must be totally discouraged. Such weapons are useful for one purpose and one purpose only. They are employed to kill and maim human beings. Our society is plagued with those who feel handguns are a normal part of one's equipment. They are not".

On the subject of registration, nowhere in the legislation does it say that Canadians have to give up their guns. However it does say that Canadians must register all of their guns. Granted, registration is an inconvenience and will have a cost attached but the whole registration process allows for seven years before it is fully mandatory and the cost is minimal.

The minister recognized that the proposed legislation may not yet be in its best or final form. There are concerns about cost, about the treatment of relics and heirlooms and the legitimacy of certain types of guns. The House of Commons Standing Committee on Justice and Legal Affairs will hold hearings so that concerns such as these may be addressed.

Opposition on the basis of slogans such as "registration today, confiscation tomorrow", promoting the idea that a tyrannical government is disarming its citizens to make it easier to suppress and oppose them is nonsense. It is fanatical nonsense and seriously diminishes the credibility of those who espouse such beliefs. When we discuss legislation of this nature, I believe it is important that we talk to the people on the front lines, the ones who live it on a daily basis.

P.E.I. is considered to be quite a peaceful society even by Canadian standards. I would like to put the following letter on the record. This letter is from Transition House and was written by Joanne Ings, executive director:

As you are aware, the P.E.I. Transition House Association operates Anderson House, the Island's only emergency shelter for women and children seeking refuge from family violence. Since Anderson House opened in 1981, we have sheltered 1,800 women and over 2,000 children.

The impetus for gun control legislation came from the shocking murders of women engineering students in Montreal in 1989. The P.E.I. Transition House Association has been a strong supporter of the legislation since its inception. We believe that stricter controls will save lives, particularly lives of women and children who live in violent family situations where unregistered firearms are present.

Many of the women and children who stay at Anderson House are from rural P.E.I. and we have learned from these families that the threat of the use of firearms is a real fear. We understand that the registration of shotguns and other firearms will not stop family violence but statistics prove that registration is a deterrent and does result in fewer deaths by firearms.

If one life will be saved by the passing and proclamation of Minister Rock's legislation it will be worth it. We ask that you support this bill for the safety of women and children in violent family situations and in memory of the women of Montreal.

(1355)

I believe that the sentiments expressed in this letter are those of the vast majority of Canadians. I believe that the legislation being debated is a compromise which advances the cause of public safety in the community without imposing unreasonable constraints on anyone's personal freedom.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Madam Speaker, it is a pleasure today to be speaking to this motion to sever Bill C-68 because I think most members enjoy speaking to legislation that makes sense.

A very sensible approach would be to separate Bill C-68 so the House can thoroughly examine the two distinct segments. The section of Bill C-68 that deals with the criminal use of firearms is the only part of the bill that could have a significant effect on improving public safety.

However, this section of the bill, part III, will likely be ignored in public debate. Like many pieces of Liberal legislation there are aspects that are a step in the right direction. However like most government legislation, most of part III does not go far enough and some sections are actually regressive. Because part III has the pretence of being a step in the right direction it will be ignored as critics and supporters of the bill debate the merits of universal registration. I believe it is extremely important that the House thoroughly review part III and that is why this part and the other relevant sections of the bill must be reviewed separately from the registration section.

My Reform colleagues and I wholeheartedly agree with any legislation that would get tough with criminals who use firearms. Unfortunately this bill does not make the grade.

Last June I introduced a private member's bill C-260 that dealt with the criminal use of firearms. In that bill I called for the inclusion of replica firearms in section 85 of the Criminal Code. I did this because crown counsels had informed me that one of the reasons that so few section 85 charges went forward was because it is so difficult to prove that the object that was used in a crime was actually a firearm. The way the legislation has been written the crown had to prove that the object that looked like a firearm was actually a firearm.

Unless the firearm was fired during the commission of the offence or unless the criminal was arrested at the scene of a crime or immediately after in possession of a firearm it was unlikely that a conviction could be won. There was no other way the crown could prove that the object that looked like a firearm actually met the legal definitions of a firearm. Since the crown

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could not prove that it met the legal definition of a firearm a charge under section 85 could not be laid.

The inclusion of a replica in section 85 would fill that void. My private member's bill treated a replica the same as an actual firearm. There would be no need for the crown to prove that the object was a real firearm.

When robbery victims have what looks like a handgun shoved in their faces they are not in a position to determine if the gun was real or just a replica. The terror they felt at that moment is not mitigated if they learn later that it was just a replica. Does the inclusion of replica in Bill C-68 solve this problem? Unfortunately it does not. It is that ever so typical Liberal small step in the right direction. Someone who uses a replica firearm during—

The Speaker: The hon. member will have the floor when we get back after question period. It being 2 p.m., we will now hear statements by members pursuant to Standing Order 31.

STATEMENTS BY MEMBERS

[English]

COMMONWEALTH DAY

Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton, Lib.): Mr. Speaker, I am honoured to rise in the House today to draw the attention of my hon. colleagues to the importance of Commonwealth Day. The theme of Commonwealth Day 1995 is tolerance.

The Commonwealth stands as a symbol of international co-operation and as a model for all nations of the globe to work in friendship promoting diversity and harmony through tolerance.

Our nation has benefited greatly from its membership in the Commonwealth and in turn Canada has lent its strong support to this venerable institution.

* * *

[Translation]

TRAGEDY IN BLANC-SABLON

Mr. Bernard St-Laurent (Manicouagan, BQ): Mr. Speaker, first of all, on behalf of the Bloc Québécois, I wish to extend our sympathies to the families affected by the tragedy that struck Blanc-Sablon, in my riding of Manicouagan, on Friday.

At two o'clock Friday morning, tonnes of snow came tumbling down the mountain to devastate the tiny North Shore village of Blanc-Sablon. A father and his son were killed. It is a miracle that the mother, who was buried under the snow for hours, survived. Had it not been for the outstanding courage of local residents, who defied extreme cold and winds of over 100 kilometres per hour, the toll could have been even worse.

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Again, this goes to show that, in Quebec, there are exceptional people prepared to face exceptional circumstances, and the Bloc Québécois salutes the extraordinary solidarity displayed on this occasion.

* * *

[English]

ELVIS STOJKO

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, I rise in the House today to congratulate Elvis Stojko on winning his second world figure skating championship.

Elvis displayed unbelievable athletic ability, the grace of a true champion and the humility of a real sportsman. Residents of Barrie in my riding are especially proud as Elvis trains at the Mariposa Figure Skating School under coach Doug Lee. We all have something to be proud of in this young man as he demonstrates the spirit and rich culture of Canada, something our Secretary of State for Multiculturalism would do well to note.

Elvis Stojko, Brian Orser and Kirk Browning, all Canadian and all world champions have placed Canada number one in the world, seven in the last nine years and the tradition continues.

I am sure all members will join with me in paying tribute to this outstanding young Canadian.

* * *

UNITED STATES BORDER CROSSING FEE

Mr. John Maloney (Erie, Lib.): Mr. Speaker, I rise today to express my grave concerns on President Clinton's budget proposals to charge a \$3 per vehicle and \$1.50 per pedestrian border crossing fee to enter the United States. The proposal has not been withdrawn as we were led to believe but has been altered to put undue pressure on U.S. border communities to encourage implementation.

These proposed fees violate the spirit and intent of the Canada-U.S. Free Trade Agreement and NAFTA. These proposed fees would stifle economic development and economic integration of communities and regions on both sides of the border to the detriment of us all.

These proposed fees would seriously discourage tourism and open travel between our respective countries. They would hamper visitation between families who in a literal sense straddle the border.

These fees are questionable economics and questionable diplomacy in an era of increased trade and goodwill with our friendly neighbour to the south.

I strongly urge the Prime Minister to advise the President of our strongest objection to this unwise, counterproductive and unacceptable tax.

Retaliation is not an answer. Friends do not treat each other this way. Withdrawal of the proposed fees is the only solution. The constituents of Erie riding, of the Niagara peninsula and indeed of the whole country deserve and demand nothing less.

* * *

TAXPAYERS BILL OF RIGHTS

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, I would like to inform the House of my private member's initiative which I have called the taxpayers bill of rights and is currently being drafted.

Summaries of this legislation have been submitted to professional bodies and interest groups across Canada. I would like to thank them for their comments and suggestions. People from British Columbia all the way to Newfoundland have written to me and expressed their support for this initiative.

Greater financial accountability for existing and future programs, the protection of taxpayers from the onerous powers of collection authorities and the establishment of a taxpayers' ombudsman are part of this bill.

Finally and most important, it establishes a cap on the amount of taxation an individual can be subjected to and it provides for refunds over this threshold amount. A gradual reduction of thresholds by 1 per cent per year over the next 15 years will give taxpayers the assurance that we have put limits on the tax grab on disposable incomes.

* * *

[Translation]

INTERNATIONAL WOMEN'S DAY

Mrs. Christiane Gagnon (Quebec, BQ): Mr. Speaker, March 8 was a perfect opportunity to remember that, over the years, Quebec and Canadian women have made great progress in their efforts to reach equality. All women should be pleased with the progress made, and we should take the means available to us.

I want to salute every woman who quietly goes about her task but whose contribution is essential to our common well-being. I also thank the pioneers and those who played, and continue to play, an active role in women's organizations, so as to ensure better conditions for their fellow women.

Finally, I want to express my solidarity and my admiration to all the women, in many countries, who fight to have their most fundamental rights respected. To those women, I wish to send a message of courage and hope.

(1405)

[English]

ALAN WINTER

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I have been asked by a British member of Parliament to raise the Alan Winter case in this House.

Alan Winter was a school trustee in British Columbia who ran a government funded foster home. He was declared a dangerous offender and sentenced to 16 years, yet was released only five and one-half years later on agreement that he leave Canada.

British MP John Denham was outraged to learn recently that this child molester who faced 28 sexual assault charges in 1987 was now living in his riding of Southampton. Mr. Denham writes:

People in Southampton were appalled to learn that he has served only a small part of a lengthy sentence for appalling acts against children. They were equally concerned to learn those agencies responsible for child protection had no knowledge of his presence in the city.

I would be grateful if you could make every effort to raise my concerns and those of my constituents in the Canadian Parliament. I believe that if Mr. Winter was not fit to be released into Canadian society he was not fit for release into my country either.

* * *

CHICKEN INDUSTRY

Mr. John Murphy (Annapolis Valley—Hants, Lib.): Mr. Speaker, Atlantic Canada's chicken industry is in a period of transition. Close to 90 per cent of the province's chicken production comes from my riding of Annapolis Valley—Hants.

In Nova Scotia we have an active and resilient industry that has chosen not to sit still. For example, in my riding much work is being done to capitalize on opportunities in the value-added sector. However, we are grappling with a number of important and potentially divisive issues.

We need to determine how to maintain fair prices for producers and processors. We need to resolve trade concerns with the U.S. relating to the GATT and NAFTA. All provinces must pull together and work in co-operation in order to enhance our national position.

I urge all affected participants, including the federal government, to strive toward achieving a stronger domestic chicken industry. At the end of the day we will all benefit from an industry that works in co-operation and is solid in all regions.

ORDER OF CANADA

Mr. Morris Bodnar (Saskatoon—Dundurn, Lib.): Mr. Speaker, I would like to bring to the attention of the House the accomplishments of Peggy McKercher and Dr. Louis Horlick of Saskatoon who received the Order of Canada on Wednesday, March 1.

Peggy McKercher was made a member of the Order of Canada for her voluntary service to the residents of Saskatoon. She has spent many hours volunteering for many organizations, including the Meewasin Valley Authority of which she has been chair since its inception. Under her leadership Meewasin has created one of the most beautiful riverfront areas in Canada and has established Wanuskewin Heritage Park which is world recognized for its historical and archaeological importance.

Dr. Louis Horlick was promoted to officer of the Order of Canada. Dr. Horlick, a cardiologist at Royal University Hospital and Professor Emeritus of Medicine at the University of Saskatchewan, is well known for his advocacy in the area of community health and cardiac care. He is respected by students and colleagues alike as an inspiring teacher. As a researcher he has made many contributions to the science of cardiac care.

Let us all take the example of Dr. Horlick and Mrs. McKercher to heart. Their dedication to the community, the fellow citizens of Saskatoon, Saskatchewan and to raising the standard of quality of life that we as—

* * *

NATIONAL CURLING CHAMPIONSHIPS

Mr. Reg Alcock (Winnipeg South, Lib.): Mr. Speaker, every day is a wonderful day to be from Manitoba and today is no exception. Yesterday, Manitoba completed a clean sweep of all national curling championships.

Our junior rinks skipped by Chris Galbraith and Kelly MacKenzie are men's and women's junior champions. Connie Laliberte from my home club won the Scott Tournament of Hearts. Yesterday, the team of Kerry Burtnyk, Jeff Ryan, Rob Meakin, Keith Fenton and Denis Fillion won the Labatt Brier.

I know that all members of this House wish they were from Manitoba. I know they will all join me in wishing Kerry's team the very best of luck in the World Curling Championships to be held in Brandon, Manitoba.

* * *

[Translation]

INTERNATIONAL WOMEN'S DAY

Mrs. Eleni Bakopanos (Saint-Denis, Lib.): Mr. Speaker, last week, I celebrated International Women's Day with a breakfast for representatives of local organizations working with women in my riding.

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(1410)

The riding of Saint-Denis is very lucky to be able to count on such high quality services from these organizations. Women in poverty, dealing with violence in the home or recently arrived in Canada are some of those they serve.

I take this opportunity to draw attention to the fine work done by these organizations and encourage them to continue their efforts.

[English]

Canadians only stand to benefit from the full contribution of women in our society. This struggle for equality does not seek to condemn men but to work with them in creating, as our slogan for this year says, a world of equality.

[Translation]

There is still a way to go before equality is achieved, but women's voices are being heard; we cannot ignore them any longer. One day, equality will become reality.

* * *

UNEMPLOYMENT

Mr. Jean H. Leroux (Shefford, BQ): Mr. Speaker, this year, Quebec will experience a shortfall of \$118 million in unemployment insurance.

In the past, federalists sang the praises of Canadian federalism saying that Quebec was a net beneficiary of the unemployment insurance program. The fact is that Quebec's rate of unemployment under the federal scheme is systematically higher than Canada's. This is what we get out of federalism.

The government in Ottawa is hindering job creation in Quebec, in particular, by putting only 15.9 per cent of its investments there, although 23 per cent of its revenues come from there.

Not only did the latest budget hinder job creation by precluding the transfer to Quebec of full powers in manpower training, but it proposed no active job creation measures.

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[English]

IMMIGRATION

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, this morning Canadians read about a woman who came to Canada from the United States and then claimed refugee status. She was turned down and removed back to the U.S. until she could get a taxpayer funded legal aid assisted appeal.

The initial hearing stage took so long that the claimant now has a two and one-half year old daughter born in Canada who is

a Canadian citizen. This child will have to remain in Canada while her mother is removed to the U.S.

The Reform Party would never have allowed this travesty to occur. We would not accept refugee claimants from the United States. We would not allow claims to go on and on for two and one-half years. We would not allow children born of illegal immigrants to automatically acquire Canadian citizenship.

The minister calls our proposals hard hearted. In fact, these measures would have prevented this latest immigration outrage and would have saved taxpayers tens of thousands of dollars. If this government had the interests of genuine refugees and taxpayers at heart, it would adopt our proposals and stop a system that encourages abuse.

* * *

SKATING COACH HAROLD SHER

Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.): Mr. Speaker, I rise in the House today to pay tribute to one of my constituents, Mr. Harold Sher. Mr. Sher has been a precision skating coach in my riding for the past 15 years. His most recent competition epitomizes the success he has enjoyed.

Sher's four teams from the Bracebridge figure skating club made a clean sweep of first-place finishes at the northern Ontario sectional and invitational competition held last month. The four teams came away with eight gold medals. This outstanding success qualifies the teams for the Canadian championships to be held in Calgary later this spring. Last year his adult team, the Muskoka Blades, won silver at this championship, while his junior blades won gold in the consolation round.

I wish Harold and all of the skaters the best of luck as they go for gold in Calgary next month.

* * *

HAVELOCK COUNTRY JAMBOREE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, August 10 of this year will be the first day of the sixth annual Havelock Country Jamboree. It kicks off country music week in Peterborough city and county.

The jamboree is a success story in our region. It is a show-place for musical talent. It is a boost for local businesses. It attracts thousands of tourists to and generates publicity for the Peterborough area.

Last year the jamboree helped Havelock minor hockey, St. John Ambulance, the scouts, the Terry Fox run, the March of Dimes and the local food bank.

It is great that grassroots ventures like the Havelock Country Jamboree can generate so many benefits simply by bringing pleasure to thousands of people. Our thanks to Jack Blakely and all his helpers.

*Oral Questions***FIREARMS REGISTRY**

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, less than two weeks ago, on Tuesday, February 28 the Saskatchewan Legislative Assembly unanimously passed the following resolution:

That this Assembly transcend party lines and join together in demanding the federal government immediately withdraw Bill C-68, the Firearms Act, which will effectively impose a costly and unnecessary national firearms registry that will have no effect on controlling violent crimes in Canada, and that this Assembly send an all-party delegation to make representation to the Standing Committee on Justice and Legal Affairs outlining this Assembly's intense opposition to the proposed firearms registry; and further, following adoption of this motion, that Mr. Speaker forward to the federal Minister of Justice a copy of this resolution with the relevant transcripts from today's proceedings.

(1415)

My constituents and I also want to register our intense opposition. I concur with the unanimous vote of the Saskatchewan legislature calling for the immediate withdrawal of Bill C-68 respecting the Firearms Act.

ORAL QUESTION PERIOD*[Translation]***FISHERIES**

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, turbot is the last remaining species which can be fished off the coast of Newfoundland in the wake of the scourge of overfishing on cod, ocean perch and plaice. For this reason, it is imperative that we protect turbot stocks. The official opposition, therefore, supports the government's decision to put an end to the overfishing of turbot, which led it to board the Spanish vessel *Estai*.

Some hon. members: Hear, hear.

Mr. Bouchard: My question is for the Minister of Fisheries and Oceans. Drawing on information gathered by inspectors who have boarded the Spanish vessel *Estai*, will the fisheries minister tell us whether officials from the Department of Fisheries and Oceans have found any irregularities which could be used to support Canada's position?

Hon. Brian Tobin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I would like to thank the Leader of the Opposition for raising this question and for the considerable support that the Bloc Québécois has given to the government regarding this issue.

Concerning the catches found aboard the *Estai*, we found that up to 70 per cent of all of the fish caught were small and immature. This is an important issue for the fishermen of Nova Scotia, Newfoundland, New Brunswick, Quebec and Prince

Edward Island. This is clear. Atlantic fishermen have unanimously called on the government to take effective action.

[English]

As the Leader of the Opposition has asked, we have commenced inspection aboard the vessel. Based on the preliminary estimates, not the completed and full inspection, more than 70 per cent of all stock found aboard the vessel is very small, sexually immature fish not capable of reproduction. Some 30 per cent were less than 14 inches, 21 per cent less than 12 inches, and 22 per cent less than 9 inches. A good chunk of the fish are smaller than this pen.

The Speaker: I am going to let the hon. member conclude, but I beg him not to use any props even though it is only a fish pen.

Mr. Tobin: Mr. Speaker, knowing the House has a good imagination, I can say that a healthy fishery is conducted on animals, living resources of the sea that are between 24 and 28 inches. Many of the fish being caught are smaller than the palm of my hand. That is no prop; that is my hand. This has to stop.

Some hon. members: Hear, hear.

(1420)

Mr. Speaker: I will take that as a wave.

[Translation]

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, to demonstrate the seriousness and the firmness of Canada's position, will the minister confirm that his government will not free the seized vessel before the European Union resumes negotiations with Canada, which is the condition the Union would impose on us?

[English]

Hon. Brian Tobin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the government is proceeding today to do all things required in a very normal and appropriate way in Canadian law. That is the action we are taking today and that is the action we shall continue without fail over the hours and days ahead.

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, my next question is directed to the Minister of Foreign Affairs.

Could the minister tell us whether or not Canada has taken diplomatic steps to reach a peaceful resolution of the conflict with the European Union that will respect the pressing goal of protecting and conserving current stocks of turbot threatened by overfishing on the part of European ships?

[Translation]

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, it is absolutely clear that the Government of Canada wishes to continue on the path of diplomacy and to explore all diplomatic avenues at our disposal, for example

Oral Questions

discussions with representatives of the European Union and, in particular, with Spain.

It is clear that our ambassador to Spain, our ambassador to the European Union and officials of my department here in Ottawa have contacted the ambassadors of the countries in the European Union to explain our position, to state quite clearly that it is our goal to conserve fish stocks and to reach an amicable agreement as soon as possible.

* * *

OLD AGE PENSIONS

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, when he tabled his budget, the Minister of Finance announced that he would release later this year an old age pension reform proposal. In fact, if we follow the minister's logic, his goal of a sustainable old age pension system can only lead to a reduction in the benefits paid under the current system.

Does the Minister of Finance admit that his old age pension reform proposal, under the pretext of putting in place a sustainable system, is aimed at depriving thousands of seniors of benefits?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Not at all, Mr. Speaker.

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, will the Minister of Finance admit that his old age pension reform proposal is aimed at making seniors poorer and replacing the current pension system with a social assistance program for seniors? Will he tell us the truth?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Not at all, Mr. Speaker. The reason why the Minister of Human Resources Development and I intend to release these documents is precisely to avoid the catastrophe the hon. member has just described.

[English]

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, I would like to pursue the issue of pensions because last year the Liberal government promised that a white paper on aging would be presented to the House before last month's budget. However, like so many of the government's policy initiatives, Canadians are still waiting for the white paper. The promise has been broken.

My question is for the Prime Minister. When can Canadians expect to see this long awaited paper on aging? Will it be tabled before the government embarks on any changes to the CPP or to OAS?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there will be a paper on aging. The Minister of Human Resources Development is working on it. It is very much in line with the reform of social programs.

We said that we have to enter into negotiations with the provinces. There will be discussions with members of the House. There will be committees and eventually resolution of the problem by the House.

I can assure everybody that our goal is to make sure we maintain a very good social security system for retired people in Canada.

(1425)

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, it is really no secret that the current Canada pension plan is in big trouble. The Minister of Finance stated that unless premiums are radically increased public pensions will not survive to the 21st century.

It is also no secret that when the government wants to act it can. Look how the Liberals acted to protect their own lavish pensions, for example.

My supplementary question is for the Prime Minister. What changes does the government have planned for CPP? Is it higher premiums, increasing the retirement age, or both? Canadians deserve an answer.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, as usual Canadian people will have their answers after we have had public discussions with them and with members of the House.

I hope members of the Reform Party will have good ideas about it, but I do not think they will get them from Mr. Gingrich in Washington.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, the delays are disconcerting. We were promised studies but nothing is happening. Canadians do not think the government will be able to provide adequately for their future. They want the government to give them the tools to care for themselves.

Before the ink was even dry on the last budget the government is again floating the idea of taxing RRSPs. Canadians are worried and confused about how they should provide for their retirement security.

Simply, will the government consider replacing CPP with an RRSP style program that gives Canadians more control over their economic future?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I see the problem of the Reform Party. It is trying to build up some straw bonhomme, as we say in English, to shoot at.

Our social programs will be reviewed thoroughly with the participation of all members of the House of Commons. Un-

Oral Questions

fortunately members of the Reform Party will not do a lot to make sure the poorest in society are protected. They will make sure the rich do very well.

* * *

[Translation]

SOCIAL PROGRAM REFORM

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

Now that the federal government has announced its decisions concerning social program reform, the Quebec government is requesting that a federal-provincial conference of ministers responsible for manpower be held as soon as possible to discuss the consequences of the federal measures announced, in particular the reduction in transfer payments.

Does the Minister of Human Resources Development intend to call as soon as possible this spring a conference on the impact of his social program reform, as requested by Quebec?

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, first of all, I am very pleased to see that the Quebec government has finally decided to participate in federal-provincial discussions on social security. I think that it is a step towards resolving several problems with the social safety net. I hope that the hon. members of the Bloc Quebecois will now follow the lead of their Quebec colleagues and show the same spirit of co-operation as the Quebec government.

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, I would like to point out to the minister that the last federal-provincial conference on this issue was scheduled for April 18 and that the previous government was in power at the time.

Here is my supplementary. Will the minister finally agree to comply with the Quebec National Assembly's unanimous resolution, made on April 14, 1994, to abide by the unanimous consensus among all stakeholders that Quebec has to have exclusive jurisdiction over manpower training?

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, as I have said many times in the House, we have already put forward an offer to all provinces for a new rationalization of our manpower training programs. Several provinces have indicated an interest in responding. We have already signed an agreement with the province of Saskatchewan. We are well into negotiations with several other provinces.

With the new found interest of the Government of Quebec in working with us on social security reform, I would hope we

could have serious discussions. I would be more than happy to sit down today with Madam Harel and the Government of Quebec to discuss exactly that.

* * *

(1430)

TAXATION

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, at the world summit on social development in Copenhagen last Thursday the minister of human resources spoke about his government slapping a tax on automatic teller machine use and an electronic information tax. Is the minister prepared to pop this trial balloon right now?

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, at this very important conference of 190 countries both government officials and NGOs were discussing how we could come to grips with the questions of unemployment and poverty. One of the most serious issues was how to deal with the rapid rise of currency speculation where a trillion dollars passes boundaries every single day; 80 per cent of it is pure speculation.

One of the areas discussed was how we could provide deterrence to that kind of large scale disruption of financial markets, disruption of investment and certainly disruption of people's lives. It is very strange when it appears the Reform Party is trying to defend currency speculators.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, that comment is really something else. The average person who goes to an automatic teller machine in Canada is not exactly a currency speculator.

The minister of human resources has stated on a number of occasions that the answer to our unemployment problem lies in information technologies. What does he think he is doing with comments like this? He is discouraging people who are looking at new information technology when he is talking about putting a toll gate on the information highway.

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, there is no question new technology provides enormous potential for growth, productivity and development. It is also equally important that as any new technology is introduced, whether it is the automobile, the steel plough or today's new technology, people are affected by it.

The question that was being examined at the Copenhagen conference was whether there can be fair distribution of the benefits, the growth and the wealth being created to ensure all people have equal opportunity for jobs, equal opportunity for a good life and equal opportunity for their children's security.

Oral Questions

It is simply a matter of how we ensure proper distribution of benefits, something totally beyond the understanding of Reform Party members.

* * *

[Translation]

INTERNATIONAL DEVELOPMENT

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in its foreign policy statement, the government pledged to get closer to the objective of allocating 0.7 per cent of the GNP to foreign aid. Yet, the recent budget provides for cuts of \$1.3 billion over a three-year period. The net result is that Canada will spend less than 0.29 per cent of its GNP on humanitarian assistance, thus reducing its aid to levels unseen since the sixties.

How can the Minister of Foreign Affairs justify his government's decision to reduce food aid to the poorest nations of the world, to a degree well beyond the average level of reduction announced in the last budget, while at the same time forgiving debts of \$800 millions incurred by less needy countries?

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, the hon. member is quite right as regards the need to temporarily reduce the budget allocated to international development assistance.

However, the hon. member is absolutely wrong when he concludes that food aid will be cut. Indeed, he is referring to a document which only gives a partial idea of the moneys which will be allocated to food aid, whether through the efforts of the government within multilateral organizations, or through bilateral assistance programs. I can assure the hon. member that our food aid efforts will remain very significant.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I read the budget tabled by the minister's colleague, the Minister of Finance. Are we to understand that the scope of the budget cuts affecting Canada's aid to the poorest nations of the world is the direct result of the government's new foreign policy, which gives priority to trade, at the expense of these countries?

(1435)

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, the answer is no. It is obvious that even the hon. member does not think it is the case, since he is choking while asking the question.

* * *

[English]

LABOUR

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, my question is for the Minister of Transport.

The current labour situation in the railways could easily lead to a national strike or railway lockout. This would have immediate and devastating effects on the Canadian economy.

When will the minister take action and introduce back to work legislation?

[Translation]

Hon. Lucienne Robillard (Minister of Labour, Lib.): Mr. Speaker, yes, the railway sector is experiencing some difficulties with labour relations. But I was delighted to learn that Canadian Pacific has reached an agreement in principle with three of its unions, which represent nearly 3,000 employees, on a wage increase, a change respecting job security and social benefits. This agreement is to be submitted to the members for ratification.

I hope that for management and labour, this will be a first step towards reaching an agreement. At this stage it is definitely premature to talk about back-to-work legislation.

[English]

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, Canadian farmers took a tremendous hit in the budget and they are willing to do that if they know the government will back them up when it comes to getting their product to market.

What they would like to know is whether this government is willing to introduce back to work legislation as soon as possible to help them a little after the government has knocked the pins out from underneath them.

[Translation]

Hon. Lucienne Robillard (Minister of Labour, Lib.): Mr. Speaker, we abide by the Canada Labour Code, and we are urging the parties to negotiate and reach an agreement, which does not mean we are not monitoring the situation very closely. We hope that the parties will negotiate and reach an agreement. That is the position of this government.

* * *

BLOOD SUPPLY SYSTEM

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, my question is directed to the Minister of Health.

Since she was appointed, the minister has answered all our questions about the blood system in Canada by saying we have the best system in the world. However, the facts keep challenging the minister's position on the actual quality of the system.

How can the minister claim we have the best blood supply system in the world when, in an unprecedented move, the Red Cross suspended the director of the Quebec City centre after it failed a Health Canada inspection?

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Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, first of all, Justice Krever has conducted a thorough study of our blood system. In his interim report, he said it was as safe as any system in the world.

Of course we intend to make it the safest system in the world. We did not wait for Justice Krever's report to take our responsibilities very seriously. For instance, we inspect blood centres annually, and as you can see, this suspension came as a result of one of our inspections, and the Red Cross took certain steps in this instance.

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, how can the minister claim she is doing a good job, when 15 months after she was appointed, we are still finding irregularities in Canada's blood system of such proportions that they justified suspending the director of the Quebec City centre?

[English]

Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, it is not Health Canada that asked for the suspension of the director of the Canadian Red Cross in Quebec City. That was a decision of the Canadian Red Cross in Quebec City.

Health Canada has been doing its job in inspecting all facilities once a year. Every time it inspects a facility, it reports on any irregularities it may find and insists the Red Cross take action to correct them.

* * *

ACCESS TO INFORMATION ACT

Hon. Warren Allmand (Notre-Dame-de-Grâce, Lib.): Mr. Speaker, my question is for the Minister of Justice.

Recently on the occasion of the 10th anniversary of the Access to Information Act, the information commissioner identified serious problems with the act, recommended a full review and made recommendations for amendment. In 1987 the justice committee recommended 87 amendments to the act which were never acted upon by the previous government.

(1440)

I want to ask the minister if he agrees with the commissioner's recommendation and will he order a full review and update of the act?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I acknowledge the hon. member's longstanding interest in the field of information and privacy law. I assure him I am very much aware that the modernization of that law is long overdue.

The Department of Justice is already at work identifying areas where reform can be made. We are reviewing the recommendations from the "Open and Shut" report of 1987, as well as

recommendations from the commissioner's most recent annual report in which he made some very good suggestions.

We are examining ways modern information technology can render more effective and less expensive the release of government information. We are also looking at ways to involve the public in consultations.

The agenda before justice is busy. I assure the hon. member and the House we will be coming forward with reforms.

* * *

IMMIGRATION

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, Bonjan Inthavon, a Laotian gang member with a violent criminal history, has been released into the Fraser Valley area in B.C. This thug had been ordered deported. Since the minister's department unbelievably granted him convention refugee status, it is now left to the minister to follow his own legislation to protect Canadian citizens.

Will the minister show some leadership and act immediately under section 19 of the existing legislation to have this criminal removed from the country, as his own officials have already recommended?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, my department did not grant refugee status to that individual or to anybody else. That is adjudicated by the IRB.

The recommendation by our officials to remove this individual according to this section of the act has not yet arrived on my desk. The moment it does I will have no problems acting on it whatsoever.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, the Canadian people are looking for assurances in this matter. On March 1 the IRB appeal division turned down Inthavong's appeal of his deportation order and declared his removal order valid in law, citing the importance of safety and good order of Canadian society. The individual can appeal even further.

Why does the minister not follow the law that gives him the obligation to remove people who, there are reasonable grounds to believe, will engage in acts of violence or are likely to participate in organized criminal activities?

Give the Canadian people the assurance that you will act when it falls on your desk—

The Speaker: Hon. members will always remember to address the Chair.

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the member was too busy trying to figure out how to ask a question because I gave him the answer he was looking for in the first round.

I said very clearly that the file has yet to come from Vancouver to my desk. Over the weekend I asked for that file. I have

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considered the details and I have no problem with respect to moving on this according to that course of action.

Furthermore, I find it highly ironic that this member continues to get up on individual cases and says get tougher with some of the individuals who abuse the system and yet did not have the courage or the guts to support Bill—

The Speaker: I am sure no hon. member would want to have their courage questioned, especially in this House. Our courage is well known.

* * *

(1445)

[Translation]

PEACEKEEPERS

Mr. Jean-Marc Jacob (Charlesbourg, BQ): Mr. Speaker, my question is for the Minister of Foreign Affairs. Following the Copenhagen summit for social development, the Croatian President agreed to the European and U.S. proposal to allow peacekeepers to stay beyond March 31, although their number will be reduced from some 15,000 to 5,000. Meanwhile, the situation in the former Yugoslavia continues to deteriorate seriously.

Given the Croatian President's agreement, does Canada intend to keep Canadian peacekeepers in the reduced contingent in Croatia after March 31?

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, I thank the hon. member for his question, which allows me to express the Canadian government's satisfaction with President Tudjman's decision.

Certainly, we have always felt that, in order to keep the peace in that part of the former Yugoslavia, it was important to maintain a UN contingent to act as an intermediary between the Croats and the Serbs.

A decision as to whether or not we will continue participating in this peacekeeping operation will be made in the next few weeks. As we have done historically, we intend to consult with the opposition parties before referring the issue to cabinet.

Mr. Jean-Marc Jacob (Charlesbourg, BQ): Mr. Speaker, with regard to Bosnia, can the Minister of Foreign Affairs let us know the government's position on Bosnia, where the ceasefire is increasingly being ignored by the belligerents, some of whom have deliberately fired at the UN special envoy's plane?

[English]

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, we are very concerned by the evolution of the situation in Bosnia. Canada supports the Contact Group peace plan. We hope that the parties will accept this peace plan

because we believe it is the only one that could lead to a peaceful solution in the former Yugoslavia.

Obviously some parties still believe that through attack and war they could enhance their position on the ground. We think this is folly. We believe that the only solution is a peaceful one, by accepting the Contact Group proposal.

* * *

JUSTICE

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, during this past week in Alberta three more women, one of whom happens to be a former student of mine, were sexually assaulted at knife point, physically beaten and totally traumatized. Two of their attackers were identified by the victims, yet the same brutal, violent perpetrators were released within hours of their arrest.

My question is for the Minister of Justice. When will the minister enact legislation necessary to prevent fully identified brutal rapists from being let back on to the streets?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I will not comment on the facts of the specific cases to which the hon. member has referred. I will assure him that the Criminal Code and its provisions in respect of bail, imprisonment, and parole entirely takes into account the need to protect society.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, that is about as comforting as nothing. I have never in my life believed for a moment that a person could rape and hold a victim at knife point, be arrested at breakfast and be let out by lunch. What kind of justice is that?

When will the minister at least instruct his department to not allow bail for violent rapists?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, if the hon. member would allow fact and analysis to overcome emotion and politics, then perhaps he would focus on the responsibility for prosecution in the province of Alberta.

Mr. Thompson: Have a knife held at your throat and see what emotion you have.

Mr. Rock: It rests with the provincial Attorney General.

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, last Friday the Solicitor General announced the launch of a national flagging system to deal more effectively with high risk offenders. This announcement has been described as a significant move in the right direction.

(1450)

Can the Solicitor General tell us who will use this system and how will it help protect our communities?

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Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, we look forward to this system being used by crown attorneys across the country. It will enable them to have all relevant information about potential high risk dangerous offenders at the time of prosecution.

Therefore it will help them to develop appropriate strategy for charging and prosecution, particularly for bringing dangerous offender applications at the time of prosecution. If the court accepts such an application the offender will be incarcerated indefinitely.

I believe this will certainly add to the protection of our communities.

* * *

THE ECONOMY

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, my question is about international money speculators and the newly emerging group of global gamblers.

My question refers to comments made by the Minister of Human Resources Development. We were encouraged when he said that in an effort to raise funds to help laid off workers, single parents and young people to find work, the government is contemplating a tax on financial transfers.

My question is for the Minister of Finance. When will he release the details that he plans to take to the summit in Halifax on this new tax proposal?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, as the member knows, the Tobin tax, named after the person who originally formulated it, has been around for quite some time. It is an idea that has been widely debated. It is one that would require some support from all of the industrialized countries to make sure that it is put into effect.

As to the agenda for the upcoming meeting, the Prime Minister will be making that information available in due course.

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, we hope to hear whether the government intends to put it on the agenda.

My supplementary question also refers to comments made by the Minister of Human Resources Development. He indicated at the UN summit on social development that the problems of Canadian child poverty are a direct result of a lack of a national child care program, similar to that found in Sweden.

The child care program was not mentioned in the budget. Could the Minister of Finance give us some indication what the

government plans to do now to initiate and develop this promise that was made in the red book.

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, if the hon. member for Kamloops would look carefully at the budget papers, he would see that we have put together what we call the human resources investment fund. It is a way of replacing many of the old programs of the previous government and includes a commitment to child care.

I can report to the hon. member that we have already started discussions with the aboriginal community to begin dealing with development of child care spaces on reserves. We have made an open offer to the provinces to have a similar discussion with them when they are ready to talk with us about it.

We still plan to continue to meet our red book commitment on child care.

* * *

[*Translation*]

MIL DAVIE SHIPYARDS

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, my question is for the Minister of Industry.

It will be remembered that Ottawa had agreed to approve the recovery plan of the last shipyard in Quebec on the condition that MIL Davie workers sign a new work agreement. Well, this condition has now been met, since a new work agreement was approved yesterday.

Now that the workers have signed a new work agreement with MIL Davie, does the federal government intend to live up to its part of the deal concerning the shipyard's recovery plan and help to modernize its infrastructure?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, the decision made by MIL Davie workers certainly was a positive first step towards accomplishing what needs to be done, which we are all concerned about. We have indicated on several occasions that we are not prepared to grant massive assistance to any company.

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, am I to understand that the Minister of Industry admits that he must now take his responsibilities and confirm that the federal government will participate in MIL Davie's recovery plan by putting the company in charge, as a transitional measure, of developing a multipurpose Smart Ship?

[*English*]

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, it is very interesting to hear the formulation of this question. I am sure the member knows that the shareholder of MIL Davie is the government of the province of Quebec.

Oral Questions

(1455)

I find it difficult to understand why the responsibility of the shareholders should not be recognized in what is essentially a commercial problem.

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CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, the budget is eliminating 45,000 public service jobs, with thousands from most departments.

Can the Minister of Foreign Affairs explain why CIDA is being cut by \$300 million but is only losing a ridiculously low 11 positions out of 1,241?

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, I want to assure the hon. member that the cuts in personnel will be around 15 per cent.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, the government said it would be cutting executives from the top of the ministries, not from the bottom.

Can the Minister of Foreign Affairs explain why the number of senior executives who earn over \$80,000 a year will be cut from 92 positions to 90 positions according to this year's estimates? Is eliminating only two positions the minister's idea of cutting from the top?

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, the hon. member has looked at the document that has been published. I do not quarrel with him. I think the document is incomplete.

We are looking at a substantial reduction over a three-year period. As this is completed, taking into account the human element, he will see that the reductions will be by 15 per cent and will apply to senior officials in CIDA.

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THE ATLANTIC GROUND FISH STRATEGY

Mr. Derek Wells (South Shore, Lib.): Mr. Speaker, my question is for the Minister of Human Resources Development. There are concerns with the current TAGS appeal process. This has been acknowledged by the minister who committed a few weeks ago to quickly address the concerns of thousands of fishermen with the appeal process.

Can the minister report to the House on what concrete action he has taken to ensure that the appeals process is fair to all TAGS applicants?

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, I would like to thank the hon.

member both for the question and for the interest he has shown in this very important program to help the fish workers and fisher people in Atlantic region.

As a consequence of his representations and those of the member for Burin—St. George's a few weeks ago, the minister of fisheries and I last week established an independent review panel to provide a full, impartial, arm's length review of all TAGS applications for those that feel the program has not met their needs exactly.

As announced last week, the program will be up and running by the end of the month.

* * *

IMMIGRATION

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I would like to again pursue the case of Bojan Inthavong with the minister of immigration. This young thug from my community participated in the murder of a 17-year old youth. He was ordered deported and two years later had an appeal. It was dismissed. During the interim he was given refugee status.

Now I understand that a judicial review may be forthcoming. I would like the minister to explain what is the value of a judicial review after a deportation appeal has been dismissed?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the judicial review has nothing to do with my department but it indicates there are certain individuals who flagrantly break the law and abuse the regulations.

It is precisely for that reason that we have Bill C-44. It is not the be-all-and-end-all but is one piece of legislation that tries to come to grips with individuals that abuse the refugee stream. It would allow the government to pull the individual from the refugee stream and move that individual into an immigration inquiry with subsequent deportation.

This side of the House not only wants to protect legitimate refugee claimants but also wants to rid the system of those who fraudulently abuse the system, making it worse for those who are legitimate.

Why does the Reform Party not support Bill C-44?

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[Translation]

NATIONAL DEFENCE

Mr. Laurent Lavigne (Beauharnois—Salaberry, BQ): Mr. Speaker, my question is for the Minister of National Defence.

Last week, we learned that Charles Scott, an individual who openly admits to being a white supremacist, teaches hand to hand combat to soldiers of the Canadian Forces.

(1500)

How can the minister of defence justify that an acknowledged racist trains Canadian soldiers on a voluntary basis, and does the minister endorse the comments made by Major Doug Martin, who does not see any problem since that individual is not paid for his work?

[English]

Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, this occurred in 1992 at CFB Chilliwack and involved the reserve forces.

A former British commando was brought in for instruction. He happened to bring someone else along. Neither was paid by the Department of National Defence and the kind of instruction that was given to those young men was not in conformity with the normal training of the armed forces.

I have asked our officials to look into why the commanding officer at the time did not report what was obviously some behaviour that was not ordered by the military and not paid for by the armed forces.

* * *

PRESENCE IN THE GALLERY

The Speaker: I would like to draw to the attention of members the presence in the gallery of Mr. Chalermphol Sanitwongchai, First Deputy Speaker of the House of Representatives of the Kingdom of Thailand and three of his fellow parliamentarians.

Some hon. members: Hear, hear.

* * *

PRIVILEGE

BUDGET SECRECY

The Speaker: On Friday before we broke, the hon. member for Sherbrooke brought up a question of privilege.

At that time the Chair said we would wait to make a decision until we heard from the member who had allegedly made certain comments.

I have received notice in writing that the hon. member for Guelph—Wellington would like to speak to this question of privilege.

Mrs. Brenda Chamberlain (Guelph—Wellington, Lib.): Mr. Speaker, I rise today to respond to a question of privilege raised by the hon. member for Sherbrooke on March 3, 1995.

On March 2, I was contacted by the chief government whip. He informed me that a possible question of privilege could be

Privilege

raised in the House. Following the conversation, I prepared a written statement for the chief government whip and for all members of the House of Commons.

This statement was put on the record by the government whip on March 3 and I thank him. The *Hill Times* column discussed at length by the hon. member for Sherbrooke on March 3, 1995 contains a quote by me regarding the budget.

In my comments to the *Hill Times* I was referring to the measures announced by the President of the Treasury Board on February 21, 1995. These measures were presented publicly prior to the budget and resulted from concerns as expressed by members of all parties, including the Liberal caucus, for the future downsizing of the public service.

The number of public servant reductions was not known until the budget, although measures such as the early retirement incentive and the early departure incentive were announced earlier.

While never informed of the details, we were told the budget would be tough but fair. I was not privy to any confidential information, nor am I aware of any other member's having knowledge of the contents of the budget before it was presented to all Canadians.

We know the importance of budget secrecy. It is a tradition, respected and practised by the Minister of Finance. I appreciate the opportunity to provide my response to the question of privilege raised the previous sitting day.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, it would be valuable for the entire House to have clarified in the question of privilege whether the article as reported in the *Hill Times* is inaccurate. The heading says: "Is there too much secrecy surrounding the budget?" The member did respond to that.

The quotation talks about major cuts to programs rather than a downsizing of the civil service which was announced prior to the budget in a general way.

There are some specifics quoted in this paper that were not responded to by the member. This House deserves a more clear response. Either this is wrong or else the member is not clear in her response.

(1505)

The Speaker: I have had the opportunity to reread *Hansard* of Friday, March 3. I will be seeing the television recordings later this afternoon.

I will reserve my decision now that the hon. member for Guelph—Wellington has explained what she said. I will come back to the House with a decision at the earliest possible time if necessary.

*Routine Proceedings***ROUTINE PROCEEDINGS***[Translation]***GOVERNMENT RESPONSE TO PETITIONS**

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

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*[English]***COMMONWEALTH DAY**

Hon. Christine Stewart (Secretary of State (Latin America and Africa), Lib.): Mr. Speaker, today is Commonwealth Day, observed every year on the second Monday in March by all its member countries to celebrate the Commonwealth, its value and principles.

Built on common traditions, the Commonwealth successfully demonstrates the continuing importance of multilateral co-operation. Its strength is unity with diversity.

The Commonwealth now consists of 51 countries and 1.5 billion people of different languages, races, faiths and traditions. It serves as a forum for both governmental and non-governmental dialogue on a vast array of subjects from health and justice to youth, education and development.

Last year Canada hosted the very successful Commonwealth Games in Victoria, celebrating sport, art, culture and friendship.

Canada has been part of the Commonwealth since its inception in 1931 and takes pride in its many accomplishments. The first secretary general, Arnold Smith, a Canadian, helped strengthen the foundations on which the Commonwealth continues to stand.

Last year was a momentous year for the Commonwealth with the return of South Africa following its first free elections. The Commonwealth had pushed hard for an end to apartheid and Canada believes it should continue to act as an instrument to promote democracy and human rights.

Later this year the Commonwealth heads of government will meet in New Zealand, giving the leaders an opportunity to discuss world issues in an informal, unstructured manner. We value this opportunity to renew our relationship with other Commonwealth nations and to elaborate on Canadian foreign policy objectives.

I urge all members to join me today in saluting the Commonwealth.

[Translation]

Mr. Jean H. Leroux (Shefford, BQ): Mr. Speaker, on behalf of all the Bloc Québécois members, I am pleased to note that today is Commonwealth Day. Last year, my colleague for Laurier—Ste-Marie had the opportunity to express, on this commemorative occasion, the importance of Canada's membership in the Commonwealth and to note that a sovereign Quebec would wish to remain a member of this organization in order to maintain and strengthen its relations with the 51 member countries.

The Secretary of State rightly noted South Africa's return to the Commonwealth. As you know, Mr. Speaker, Canada applied enormous pressure to bring about the end of apartheid.

This is therefore the time to remind the government today how regrettable it is that it decided to turn its back on the promotion of human rights and democracy, despite what the Secretary of State would have us believe, by setting a course according to its commercial interests alone, with South Africa just now having had its first free elections.

It is this same mercantilistic logic that prompted the government to cut more than \$1.3 billion over three years in international aid, thus dropping its assistance to the planet's poorest people and countries to nearly 0.29 per cent of its GNP. This action confirms the government's change in course.

(1510)

How can this government, which committed itself, in its statement of foreign policy, to moving closer to objectives of 0.7 per cent, justify that, within the international budget, programs intended for the most disadvantaged that are being cut more than those with a mercantilistic focus?

Are we to assume that the international aid program, which has earned Canada the profound respect of the international community, will also be based on the new Liberal policy of promoting business first and foremost? The government will definitely have some accounting to do when it participates in the next Commonwealth meetings in New Zealand. Canada must give meaning to its membership in the Commonwealth.

[English]

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, I am very happy today to have the opportunity to speak on Commonwealth Day, celebrated in 51 countries around the world.

As the secretary of state mentioned, Canada has been a proud member of the Commonwealth since 1931. Over the years Canada has established a leadership role in the Commonwealth

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and provided an example for other countries to follow. It must therefore appear strange to our friends and partners in the Commonwealth that there are still separatists in Quebec who want to break up this great country.

I think everyone will see in the referendum this year, though, that the vast majority of Quebecers would rather stay to build a nation of prosperity and harmony than pursue their own narrow interests. With the referendum behind us a united Canada will continue to be a model for the Commonwealth ideal of unity with diversity.

Since this is Commonwealth Day it is only fair that we consider the renewal of this partnership and its institutions. As all parliamentarians now admit, Canada must do more with less. Therefore it is essential that the Commonwealth review its goals and practices to make sure that all member countries are receiving the greatest possible benefits. I trust that the minister will carry this to the meeting in New Zealand.

The Commonwealth has proven over the years the value of international co-operation through multilateral organizations. All member states can benefit through such a process. It is therefore fitting that Canada should set aside one day a year to remember Commonwealth Day.

* * *

SUPPLEMENTARY ESTIMATES (D), 1994-95

REFERENCE TO STANDING COMMITTEE

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I think you will find unanimous consent for the following motion:

That, notwithstanding the resolution of this House adopted on March 2, 1995 to refer vote 30d of the estimates of the Department of Finance to the Standing Committee on Finance, the said vote 30d of the said estimates is hereby withdrawn from the Standing Committee on Finance and referred to the Standing Committee on Public Accounts.

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

Some hon. members: Agreed.

(Motion agreed to.)

* * *

PETITIONS

LEONARD PELTIER

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have two petitions on a similar topic. In the first petition, with 200 signatures, the undersigned draw to the attention of the House that at the time of Leonard Peltier's extradition from Canada to the U.S. the information provided to the Canadian government regarding Mr. Peltier's case was fabricated by U.S. authorities.

Since that time new information has emerged that indicates Leonard Peltier was framed for a crime he did not commit and has spent the last 18 years in prison for. Clear evidence was suppressed, as found out under the freedom of information act. Perjury was rampant throughout the trial. Key witness Myrtle Poor Bear recanted publicly.

Therefore, the petitioners request that Parliament lobby the U.S. government for Mr. Peltier's return to Canada.

The second petition is similar. It has over 400 signatures. The petitioners request that Parliament hold an external review of the 1976 extradition hearings and that he be brought back to Canada for asylum.

(1515)

HUMAN RIGHTS

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, pursuant to Standing Order 36, I am presenting today a petition from Heidi Peterson of Quyon, Quebec, in my riding and 40 other petitioners requesting that Parliament oppose any amendments to the Canadian Human Rights Act or the Canadian Charter of Rights and Freedoms that provide for the inclusion of the phrase sexual orientation.

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, pursuant to Standing Order 36, I have two petitions to present.

In the first one the undersigned petitioners of Canada draw the attention of the House to the fact that the inclusion of sexual orientation in the Canadian Human Rights Act will provide certain groups with special status, rights and privileges. These special rights and privileges will be granted solely on the basis of sexual behaviour. Inclusion would infringe on the historic rights of Canadians such as freedom of religion, conscience, expression and association.

Therefore they petition Parliament to oppose any amendment to the Canadian Human Rights Act or the Canadian Charter of Rights and Freedoms that would provide for the inclusion of the phrase sexual orientation.

The second petition is more or less in the same tone. It calls on Parliament not to amend the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way that would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the Canadian Human Rights Act to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

[Translation]

VOICE MAIL

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, it is my pleasure to table in this House today three petitions signed by 96 residents of the riding of Charlevoix. The petitioners are opposed to the plan to use voice mail for seniors services. I would

Routine Proceedings

like to inform the House that I share the opinion of the petitioners.

[English]

GOVERNMENT EXPENDITURES

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, I have the privilege today to present two petitions.

The first petition has a total of 125 signatures from Calgary area constituents calling on Parliament to reduce government spending and implement a taxpayers protection act to limit federal spending.

HUMAN RIGHTS

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, the second petition has a total of 32 signatures from Calgarians who ask Parliament to amend the Canadian Human Rights Act to protect individuals from discrimination based on sexual orientation, sending a clear message of equality for everyone.

GUN CONTROL

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I have the honour to present eight petitions signed by over 2,000 constituents from my riding of Cariboo—Chilcotin.

The petitioners are of the opinion that existing gun controls on law-abiding responsible firearms owners are more than enough to ensure public safety.

Therefore they call upon Parliament, first, to support laws that will severely punish all violent criminals who use weapons in the commission of a crime; second, to support new Criminal Code firearms control provisions that recognize and protect the right of law-abiding citizens to own and use recreational firearms; and, third, to support legislation that will repeal or modify existing gun control laws that have not improved public safety, or have proven not to be cost effective, or have proven to be overly complex so as to be ineffective or unenforceable. I concur with the petitioners.

GOVERNMENT EXPENDITURES

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I also present a petition signed by over 700 constituents from the city of Quesnel.

The petitioners pray and request that Parliament reduce government spending instead of increasing taxes and implement a taxpayers protection act to limit federal spending. The petition is presented with my concurrence.

HUMAN RIGHTS

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I also present a petition signed by 25 people from Quesnel.

The petitioners call upon Parliament to oppose any amendments to the Canadian Human Rights Act or the Canadian

Charter of Rights and Freedoms that provide for the inclusion of the phrase sexual orientation. The petition is presented with my concurrence.

I also present a petition from constituents in Williams Lake. The constituents request that Parliament not pass Bill C-41 with section 718.2 as presently written and in any event not include the undefined phrase sexual orientation. The petition is presented with my concurrence.

RIGHTS OF THE UNBORN

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I present a petition containing over 100 signatures mainly from Quesnel in my constituency of Cariboo—Chilcotin.

The petitioners pray that Parliament act immediately to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings. The petition is presented with my concurrence.

(1520)

GOVERNMENT EXPENDITURES

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I have the honour to present three petitions signed by over 250 constituents from Williams Lake, Quesnel, Horsefly, 100-Mile House, 150-Mile House and Alexis Creek.

The petitioners pray and request that Parliament reduce government spending instead of increasing taxes and implement a taxpayers protection act to limit federal spending. The petition is presented with my concurrence.

[Translation]

ASSISTED SUICIDE

Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.): Mr. Speaker, these petitioners recognize that the majority of Canadians respect the sanctity of life. They want the government to prohibit assisted suicide. They do not want the law to be amended in any way to make suicide legal.

[English]

VIOLENCE

Mr. Ronald J. Duhamel (St. Boniface): Mr. Speaker, I wish to present another petition in which the petitioners point out that unnecessary violence and abuse of all forms, be it verbal, physical or other, in society in general, on radio or on television has become a serious problem. They point out that it is neither necessary to inform nor to entertain.

The petitioners want government to ensure the CRTC controls these kinds of abuse and violence. They applaud some of the initiatives taken recently to modify and reduce abuse and violence on radio and television.

Routine Proceedings

SENIORS

Mr. John Maloney (Erie, Lib.): Mr. Speaker, pursuant to Standing Order 36 I am pleased to present a petition on behalf of over 70 senior citizens from the Fort Erie area of my riding.

The petitioners ask Parliament to consider that many senior citizens have difficulty living on their current incomes. They ask that their voices and concerns be taken into account when we initiate federal policy.

The seniors ask that we as parliamentarians prevent cuts to the social benefits of senior citizens.

CRIMINAL CODE

Mr. Harold Culbert (Carleton—Charlotte, Lib.): Mr. Speaker, I wish to present a petition signed by some 144 constituents of Carleton—Charlotte from the Nackawic, Temperancevale, Millville, Prince William and Dumffries areas.

The petitioners call upon Parliament to request that the government disallow the defence of extreme intoxication as used recently in the courts and amend the Criminal Code accordingly.

GUN CONTROL

Mr. Derek Wells (South Shore, Lib.): Mr. Speaker, I rise today to table a petition signed by 520 people mostly from Lunenburg, Queens and Shelburne counties in my riding of South Shore.

The petitioners are opposed to the implementation of further gun controls, specifically registration; further restrictions on the sale of ammunition; and the restriction or prohibition of certain handguns.

They feel the legislation unfairly targets gun owners and will do little to deter the criminal use of firearms.

GOVERNMENT EXPENDITURES

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, I have only one petition to table pursuant to Standing Order 36. It is signed by 115 constituents mainly from the town of Assiniboia.

The petitioners pray that the government not consider further tax increases. They pray and request that Parliament reduce government spending and implement a taxpayers protection act to limit federal spending.

Unfortunately the petition is moot, the budget disaster having already happened.

HUMAN RIGHTS

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, I have several petitions to present today. The first one is in opposition to any move by the government to include the term sexual orientation in the Canadian Human Rights Act.

It is from petitioners ranging from Moncton, New Brunswick, to Dover, New Brunswick, to Ottawa, Ontario, and right into British Columbia. I am very proud to say that I support the petition.

GUN CONTROL

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, I am also proud to present today a petition from the people of New Glasgow, Nova Scotia, and area who are very opposed to Bill C-68.

They wish the government to pursue other means of enforcing current firearms legislation and not to introduce new legislation that would turn law-abiding gun owners into criminals.

The Deputy Speaker: Order, please. There are so many members waiting that perhaps the member could present the others at another time in order to be fair to everybody.

HUMAN RIGHTS

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, pursuant to Standing Order 36, it is my duty and honour to rise in the House to present a petition, duly certified by the clerk of petitions, on behalf of 25 constituents of Galiano Island.

The petitioners call upon Parliament to amend the Canadian Human Rights Act to protect individuals from discrimination based on sexual orientation.

(1525)

Ms. Mary Clancy (Halifax, Lib.): Mr. Speaker, I rise to present petitions from constituents of mine, people from Ottawa and all across the country.

They contain hundreds of names and call upon Parliament to act quickly to amend the Canadian Human Rights Act to prohibit discrimination on the basis of sexual orientation and to adopt all necessary measures to recognize the full equality of same sex relationships in federal law.

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, I have a petition from constituents of Thunder Bay—Atikokan and Thunder Bay—Nipigon requesting that Parliament not amend the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way that would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the Canadian Human Rights Act to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

VIA RAIL

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, the second petition requests that Parliament reinstate the VIA Rail passenger train service in Thunder Bay with appropriate connecting service throughout the country.

Routine Proceedings

The petitioners pray that Parliament will view the reinstatement of VIA Rail as a positive step for the environment, economic development in the community, and the comfort and safety of its citizens. I strongly support the latter petition.

GUN CONTROL

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I present a petition on behalf of a number of residents of P.E.I.

The petitioners humbly pray and call upon Parliament to desist from passing additional restrictive legislation with respect to firearms or ammunition and to direct its attention to the apprehension and adequate punishment of those who criminally misuse firearms or other deadly weapons.

HUMAN RIGHTS

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I have three petitions to present today. The first one is from Banff and area. It requests that sexual orientation not be included in section 718.2 of Bill C-41.

GUN CONTROL

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, the second petition is from petitioners from the Strathmore area. They ask that Parliament support laws that punish all violent criminals who use weapons in the commission of crime and support code firearm provisions that protect the rights of law-abiding citizens to own recreational firearms.

The Deputy Speaker: I am sorry but there are too many people waiting.

HUMAN RIGHTS

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I have several petitions to present. I will lump them together.

The first petition with 474 signatures is on sexual orientation. The petitioners pray and request that Parliament not amend the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way that would tend to indicate societal approval of same sexual relationships.

ASSISTED SUICIDE

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I have a petition on euthanasia with 309 signatures. The petitioners pray that Parliament not repeal or amend section 241 of the Criminal Code in any way and uphold the decision of the Supreme Court of Canada on September 30, 1993 to disallow assisted suicide or euthanasia.

RIGHTS OF GRANDPARENTS

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Mr. Speaker, I present even more petitions on behalf of Canadian grandchildren to be able to see, talk with and visit their grandparents.

The petitioners ask that Parliament amend the Divorce Act to include a provision to help recognize children's access to their grandparents.

Mr. Riis: Mr. Speaker, I rise on a point of order. I appreciate your trying to arrange for the maximum number of members to present petitions.

Since the 15-minute rule is an arbitrary rule and we regularly alter the standing orders to meet the needs of members, could I suggest that today we do not see the clock to allow people who have been away for the past week ample opportunity to present petitions on behalf of their constituents?

The Deputy Speaker: Is there unanimous consent not to see the clock?

Some hon. members: Agreed.

An hon. member: No.

HUMAN RIGHTS

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, I have five petitions to present today. I will be brief. Two of them reflect on sexual orientation, saying that Parliament shall not include sexual orientation.

GOVERNMENT EXPENDITURES

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, I also have two petitions asking for limitation of federal spending.

YOUNG OFFENDERS ACT

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, I have a final petition to present that talks about deterring young people from committing crimes by changing the Young Offenders Act.

GUN CONTROL

Ms. Roseanne Skoke (Central Nova, Lib.): Mr. Speaker, I have 20 petitions containing the same subject matter. They contain 3,300 signatures from my riding of Central Nova.

The petitioners support the ownership and responsible use of firearms. They believe that there are already adequate existing laws governing the ownership, sale, use, transportation and storage of firearms. They oppose any new firearm registry or registration fees, new costs, or any further restrictions on firearms.

They ask Parliament not to enact any new firearm registration fees, costs or any further restrictions on the ownership, sale, use, transportation or storage of firearms.

I have already placed the concerns of my constituents on record today at second reading debate.

The Deputy Speaker: Unfortunately the time to present petitions has expired.

Government Orders

(1530)

QUESTION PASSED AS ORDER FOR RETURN

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if Question No. 131 could be made an Order for Return, the return would be tabled immediately.

The Deputy Speaker: Is it the pleasure of the House that Question No. 131 be deemed to have been made an Order for Return?

Some hon. members: No.

[*English*]

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

FIREARMS ACT

The House resumed consideration of the motion that Bill C-68, an act respecting firearms and other weapons, be read the second time and referred to a committee; and of the amendment.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, I will continue my comments on Bill C-68 concerning the inclusion of replica firearms in this bill and whether it will solve the problem. Unfortunately it does not. It is just a small step in the right direction.

Someone who uses a replica firearm during the commission of an offence will now be subject to the minimum one-year consecutive sentence. In reality, this will generally be the maximum sentence as well. It is a good first move but unfortunately that is as far as this bill goes in addressing the situation.

For serious violent offences where a firearm is likely to be used such as robbery, hostage taking or sexual assault with a

weapon, to get the new minimum sentence of four years the crown will still have to prove that the object used was a firearm.

In the case of a robbery there will be a witness who saw the criminal waving an object that looked like a firearm. Security cameras will show the criminal waving an object that looks like a firearm. However, unless the firearm is fired or the offender is immediately arrested, there will not be any convictions under this section. In the majority of instances the crown will still be faced with the impossible task of proving that the object met the legal definition of a firearm.

In reality, C-68 will mean that criminals who pull off robberies with real firearms will likely only get an additional one-year sentence for possession of a replica firearm during the commission of an offence as the criminal will claim the object he used was only a replica and the crown will not be able to prove otherwise. This is simply not good enough.

A second aspect of this bill that the Liberals are giving a great deal of acclaim to is the new minimum sentence of four years for any of 10 specific violent offences with a firearm.

My private member's bill called for a minimum sentence for using a firearm during the commission of an offence to be raised to five years. This sentence was to run consecutively to the sentence for the actual crime. Therefore, I suppose those of us calling for a greater minimum sentence should be happy with the minimum of four years.

In all honesty I would be satisfied if the government had introduced a minimum four-year sentence for using a firearm during the commission of an offence if this sentence had been consecutive to any sentence for the actual offence. However, this is not what the government has done. Instead it has created a combined minimum sentence of four years for both the crime and the use of a firearm.

What difference is this going to make? Not much. What about repeat offenders? Unlike section 85 which calls for an increased minimum sentence for repeat offences, there is no such increase for those criminals who repeat their violent crimes with firearms.

The amendments I would suggest are a joke. The minister's press release makes it sound like the government is getting tough on criminals who use firearms but in reality these changes will not result in increased sentences for those who use firearms. At best it will maintain the status quo. In some cases, the length of the sentence will likely decrease.

A four-year minimum sentence for manslaughter with a firearm is a joke, pure and simple. The average sentence for manslaughter is already four years. How is this minimum going to have any deterrent effect? It is not.

Government Orders

My private member's bill called for a minimum five-year sentence for the use of a firearm during the commission of an offence to be served consecutively to any sentence for the offence itself in a first offence and a minimum of 10 years for a second offence. The difference is very simple. Under Bill C-68 a first time armed robber will more likely serve a four-year sentence which is a decrease from the current going rate of five years. Under my bill a first time robber using a firearm would likely serve a four-year sentence for the robbery and an additional five years for using a firearm for a total of nine years.

(1535)

Which one sends a greater message of condemnation of using firearms during the commission of an offence? Which one is likely to deter criminals from using firearms during the commission of an offence?

The concern I have in separating these two parts under C-68 is that part III will be left out of the discussion. It is very important to Canadians that part III, the criminal use of firearms, be dealt with separately from the national registration.

In dealing with C-41 there have been two words that have taken over the debate: sexual orientation. I would suggest that national registration is going to take over the debate of this gun control legislation and the criminal use of firearms is going to get lost in the discussion.

It is very important that we separate those two and allow for Canadians, the committee and all parliamentarians to take a close look at what this government is suggesting for maximizing the deterrence to the criminal use of firearms.

I feel it does not go far enough. We should have ample opportunity to deal with that and not just talk about the national registration program.

[Translation]

Hon. Sheila Finestone (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, our standard of living, our social and economic standing make us the envy of the whole world. The elevated status Canada enjoys is not a coincidence: it is the result of women and men of strong will who imprinted principles and values on our country as it grew.

[English]

If one principle has guided this House since the beginning, it is an unwavering commitment to preserve a peaceful nature in our society. At times this commitment has meant taking a stand on some very controversial issues. It has also meant introducing groundbreaking legislation such as this bill on firearms control, Bill C-68.

Controversy has never kept us from protecting the values and the ideals Canadians so rightly deserve and consider their own.

These values include the rights to liberty and personal safety which are now enshrined in our charter of rights and freedoms.

In this respect, the firearms control legislation introduced by my colleague the Minister of Justice will undoubtedly make history. Every effort has been made to ensure that Canadians who use guns responsibly will be able to continue to do so.

For example, the Minister of Justice has asked the Standing Committee on Justice and Legal Affairs to consider whether or not some handguns, for example those used in target shooting competitions, should be exempted from the proposed ban. This kind of careful consideration given by the minister will help ensure that the legitimate use of firearms is permitted.

However, we all know that firearms are often used irresponsibly. This bill addresses the use of weapons and the violence they inflict on our society. It not only deals with firearms but also with the shadow of fear they cast upon all of us. In fear and in violence there are no rights and no freedoms, just victims.

Some disregard violence due to firearms because they claim it does not reflect the Canadian spirit. Indeed, Canada does not have a tradition of individuals carrying firearms for self-protection. Hopefully what one might call the gun culture that prevails in the United States will never cross our borders. Nevertheless, violence is real. Statistics can only begin to describe the pain and suffering firearms inflict on their victims.

Over the last 10 years firearms were responsible for 32 per cent of all homicides committed in Canada. Every year on average, 1,400 Canadians lose their lives to them. Of those deaths, 1,100 are suicides. Many of those lives could have been saved if firearms were not so readily available to individuals in distress.

Since 1970, 470 children have died in Canada as a result of mishandled firearms. Those figures are shocking to most Canadians. Those children deserved a future. Those children deserved the right to dream. Those children should never have been exposed to this kind of danger.

(1540)

That is why firearms control and registration are so important to Canadians. Denial will shelter no one from a stray bullet. Every Canadian will benefit from this legislation.

Statistics show that Canadian women support this legislation wholeheartedly. From statistics we know that in this country every six days a woman loses her life to a bullet, most often at the hands of someone she knows. Almost always it is in her own home.

In the years between 1974 and 1992, 42 per cent of women murdered in domestic incidents were shot by their husbands. Eighty-five per cent of domestic murders with firearms are committed with either a rifle or a shotgun. Eighty-two per cent

Government Orders

of the guns that are used to kill women are legally owned at the time of the shooting.

An hon. member: Registering them will not help.

Mrs. Finestone: If this sickening truth cannot impact on your attitudes across this floor—

The Deputy Speaker: The member is an experienced member and I would ask her to please address all of her remarks to the Chair.

Mrs. Finestone: Mr. Speaker, it is the sickening truth that firearms are the weapon of choice for men who murder their wives. I was trying to point out that my colleagues across the floor need not laugh at this moment. It is a serious moment in this debate.

In 1987 the English writer Martin Amis wrote: "Bullets cannot be recalled. They cannot be uninvented. But they can be taken out of the gun". I would add that the safest way is to take the guns away.

As a government we must introduce strong legislation to maintain the peaceful nature of our communities. This responsibility begins with the implementation of tighter firearms control laws. I unconditionally support the legislation presented by my colleague the Minister of Justice.

[Translation]

This bill reflects the wishes of the majority of Canadians. According to surveys, up to 70 per cent of all Canadians want stricter gun controls.

Several large national groups, such as the association of chiefs of police, have endorsed this initiative. Teachers' federations have stated that measures, like the Minister of Justice's bill, were needed to counter violence in our schools.

[English]

Nationally, women have spoken out on this issue for years. Women's organizations from across the country and from a wide variety of societal and cultural backgrounds have been calling for tougher gun control laws for a long time. They have asked for tighter restrictions and I am proud to say that we are now responding.

Perhaps the most eloquent support for this initiative and for the Minister of Justice came from Suzanne Laplante Edward who said: "I think this guy is going to go down in Canadian history. This man just wants Canada to be safer". Mr. Justice Minister, we all agree with that statement. She knows what she is fighting for. Her daughter was killed at l'École polytechnique five years ago. Since then Mrs. Laplante Edward has worked relentlessly for firearms control.

Indeed this legislation is an achievement. It is the kind of initiative that brings about positive social change and preserves our quality of life.

It takes decisive action against automatic firearms. As of January 1, 1995, 21 types of assault guns will have been prohibited. Handguns with no legitimate purpose will be prohibited.

The firearms control legislation recognizes the need for increased and more effective sanctions for the misuse of firearms.

Contrary to an observation made just a few moments ago, four years is the beginning and not the end of the term. It introduces stiff minimum penalties that will serve as true deterrents. For the first time, mandatory minimum sentences of four years in prison in addition to a lifetime prohibition from possessing a restricted weapon are introduced for a series of violent offences including sexual assault with a weapon and aggravated sexual assault.

Anybody charged with criminal harassment, better known as stalking can be temporarily prohibited from owning a firearm. That will save women's lives.

(1545)

Third, the package sets tougher regulations on lawfully acquired firearms. It creates a national registration system for all firearms. Let us not forget that it is often a legally acquired firearm that is used in domestic violence. The shotgun over the mantelpiece is even more threatening to women than the illegal firearms across our border. Keeping track of property for the purpose of information and regulation is commonplace in our society.

I am going to finish with a quotation from an editorial in *La Presse*:

[Translation]

The editorial asked whether we could imagine a citizen owning a car without being licensed to drive, without a licence plate, without insurance, without driving within the speed limits, parking the car any which way and anywhere and leaving the key in the ignition? Of course not. So, why must we accept that a gun owner be entirely free to purchase, own, hide, store and use the gun of his or her choice.

There are six million—

[English]

The Deputy Speaker: The minister's time has expired. Unless there is unanimous consent for the member to continue I have to go to the next speaker.

[Translation]

I wish to inform the House that because of the ministerial statement, Government Orders will be extended six minutes, pursuant to Standing Order 33(2).

Government Orders

Mrs. Christiane Gagnon (Quebec, BQ): Mr. Speaker, I will start by analyzing briefly the arguments in favour of the bill and then I will address the problem of violence against women within this debate.

First, I wish to remind this House that this bill is supported by a great many social groups and professionals in the police, legal, health and social communities. I will name only a few, which come under the umbrella of the Coalition for Arms Control.

They are the Canadian Association of Chiefs of Police, the Federation of Canadian Municipalities, the Canadian Bar Association, the Canada Safety Council, many churches, the Quebec public health network, the Quebec hospital association, many universities and school boards, many unions, the AFEAS and other women's groups and community organizations. Such agreement on an issue that may seem controversial has rarely been seen in Canada and Quebec.

The intense lobbying campaign now under way would suggest that the population is very divided on arms control, but such is not the case. The polls clearly show that the reality has always been otherwise.

Allow me to quote a few of these polls. In December 1989, better arms control was supported by 72 per cent of Canadians and 87 per cent of Quebecers. By January 1991, this support had climbed to 80 per cent of Canadians and 90 per cent of Quebecers. Two years later, in September 1993, universal weapon registration was favoured by 86 per cent of Canadians and 91 per cent of Quebecers. Regarding the sale of firearms, 77 per cent of Canadians and 87 per cent of Quebecers were of the opinion it should be governed by stricter legislation.

As for those directly concerned, i.e. firearm owners, in September 1993, sixty-eight per cent of them supported the idea that all weapons should be registered. This goes to show that the public fears firearms and wants firearms to be better regulated.

Several reasons militate in favour of stricter gun control. The Coalition for Gun Control listed a few. Here are some of the reasons stated: people are safer in a gun-free environment; firearms facilitate suicide; there is much more violence involving firearms in Canada than in most European countries. The current legislation is inadequate in many respects, including accessibility to military assault weapons, absence of a registry of all firearms in circulation, lack of a ceiling on the number of firearms that one can buy and lack of control over the sale of ammunition.

All these reasons justify much closer monitoring of the possession and use of firearms.

Now, moving to a more specific concern of mine: violence against women. There is a direct link between the violence women are subjected to and firearms. I will start by addressing spousal abuse.

It will be recalled that Statistics Canada published the results of a comprehensive survey in October 1993.

(1550)

It showed that one Canadian woman in every four had been abused by her current spouse or a previous spouse and that 45 per cent of abused women were abused by men they knew. A study conducted by two researchers from the Canadian Center for Justice Statistics and published in March 1994 dealt with the most extreme form of spousal abuse: homicide. Among their findings, the most striking are the following:

For each man killed by his wife, there are on average 3.2 women killed by their husbands. From 1974 to 1992, married women were nine times more likely to be killed by their own spouse than by a stranger. The number of women killed by their spouses after separating is high. During the 18-year period covered by the study, from 1974 to 1992, 1,435 women and 451 men were killed by their spouses. The 1,435 women killed accounted for 38 per cent of all adult women who were murdered, while the 451 men killed by their wives represented 6 per cent of murdered adult men.

Let us now see the link between violence against women and gun control. Another study conducted by Statistics Canada and entitled "Family Violence in Canada" shows that, between 1974 and 1992, forty-two per cent of women murdered by their spouses were killed by a firearm. These eloquent figures are supported by the findings of Mr. Maurice Cusson, director of the École de criminologie at the Université de Montréal, and his research assistant, Mrs. Raymonde Boisvert. In a study entitled "L'homicide conjugal à Montréal: ses raisons, ses conditions et son déroulement", the authors examined the reasons behind, and the circumstances surrounding every spousal homicide committed on Montreal Island between 1954 and 1962, and also between 1985 and 1989.

The authors first found, as women's support groups have been saying for a long time, that control by men is the dominant factor in spousal homicides. This is true for both periods, that is before and after the quiet revolution. The authors also note that homicides triggered by this need to control are always committed by men and that the victims are almost always women, the only exception being homosexual couples.

Out of the five elements identified by the authors as being intrinsic to homicides based on a power relationship, there is the vulnerability of the victim, and this is where firearms come into play. The authors concluded that "the victim must be deprived of adequate defence mechanisms to protect herself from the attacks of her spouse. This raises the issue of power, which usually rests with the man, who is physically stronger than the woman. More often than not, that power is increased by getting a firearm".

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The authors of the study see the acquisition of a firearm by the spouse as a danger signal which should not be overlooked. Another study, conducted by the Canadian Advisory Council on the Status of Women, showed that, between 1980 and 1989, 72 per cent of women killed by their spouses were shot with a rifle or a gun. These figures are much higher than the percentage of murders committed with this type of weapon.

The new legislation provides that these weapons will be subject to registration and thus to much stricter controls. We must now consider the following: would these women have died if our firearms legislation had been similar to the legislation before the House today?

Let us draw an analogy here. What spousal suicide and spousal homicide have in common are the location—the home—and the means used. The Quebec suicide prevention centre has concluded, from experience, that the suicide rate is higher in homes where guns are available.

A press release issued last October says that 92 per cent of suicide attempts where a gun was used are fatal, while suicide attempts using other means are fatal in only one-third of the cases. We have established a link between access to a weapon and spousal homicide. If we can save just one life by restricting access to firearms, we will have accomplished something.

I support Bill C-68 because I want to eliminate the means used most frequently to kill women. The measures the bill contains will restrict access to guns through compulsory registration and licence renewal for responsible individuals only. Persons previously convicted of violent crimes and stalking will no longer have access to guns and ammunition. Furthermore, I think the minimum four year prison sentence will act as a deterrent to using guns in domestic situations. This is a win-win situation, for women, first of all, and for society in general.

(1555)

[*English*]

Mr. Harold Culbert (Carleton—Charlotte, Lib.): Mr. Speaker, I am pleased to take the opportunity to comment on Bill C-68, the firearms act, on behalf of my constituents in Carleton—Charlotte.

Carleton—Charlotte, located in New Brunswick, is over 200 miles long. A good portion of it lies along the 49th parallel bordering on the state of Maine. It consists of all of Carleton county, all of Charlotte county, a sizeable portion of York county and a portion of Sunbury county. The economy of these regions is extremely diverse. It is based on agriculture and food processing, forestry and pulp and paper mills, the traditional fishery, aquaculture and fish packaging, manufacturing, tourism and the service industries.

As you can imagine, Mr. Speaker, there are not large urban centres but rather rural areas built around service to the citizens. The towns and the villages have developed over the centuries to provide these services to surrounding rural areas. Hunting and pleasure fishing have been a way of life for the citizens of Carleton—Charlotte since the area was settled in the mid to late 1700s.

Hunting still plays a very important economic role in the region for outfitters, service industries and guides. Almost every farmer and many rural residents own firearms, not only for hunting or sport but also for the protection of their livestock from predators.

Over the past few months I have held several meetings, some large and some small, regarding the firearms proposals which are now in Bill C-68. There has been complete support throughout Carleton—Charlotte for stiffer penalties for the use of firearms in the commission of a crime, including the minister's proposal for a four-year mandatory prison sentence for the use of a firearm in 10 specific violent crimes. Also the initiative for stiffer penalties for illegally importing and trafficking in firearms as well as stricter border controls on firearms is most commendable.

The section dealing with the prohibition of various types of assault weapons is also fully supported. However the 105 millimetre or 4.14 inch or under barrel length handgun ban has been questioned. It has been suggested that the full length of the handgun could have been emphasized instead of the barrel length only.

My constituents appreciate the fact that the minister has requested the Standing Committee on Justice and Legal Affairs to determine which handguns in the prohibited class could be exempted due to their use in recognized shooting competitions.

To say that they have major concerns with the universal registration system for legal hunting rifles and shotguns would be stating it mildly. Those who have commented to me on this subject rejected this section vehemently. As indicated, I have hosted meetings which were well attended and smaller meetings where I was able to speak candidly with individuals. In all cases the registration system is the portion of Bill C-68 which elicits the most serious concern and the strongest objection.

The general consensus indicates that the proposed universal registration system, which will include the owner's legal hunting rifles and shotguns, will be hard to administer and extremely difficult and expensive to enforce.

Many of my constituents believe that this system will make criminals out of innocent, law-abiding citizens who either do not register their legal rifles or shotguns or those who are unaware of the necessity to do so. These citizens are responsible, respectable people who enjoy hunting as a sport. They

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value their rifles and shotguns and take great care to secure them.

However these responsible people could, through no fault of their own, be charged with a criminal act; for example, a person who is unaware that a rifle or shotgun is stored in an attic and does not know that they are required to register it. For many years now handguns have required registration. This is not new for handgun owners.

(1600)

Currently an FAC, or a firearms acquisition certificate, must be obtained prior to purchasing any new firearm. It has been suggested that the FAC system be upgraded to include full registration for new firearms, instead of trying to initiate a universal registration system for all firearms. As I understand it, a thorough check is required and the name of the applicant, the description and the serial number of the firearm is kept on record at the retail outlet but not forwarded on to a central registration centre. I believe that it would be very useful for the Standing Committee on Justice and Legal Affairs to review this possibility in an attempt to streamline the registration system.

Other alternatives were also suggested, including a program which would include issuing an owner's certificate only to ensure that the holder is a qualified and legitimate owner.

Another point was that although one person may own all of the legal hunting rifles and shotguns in a family, the individual's spouse, sons and daughters, who would use the firearms for hunting purposes, would have to purchase individual firearms licences at \$60 every five years. This happens in many cases where the entire family enjoys hunting. I would suggest that the standing committee review the possibility of a family package for these cases.

Finally, hunting plays a very important role in the economy of my constituency and throughout New Brunswick. Many outfitters have benefited from and created employment for others through this tradition. We must ensure that the system adopted is fair and equitable for the responsible firearm owner. We must protect this important aspect of our economy. These assurances can only be provided by the Standing Committee on Justice and Legal Affairs, through its review of Bill C-68, by bringing forwarded the appropriate changes.

I would be pleased to assist the committee in any way possible to ensure that we have fair legislation which will be supported and will achieve the goals for which it was intended, to make our communities and our streets safe for my family, for your family and for all Canadians.

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I would like to begin today by expressing my appreciation for the presence of the Minister of Justice who is listening

to the debate. I find it commendable that he would be here to listen to the speakers.

I rise in the House today in support of the Reform Party's motion proposing amendments to Bill C-68, an act respecting firearms and other weapons.

For several months now the people of Cariboo—Chilcotin have been campaigning non-stop against a bill they have seen as not only intrusive, but an invasion of their rights and their privileges as Canadian citizens.

I received over 800 letters and 70 petitions since the Minister of Justice tabled his firearms legislation late last year. They all had the same message: get tough on the criminal, not on the legal, law-abiding gun owner. These are impassioned letters and the message being given is a simple message. It is a message that has been sent to Reformers, Liberals and Bloc members alike. It is a message which has not been heeded in Bill C-68 and it is a message to which the Reform Party is trying to respond with this amendment.

Bill C-68, as it now stands, is, as my colleague from Prince George—Peace River noted, really two bills combined into one. On the one hand it gets tough on criminals that commit crimes using firearms and replica firearms by increasing minimum sentences to four years in prison. This is a measure for which the Reform Party has been calling. As the Reform blue book clearly states: "If elected a Reform government will introduce legislation by which the criminal misuse of firearms will be severely punished". Reform has called for minimum mandatory jail terms for firearms related crimes. I am encouraged that these concerns have been at least partially included in Bill C-68. This truly is getting tough on the criminal.

(1605)

If these measures are brought into law independently, the government can count on the support of Reform Party MPs and our party membership across the country. On the other hand, Bill C-68 places what many Reformers and even some Liberals agree are excessive and unnecessary restrictions on the legal, law-abiding gun owner.

I refer particularly to the proposed firearms registry, along with the many accompanying provisions that could make criminals out of gun owners. It could make criminals out of them simply because they do nothing. This provision, as I noted earlier, has raised a great deal of concern within my riding and many others.

The current handgun registry has had little if any effect on crime. The proposed firearms registry will only follow in its footsteps, adding more rules but doing nothing to solve the problem. However, this is an issue to which I will speak at another time.

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As for the amendment, the Reform Party has given the Minister of Justice and the House an historic opportunity. It gives all members of Parliament the choice to stand together and to show Canadians our common commitment to fighting crime. Despite our political differences we share a desire to get tough on criminals. Together we can quickly pass strong anti-crime legislation.

The amendment will also provide us all with the chance to focus at a later date on the one issue that divides us and threatens this entire package. That issue is the firearms registry. The use of a registry in firearm ownership is a radical departure from Canadian tradition and one which should be carefully examined.

In light of the experiences of countries such as England, Australia and New Zealand we are very much afraid this is a lost cause before it even gets started. Two years ago the Auditor General made this statement on the topic of Canada's gun control policy. He said: "Evaluation of the [gun control] program is essential to give the Canadian public and members of Parliament the assurance that its objectives are being met".

Clearly the gun registry has not undergone the sort of significant, non-partisan evaluation needed to contribute to the debate. Until this happens there will be ongoing divisions within the House over the registry, slowing up the positive aspects of Bill C-68 in the process. If this is the only issue that seriously divides us as parliamentarians, let us deal with it separately. Let us deal with it in the best interests of all Canadians.

In closing, as members of Parliament we have long hoped for the day when we can come together in a spirit of co-operation and common direction in the interests of our constituents. By adopting the Reform amendment the House can, even on this one issue, work in unison for the betterment of all Canadians. Let us not let what divides us hold back what unites us.

Mr. Réginald Bélair (Cochrane—Superior, Lib.): Mr. Speaker, when the gun control issue heated up last year after a string of gun-related crimes, culminating in the fatal shooting at the Just Desserts restaurant in Toronto, emotion ran so high that it was very difficult in the confusion to properly dissociate the weapon of the crime from the underlying and growing issue of violence in our society.

Responsibility for these crimes was quickly linked to the availability of firearms and to every firearms owner. Under the proposed gun and crime control bill a very high number of my constituents understand the fact that responsibility for crimes involving firearms is being unfairly attributed to the law-abiding gun owner on the same basis as the criminals.

(1610)

[Translation]

The government is right to introduce legislation containing tougher sanctions against individuals convicted of murder and to step up efforts to deal with the smuggling of firearms. Such measures are necessary if we want to control crime and prevent an increase in the crime rate. We must ensure compliance with existing legislation on the wrongful use of firearms and their proliferation in our society. However, I have serious reservations about some of the points proposed in the bill.

[English]

In my riding, being a rural one, almost everyone owns a rifle or a shotgun, yet the incidence of violent crimes involving firearms is practically non-existent. They are responsible and law-abiding citizens including natives, trappers, sustenance and sports hunters, gun club members and gun collectors that have all proven their ability to own and use a firearm. Stricter gun control will not necessarily result in a decrease in the number of crimes involving firearms in this rural part of Canada. These law-abiding firearm owners should not be burdened or inconvenienced with additional gun control measures that will not reduce crime or improve public safety.

[Translation]

Self-respecting firearms owners will not willingly accept a further erosion of their right to privacy. They are afraid that when the data base is complete, it may provide, on request, information on their financial situation, marital status, mental health and mobility, all because of regulations that may profoundly intrude on their privacy, and at their own expense.

[English]

My constituents have been asking all along that the bill be divided into two parts: legislation that directly affects law-abiding gun owners and legislation that affects the criminal use of firearms. They have, as I have, also requested a free vote on the issue. We know that this will not be the case and therein lies my dilemma. I am wrenched between the loyalty to my party and representation of the views of my constituents. It will not be an easy call.

Eighty-five million dollars was forecast by the government to implement the national firearms registration system. The federal government has pegged the number of guns in circulation to be registered at 7.5 million. This number differs by a wide margin with the Ontario Federation of Anglers and Hunters calculations of 15 million as well as with those of the National Firearms Association. That is why the projection is unrealistic while I find the cost still prohibitive.

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The National Rifle Association in the United States has already expressed concern that American hunters who will be required to register at the border will not come to Canada if they have to register their guns.

If we implement tough proposals do we not risk creating a new kind of relationship between the government and law-abiding gun owners, a climate of non-compliance or civil disobedience? We must keep in mind that the legislation is counting on all gun owners to voluntarily register themselves with police and to register all of their firearms by the year 2003.

Anti-gun control proponents could use any illegal avenue to stay out of what has already been dubbed the registration swamp. We must avoid red tape and restrictions on law-abiding gun owners if we cannot yield any evidence that stricter controls would make our communities safer.

[*Translation*]

The adoption of pro-active prohibition orders has also raised objections from many firearms owners. The penalty would apply to all members of the household if one member is affected by such an order. Should we impose prohibition orders on law-abiding firearms owners because a close relative committed a crime using a firearm? Many people think this is very unfair.

[*English*]

From another perspective on the issue, I hesitate to endorse new gun control legislation before the provisions of the Criminal Code can first be fully applied and enforced. We know that Bill C-17 is still in the early stages. Insufficient time has passed since its adoption to assess the effectiveness of its measures.

Law making, to be meaningful, must go beyond the legislative process and must be enforced. Every gun control or enforcement measure requires resources for its implementation. This will be an extra burden on the RCMP, the QPP and the OPP. If the threat of massive non-compliance is carried out, our federal court system will become so clogged that it will take years to process each individual case.

(1615)

[*Translation*]

A number of inquiries conducted in various countries have shown there is no connection between the percentage of crimes involving firearms and the degree of regulation of firearms in that country. In countries with a very low rate of violent crimes or homicide, like Japan and Switzerland, the presence or absence of firearms is irrelevant. However, making young people socially responsible, giving them a good education and warning them against criminal behaviour is a major factor in producing low crime rates.

Countries that have tough firearms legislation have shown an increase in the rate of violent crimes. Countries whose citizens have a healthy cultural life and have very close family ties have the lowest rate of violent crimes committed with firearms, whether such arms are available or not. There is no evidence that more regulations have reduced the number of violent crimes.

[*English*]

Such findings are important. Homicide is a societal problem unrelated or at least marginally related to public access to firearms. The government should therefore concentrate its efforts toward identifying the real causes of crime in our society.

Bill C-68 is not only a registration bill but also a crime control bill. Imposing minimum mandatory sentences of four years for serious crimes committed with a firearm will go a lot further in deterring violent crime. Judges will be given strict instructions to no longer be lenient with the criminal element of our society and not to accept plea bargaining from defence attorneys. Measures such as these will make potential criminals think twice before they commit a reprehensible act.

The anti-tobacco and alcohol smuggling campaign of 1994 has proven to be very successful and the same methods of controls should be applied. The one-year minimum sentence will also send a very strong message that the illegal importation of firearms will be severely punished.

A huge majority of Canadians also agree that military and paramilitary weapons should be prohibited as their usefulness is totally unjustifiable in our society.

In essence, Bill C-68 responds extensively and quite adequately to Canadians' wishes to strengthen the Criminal Code for crimes involving firearms. I totally share this feeling with my urban colleagues. There are legitimate concerns since crimes committed with firearms are in effect concentrated in urban areas.

However I feel that this bill does not heed the concerns of rural Canada. A law-abiding citizen could end up with the same black mark on his or her record as a criminal found guilty of a real crime involving a firearm.

In addition, one must really question the constitutionality of the information that will be stored on the magnetic strip of the credit card style of permit. Canada is a country that prides itself in respecting the privacy of its citizens. Is the federal government not probing too deeply into people's lives? Furthermore, if this bill is adopted as is, it will be most interesting to see how the Supreme Court of Canada will react to this point as this law no doubt will be challenged.

I am reserving final judgment on this bill until I am given an opportunity to study the forthcoming amendments. I owe it to the 6,000 constituents who have taken the time to write, to sign petitions, or to verbally express their views on this controversial

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issue. Hopefully the speeches heard in this House will serve to enlighten the members on their final vote.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral (Laval-Centre, BQ): Mr. Speaker, today we are debating on second reading Bill C-68, an act respecting firearms and other weapons. The current Liberal government is making it a key piece of its legislation.

The famous red book to which our colleagues across the floor so often refer promised tough legislation in the area of gun control. The Bloc Québécois, like most Quebecers, has always been in favour of tighter gun control.

(1620)

A number of recent tragic events have made all of Quebec aware of the inescapable reality that firearms are dangerous and kill readily.

Murderous rampages are a fact in our society: 1984, Assemblée nationale, three killed; 1989, Ecole Polytechnique, thirteen women killed; 1992, Concordia University, three professors killed. These events are etched in our collective memory.

Bill C-68 is therefore a step in the right direction. It proposes measures to ensure better control over the purchase, possession and storage of firearms.

It provides for more severe punishment for the possession of a prohibited or restricted weapon. It also introduces new offences and denunciatory sentences for the illegal importing and the trafficking of arms. It will now be prohibited to import or sell .25 or .32 calibre handguns and handguns with a barrel length of 105 millimetres or less.

Finally, the bill establishes a national registration system for all firearms, to be administered by the Royal Canadian Mounted Police in co-operation with provincial and municipal forces.

This system will help police forces to combat the criminal use of guns: first, orders of prohibition for certain weapons will be enforced; second, the fight against smuggling will be stepped up by controlling the kind and the quantity of firearms entering the country; third, compliance with the rules for the safe storage of firearms will be ensured; fourth, it will be easier for police forces to track stolen weapons or those used to commit crimes.

Setting up the gun registry is a positive move. We nevertheless deplore that this system will not pay for itself, as was initially promised by the government and demanded by the official opposition. In fact, the Liberal government estimates that, over a period of seven years, it will cost \$85 million to implement the system.

The Bloc Québécois has no problem recognizing that this system will help fight against the illegal sale, possession or use of firearms. However, the official opposition believes that the period for registering firearms must be shortened. In spreading the deadline over an eight-year period, the government has chosen to compromise the attainment of the goals of police forces.

The Bloc Québécois has no doubt that the Minister of Justice and his government caved in to the repeated attacks of several pro-gun lobby groups. Does the power of money compare to the power of AK-47s?

How else could we explain that over 13,000 military type automatic weapons, including over 4,000 AK-47 machine guns, will remain uncontrolled?

What kind of moral or logical justification could there be for owning such a firearm? Partridge hunting? We could lose a lot of feathers if that were the case. Personal protection then? In that case, we have powerful enemies. The desire to own collector's weapons? Is an AK-47 a work of art? Unless, of course, we want to turn it into a symbol of our civilization.

The government did not have the courage to do its homework. It evaded its responsibilities by asking the Standing Committee on Justice to find solutions to problems the government itself created.

For example, the government has asked this committee to find an acceptable solution in the case of firearms that have special significance for some people as family heirlooms, so that owners can bequeath their firearms to their children as part of their inheritance. That may be a legacy of love.

(1625)

Given the situation, the Bloc Québécois can only support wholeheartedly the recommendations made by coroner Anne-Marie David. The Liberal government should do the same.

Coroner David suggests that the Minister of Justice should amend the wording of the regulations on the safe storage, display and transportation of firearms to make it more consistent and easier to understand for the whole population. She feels that the current regulations are confusing and that not distinguishing between unrestricted and restricted weapons contributes to the confusion.

What Boileau said in the 17th century is more valid than ever: "A well-formed thought can be conveyed clearly, and the words to express it come easily".

Coroner David also notes that the current regulations allow weapons to be displayed. Is it unreasonable to believe that such a display can be an incentive to steal weapons or arouse the curiosity of some people who may be tempted to handle them?

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The regulations contain another flaw: How can we approve regulations that authorize the transportation of unloaded unrestricted weapons on the back seat of a vehicle, as long as they are under the supervision of an adult?

According to Anne-Marie David, such leniency is an incentive to steal and contravenes in some cases the provisions of the Act Respecting the Conservation and Development of Wildlife.

The government must therefore launch an extensive information campaign to clearly explain the amendments to the regulations. It is aimed at the public at large, but should target certain groups in particular, such as hunters, collectors and sharpshooters.

According to coroner David, it is imperative that this publicity campaign be conducted under the aegis of a provincial committee and, sadly, that the federal government contribute the financial resources necessary to the success of such endeavour.

As we can see, this bill has no teeth, but its flaws have to be remedied, if the federal government really wants this legislation to have not just teeth, but good sharp ones.

The official opposition remains committed to producing legislation that will ensure tighter gun control. Support expressed by individuals, organizations and community social action groups fighting against violence, is extensive.

A large coalition originating from Quebec has taken a stand for closer monitoring of the sale, possession and use of firearms. Both public and parapublic organizations have come forward; the vast majority of police forces and police associations are in favour of increased gun control.

As the member for Laval Centre, I am particularly proud of the level of awareness displayed by the residents of my riding and my city, as evidenced by the resolution passed by the Laval town council on November 9, 1994, in support—unequivocal support—of stricter gun control measures.

[English]

Ms. Mary Clancy (Parliamentary Secretary to Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I am delighted to stand and make my contribution to the debate on the question of the adoption of the new legislation on gun control in this country. I say to anyone in this House who is in question as to where I stand on this issue, I stand most strongly and most passionately in favour of the adoption of this bill. I do so for a whole variety of reasons. Many of them are emotional because it is an emotional debate.

I think that all of us, wherever we stand on the gun control debate, were horrified just before Christmas when a young girl in the United States went for a sleepover with her friends because her parents were going to be away overnight. At some point in the evening she found out that her parents were going to

be able to come home. She and her friend went back to the house. When she heard her parents coming in she hid in the closet. When her father came in the front door she jumped out of the closet and yelled “boo” and her father shot her to death. What a terrible tragedy. It would not have taken place if there had not been a gun in that house.

(1630)

I think many of us remember the case in Michigan several years ago of a 9-year old paperboy who went to collect paper money, something he did every week. Most of us pay our paperboys or girls every week. The owner of the house, not realizing who it was, thinking it was an intruder, shot him to death.

We remember the Japanese exchange student in the United States who was out with some friends on Halloween, experiencing a long and treasured tradition in the culture of the United States and Canada, going door to door, trick or treating. He too was shot and killed by a homeowner who thought he was an intruder.

All of these examples take place tragically in the United States. I believe most passionately they take place there because there is a gun culture in that country that does not exist in this one. I intend to fight most passionately to see that kind of culture never takes hold in this country. That is not the culture that belongs to bona fide hunters, farmers or sport shooters.

I am going to quote someone I saw on CTV not too long ago. The man's name is Dan Matheson. Any who watch Canada AM will have seen him. He does sports, the weather and shares the anchor desk. One day not too long ago he said he had taken his little boy fishing. I cannot remember if I have the exact cost, but it somewhere between \$30 and \$50 to get a fishing licence to go fishing with his son. He said: “I just do not get it. I pay this to go fishing with my son. What is the complaint to register a gun? That is a whole lot more dangerous than a fishing rod”.

The whole question of gun mentality in this country is misunderstood. There are members in this House who have misused the statement that there is a right to bear arms. There is not now any right in any Canadian constitution to bear arms. Not in this country. Not now and please, God, not ever. We have already seen the results of violence.

The hon. member opposite spoke most eloquently of some of the examples in Montreal; the example that haunts all Canadians over the age of reason on that December night, the École Polytechnique.

Violent actions are not only occurring in the streets at the hands of criminals, they are occurring in the homes of our neighbours. Death and injury by guns in the home are now a greater problem than the criminal misuse of firearms on the street. This relates directly to the questions of violence against women.

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The greatest threat of homicide is not at the hands of a stranger. The majority of gun homicides, 86 per cent, are caused by family members, friends or acquaintances. One woman in Canada is killed with by gun every six days, most often in the home by someone she knows. We have evidence that a significant number of offenders act impulsively, suggesting that the simple availability of a gun can determine whether a homicide will occur.

(1635)

I have tremendous respect and affection for the Minister of Justice but he does not go as far as I would. It is probably because I am an urban member. It is probably because I am a woman. It is probably because I do not have a cool head when it comes to the question of guns and gun control.

Last session I saw a bill brought forward that had many good points. I sat on the legislative committee that dealt with that bill. I saw it watered down until it effectively meant very little. That is why I am so proud to stand on this side of the House with this minister, with this government, to support this bill. It is tough and it is also fair.

I have been to gun clubs where I have walked in and said: "Gentlemen, I am your worst nightmare". No one in the House is more strongly opposed to guns than I am. There are many who are equally strongly opposed, but none more strongly opposed.

I have left those gun clubs with those people perhaps not agreeing with me but understanding my point of view and understanding the point of view that is the most important, that 70 per cent of the people of this country agree with the Minister of Justice. They agree with the Prime Minister. They agree with members on this side of the House because they apply a little intelligence to the equation and they understand the situation.

If we want to talk about legitimate polls, as the member from Calgary appears to be, he could speak to his own minister of justice in Alberta who commissioned a poll. Those of us who know a fair bit about polling know that we can commission polls so that questions will turn up the response we want. That minister was not a particular proponent of this government's law and yet even that poll showed that 62 per cent of the people in Alberta favoured gun control.

Mr. Thompson: Out of 300.

Ms. Clancy: To hon. members opposite, if they want to get their poll done right maybe they should re-educate their attorney general. In Alberta 62 per cent said yes.

Mr. Silye: He is not here to defend himself.

Ms. Clancy: I can only pick on people who are not here. It is too easy to pick on those opposite. If hon. member's opposite

would like to calm down and listen, I would be happy to conclude.

This is a very serious issue. This is a very important issue to the women of this country and to the children of this country. It is very interesting that we talk about guns and their different categories. We talk about automatic weapons, semi-automatic weapons and some of the particularly horrible instruments of mayhem I saw when I travelled with the Toronto police force some months ago.

The hon. member opposite says they defended this country in the second world war. Our guns were turned on an enemy in the second world war that was trying to subjugate an entire culture and an entire belief in democracy. I do not think we should be turning those same weapons on our fellow citizens, which we have been.

Let me get back to my original point, guns, automatic weapons, semi-automatic weapons, those awful instruments of mayhem. Many are going to be banned. Let no one misunderstand that for women in this country an ordinary shotgun in a gun case or hanging over the mantelpiece is an object to be feared. It is an object to worry about for oneself or for one's children, given the circumstances in far too many families.

(1640)

Again, I am very proud to stand with this government and this minister on the whole issue of gun control. I stand here knowing this is a promise made to the people of Canada, important to the people of Canada. First and foremost, this is a promise that will be kept to the people of Canada.

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, the issue of gun control has become one of the more emotionally charged debates to be addressed in this House.

As the member for Calgary Centre, I cannot believe how quickly such an important subject has digressed into the realm of us against them, between interest groups, spin doctors, media pundits, urban and rural ridings, men and women. We have lost sight of who we are trying to protect.

Not one person in the House enjoys picking up a newspaper and reading about a man, woman or child being shot by another person. No one enjoys walking the streets at night with a feeling of fear in their stomach. Emotionally we are all on the same wave length and so it is time to start thinking and acting rationally, not just emotionally and politically, as the justice minister said today in question period.

The purpose of the motion we are debating today is to split Bill C-68 in two. One bill would cover the Criminal Code amendments dealing with the use of firearms during the commission of a crime while the second bill would deal with the issue of a national firearms registration system. The rationale is

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simple. The Minister of Justice has lumped these two separate issues together under the banner of crime control.

I do not believe criminals will register their guns and I believe the current firearms acquisition certificate system is adequate in the control of legitimate firearms owners. Therefore we should separate this bill. Even some members of the Liberal caucus support our motion.

At a town hall meeting on March 5 the hon. member for Lanark—Carleton stated he would like to see Bill C-68 split wherein the anti-crime and anti-smuggling components of the legislation would be dealt with separately from the issue of gun registration. They are two separate issues. I fully expect the Liberal member will vote in favour of our amendment.

I am prepared to support measures that genuinely reduce crime, but the burden of proof is on the Minister of Justice to prove gun registration will work. Therefore, before debate on this bill concludes I would simply ask some Liberal members to answer a few questions.

How will a firearms registration system truly protect society in light of the fact that other systems around the world have shown that it does not really make a difference? How will the government gauge the success of the program? How will the high costs be reconciled with making criminals out of innocent people?

I have some serious, common sense questions regarding who benefits from this program. The Minister of Justice has said registration will reduce crime and better equip the police to deal with crime in Canadian society by providing them with more information they often need to do their jobs.

Criminals will not register their weapons. I find it rather unlikely that policemen on the streets will approach a suspect's house any differently if the computer says the suspect does not own a gun. Caution will still be the rule.

I would like to take a moment to read part of a letter from two Calgary policemen:

On Saturday, November 26, 1994 my partner and I were dispatched to a noisy stereo complaint in northwest Calgary. After knocking on the door for an extended period of time, my partner and I were confronted by a man at the door with a loaded, sawed-off shotgun which he pointed at my partner's chest. The man was subdued, arrested and charged with four weapons related offences.

During our investigation we determined that the man was prohibited from owning or possessing any firearms until 1998 because of a weapons offence in 1992. The weapon he had in his possession was also a prohibited weapon.

Of all the four offences the man was charged with, only one, assault with a weapon, is an offence where police can take the criminal to jail. Pointing a weapon, possession of a prohibited weapon and pointing a prohibited weapon are minor offences in the Criminal Code, the criminal version of a speeding ticket.

How will registration possibly change what happened to us?

The man was legally prohibited from having a gun but he had one. Does a police officer have to get shot to make us realize that we have to get tough on these sorts of offenders?

According to the Department of Justice, in over half the cases in which possession charges are laid by police they are dropped once they get to court. That is the reality outside of planet Ottawa.

Addressing the inherent weaknesses of the Criminal Code and the charter of rights and freedoms should be our number one priority.

(1645)

Handguns have been registered in Canada for 60 years. In spite of this, using the minister's own statistics, handgun crimes have been on the increase. There is no evidence to indicate that universal registration of shotguns and rifles will be any more effective.

Are we really worried about hunters, target shooters and collectors? Maybe the Liberals are but I cannot accept that these people are responsible for the violence on our streets. It is the criminals using illegally obtained weapons who are responsible for gun related crimes. They should be the target.

The Liberals like to use the logic that if you have to register your car you should register your gun. If you register your gun you will become more responsible, less inclined to have an accident and less likely to have your weapon fall into the hands of criminals.

When we look at vehicle registration, what effect does it have on preventing theft, promoting responsible use and reducing accidents? Does vehicle registration prevent drunk driving?

In Calgary a teenager was recently sentenced to six years for running down and killing a police officer with a registered stolen car. Is the owner of the stolen car responsible for the death of Constable Sonnenberg? Should car owners have to take more responsibility ensuring that their vehicles are stored safely? Should we apply the same legal impediments to car ownership that the minister wants to apply to gun ownership? Would this have saved Constable Sonnenberg? Of course not.

No matter what steps we take to prevent our property from being stolen, criminals find a way to get at it. No matter how much registration we have the simple truth is that people will continue to break the law. Let us start focusing our legislation on discouraging those who might and punishing those do.

Let us send a collective message to potential criminals that this country does not tolerate violence and violent offenders. From now on the punishment will match the crime.

Becoming a legal firearms owner in Canada today is by no means a cakewalk. Applicants must obtain a firearms acquisition certificate which is an extremely probing form containing questions about personal matters such as drug and alcohol abuse, job loss and divorce, to name a few. Applicants must then furnish the names of two people from the prescribed list of occupations and relationships who can verify the information in

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the application. This is followed by a 28-day mandatory waiting period during which a firearms officer can conduct an investigation on applicants. Upon completion the applicants must then pass a course or test on the safe handling and use of firearms and the laws relating to them. The applicant is then photographed and his or her certificate is processed centrally by the chief provincial or territorial firearms officer. What more can you do?

In the time it takes one legal gun owner to go through this process, thousands of stolen or smuggled guns will change hands in the streets. That is the problem. If this government would take more time to identify the right problem, it would find 60 per cent of the solution.

The national debt is the problem. The deficit is a contributing factor. That is why we have to get to a zero deficit, not just 3 per cent of GDP. The lack of deterrence for the criminal misuse of firearms is the problem. Registration is not even a contributing factor.

The Liberals are identifying the wrong problem. The Minister of Justice stated in the House that last year an estimated 375,000 weapons were smuggled into Canada. In the same breath he went on to say last year approximately 3,800 firearms were lost or stolen by those who lawfully own them in Canada. In the years since 1974 a cumulative total of 65,000 firearms have been stolen or lost, not recovered.

There were 3,800 stolen or lost weapons as opposed to 375,000 smuggled guns, yet the main emphasis of our new gun control laws will be registration for legal gun owners. I believe that instead of throwing millions of dollars toward registration we should look at all possible ways to beef up our security at borders.

Let us do everything in our power to stop the 375,000 guns from finding their way into hands of criminals. Let us send a clear message to the people who bring them across the border that if they get caught, they will not just get a slap on the wrist or a fine, but a guarantee of time behind bars.

Currently we have mandatory sentences for firearms offences that are not enforced because they are plea bargained away. Therefore a mandatory sentence is utterly meaningless and useless. I can see the need for a crown prosecutor to have some latitude in handling a case. The flexibility that plea bargaining offers is intended to lead to a conviction. I realize it is necessary, but not the outright elimination of a mandatory sentence. It should be a reduced sentence.

(1650)

A national firearms registry flies directly in the face of today's reality which is that the vast majority of people want less government regulation and intrusion in their lives, not more. A 10-year jail term for failure to register and the right to register a

firearm and the right to search and seizure without a warrant are incomprehensible.

Are we headed for a police state if this bill passes in its present form? Is the minister not willing to separate the bill and debate the two separate issues? He knows full well that they are two separate issues. He knows that this party would support the amendments to the Criminal Code to make it tougher on crime. He knows he would get our support.

Why bother with this national registration issue with the same bill? Separate the two. Have the courage and conviction to have a true and honest debate. People are sick and tired of hearing about the rights of criminals. They want them caught. They want them off the streets. They want them punished and, above all, they want laws that will make people think twice about becoming criminals in the first place.

Mr. Sarkis Assadourian (Don Valley North, Lib.): Mr. Speaker, 128 years ago our founding fathers came together, gave this House power to enact laws, to ensure peace, order and good government in Canada.

Even President Clinton on his visit to this country on February 23 said Canada has shown to the world how to balance freedom with compassion and tradition with innovation. Canada set the example for the rest of the world on many occasions. This certainly is one of those occasions when we can say to the world that we set the standards and we make the examples for the rest to follow.

On October 25, 1993 the people of Canada voted for the Liberal Party. In the red book we made a promise to make our streets safe and offload the guns. Bill C-68 goes in that direction.

Public support for this bill has been enormous, 80 per cent to 85 per cent. Even in Alberta we are told 62 per cent of the population supports the bill. In my riding of Don Valley North, which I am proud to represent, 90 per cent of the population supports this bill.

In my riding I received only seven or eight representations opposing the bill. Out of those, one of them was a U.S. citizen complaining about the bill. When I asked him why he does not complain to U.S. senators, he said he lives here and has to complain to me.

Many of us receive many letters from various organizations and individuals regarding Bill C-68. I received maybe 200 letters from various parts of the country. One said in part: "It has come to my attention that someone has sent a number of misleading letters to various members of Parliament and some Reformers, including yourself".

These letters are on the subject of government policy proposals and gun controls. One says in part: "Many of these letters bear my name and address and are signed but were not written, signed or sent by me. My signature is false. I believe you have

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received one of these letters as I have received correspondence from you on this topic. I hereby request that you remove me from your mailing list”.

I am not saying that all the letters are forged but I am sure that 15 members received letters that are the same. They have not sent a letter to anybody but somehow someone took the liberty to send letters to members of Parliament so they can say they received 200, 300, 1,000 letters, and that is how they can make public opinion saying people oppose it. The fact is that people support this bill.

I want to raise the issue of rural and urban communities. In the last byelection in a riding in Quebec 62 per cent of the riding was rural and 38 per cent was urban. In that byelection nobody ever raised the issue of gun control. It is obvious that rural Canadians support the bill. They are happy with it and they want to go forward with it so we can build a new Canada, safe and sound for everybody.

(1655)

On September 17, I invited members of Parliament in metro Toronto to attend meetings with the constable in charge of the gun depot in metro Toronto. He showed us 13,000 handguns, machine guns, AK-47s or M-16s, whatever the case may be. Some of them were legally owned, stolen from their owners so they could be used in crimes. They showed me replicas so similar it was hard to say which one was which.

Don Valley North is one of the few ridings in the country that has no gun shop. We would like to keep it that way.

Most people complain about the registration section of this bill. When this bill was presented last year I phoned the city of North York and asked how many dogs are registered there. The answer is 18,710. We asked the minister and members of this Parliament how many guns we have in the country. They tell us anywhere from 4 million to 15 million.

Four million to 15 million guns can do more harm to the country and its citizens than 18,000 dogs in North York. If we can register the dogs, the cats, the cars, why not the guns? I cannot understand. No one has been able to explain it to me. I am a reasonable person, more than the hon. member on the other side who shouts meaningless sentences. He should answer to Canadians why he opposes legislation when 80 per cent to 85 per cent of Canadians support it and want to go ahead with this bill.

Many guns used in a crime these days are stolen from rightful owners; as I said before, 3,800 guns. If legislation goes through the way it is, we will know exactly where the guns come from so

we can follow up, trace them and hold the owner of a gun responsible.

It is my pleasure to support this bill to the best of my ability. I can assure the House, even my colleagues in the Reform Party, that the Don Valley North population supports this bill 100 per cent. We will make sure that by passing this bill Canada will be a safe place.

In the last two years Canada was rated the best country by the United Nations and we will make sure it continues to be one of the best and safest countries in the world.

[Translation]

The Deputy Speaker: It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Bourassa—The budget; the hon. member for The Battlefords—Meadow Lake—Low level flights; the hon. member for Kamloops—Royal Bank of Canada.

[English]

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, this debate has taken on quite a bit of emotion. I would like to approach it from the standpoint of the gun control advocates who I believe are intelligent, compassionate people, who truly believe that stricter control of firearms will make our streets safer. I believe also that the justice minister truly has those thoughts in mind. I do not think he has any nefarious reasons to be doing what he is doing.

We desire to split the bill into two components. One component Reformers would very quickly support. The other I do not think we would.

On the issue of registration I have looked beyond the borders of Canada to find out what registration did in countries where it was tried. This is the only mechanism I have to compare Canada with other countries. By the justice minister's own recollection there is no statistical basis for doing what we are doing. I looked beyond our shores. I am really addressing this to those who honestly believe registration will work.

New Zealand registered all firearms. Over quite a complex process it registered its firearms.

(1700)

I went through the history of it. Back in World War I it had reason to be concerned about firearms coming into the country and it registered them. After registering firearms for many years it looked at registration and asked whether it achieved the purpose for which it was undertaken. I have heard the justice minister say that the reason its registration system failed was that it had a poor computer system.

That may be the reason but New Zealand said the registration was of limited value because compliance was poor. Moving from spot to spot was not reported so that even if a person had

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registered the registration went astray. It was also found that it was only useful if the serial number were registered. Many weapons were not registered by serial number but by model number. Even if the law-abiding citizen took the time to do that it was a failure. It was found that many people never registered, did not comply. As well it was found that the cost was unjustified. It was much more expensive than expected. That is a very important issue in these days of financial restraint.

New Zealand abandoned its registration system and went to a system of licensing much like a pilot's licence. An individual who wanted a weapon had to be registered. It depended on the level of use whether or not the individual went for the high or lower level. There is a lesson to be learned by Canada from the experiences in New Zealand.

Second is the overall registration of firearms. I made a comment on national radio that Australia had tried registration of firearms. I got a blast from the consul's office saying that I said the wrong thing. It was wrong. It was not tried overall in Australia. It was only tried in various Australian states.

The state that closely resembles Canada is the state of Victoria. In 1984 Victoria decided that all firearms had to be registered. There were some massacres, some murders in Australia. Public opinion was inflamed just like it is in Canada today. Registration was to be the answer, according to Australian politicians.

In 1984 registration was to be phased in over a three-year period. The Australian police resolved that the spread of firearms should be contained. They actually had a very specific way to contain firearms. The initial statement made by the Australian police was that no home should have more than three firearms. Computerized registration would be the mechanism to justify that. If a home had just cause it could contain more than three firearms.

The resulting legislation did not include the three-firearm position. It was only registration of firearms. They moved off the three-firearm position into registration. The police still said they thought it would help.

Registration took place. Interestingly enough they found that it was very much more expensive than they had thought. Now we are getting into the more modern computer age which is very expensive. They found in terms of compliance that 58.9 per cent of the population complied but 41.1 per cent did not comply. Worse and most condemnatory of the process was that there was no effect whatever on criminal misuse of firearms. They had good statistics to follow it through. For the same three reasons New Zealand abandoned its firearm registration. Australia did the same.

I obtained the conclusions of the firearm registration officer through access to information. Generally they are not publicly available. The officer charged with the responsibility was asked whether he had done a good job. In summary he said: "I do not believe registration is the answer to the problem. I would therefore recommend that firearms registration be forthwith abolished and together with the firearms consultation committee a far-reaching, effective and proper system of education be introduced as a prerequisite to obtaining a shooter's licence". He went on to describe a system very much like that of New Zealand.

(1705)

That country is not strange and foreign to Canada. It is a country that is parallel to Canada. It tried it and it flopped. What happened to the firearms officer when he presented the report? He was fired. The report was buried and the political masters carried on with registration and registration persists today.

I have a political message for members across the way. In New South Wales, Australia, a Labour government tried to put through very similar, draconian firearms legislation as we have in Canada today. This is the part that should change their minds. National opinion polls are 70 per cent for the government. They fought an election on the basis of the issue and the Labour government was ousted from New South Wales. Prime Minister Unsworth announced that he would not be standing for leadership of the parliamentary Labour party. "Guns cost me", he said. "Clearly as leader I must accept the major proportion of the blame for this defeat, particularly in terms of my decision on the gun issue".

What happens if a Canadian's lifestyle is taken away and turned into political activism? Members of the Liberal Party have no idea what it is doing when it does this to the lifestyle of Canadians. They may get individuals in urban areas to give them all kinds of support. However, when they find out that registration will be expensive, will affect only law-abiding individuals and will have no impact on criminal misuse, they will do what they did in New South Wales.

It is not necessary. It is absolutely incredibly stupid. I would simply say that we should split the bill. Let us have crime control but let us not have registration, or it is gonzo to the Liberals.

Hon. Warren Allmand (Notre-Dame-de-Grâce, Lib.): Mr. Speaker, I am pleased to rise on behalf of my constituents to give my full support to Bill C-68. It is a bill to restrict the availability of guns and thereby reduce the number of crimes with guns.

It is an undeniable fact that where guns and ammunition are less available there are less crimes with guns. Where guns and ammunition are more difficult to obtain, there are less crimes with guns. It is not no crimes with guns but less crime with guns.

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Nobody on this side has made the suggestion that strict gun control will eliminate all crime with guns. It is true that professional criminals and gangsters will always get their guns, but the overwhelming majority of crime with guns is not committed by professional gangsters. It is committed by ordinary people who under stress or with some other problem strike out at another person. If a gun is available they use it.

Mark Lepine, before he killed 13 young women at École polytechnique had no criminal record. He was not a criminal. However, because the gun laws were loose he was able to get a semi-automatic military assault rifle and kill 13 women. He was not a criminal.

Valery Fabrikant, who killed four professors at Concordia University in Montreal, had no criminal record before he committed that crime. However, because he was able through looseness in the gun laws to get a gun he killed four other people.

In the context of family violence, quarrels, tensions, abuse of liquor and drugs, some mentally unbalanced people who lose control will strike out and, if guns are easily available, they will use them. In the legislation we are trying to make sure they are not easily available and to make it much more strict in being sold to the public.

(1710)

An hon. member: Oh, oh.

Mr. Allmand: The level of debate from the Reform Party is the kind of thing we are listening to now. I listened to the hon. member make his speech. I would appreciate the opportunity of having the same chance.

When we make it more difficult to obtain guns crimes by these people are reduced because of strict gun laws. They do not have strict gun laws in most states in the U.S. They have a much higher rate of crime with guns. Some cases are completely ridiculous to read about.

I remember reading recently about a case in a certain American city where two automobiles collided at an intersection. The drivers involved in the collision lost their cool and became angry. Both of them pulled guns from their glove compartments, got out of their cars and shot each other.

In Canada we would be just as angry and lose our cool just as quickly, but because we would not have guns in our glove compartments we would probably get out and punch each other out or hit each other in the nose. The same excessive damage would not be done because guns would not be as easily available to people in that state of mind.

Contrary to what many have said in opposition to the bill, it will not stop legitimate hunting by responsible hunters. Nor will it stop competitive shooting by responsible sportsmen. These allegations are scare tactics. Whenever we have a bill to

strengthen our gun laws we hear the same old rhetoric by the gun lobby and those who blindly follow the gun lobby.

I have been through four gun bills in the House during my period in Parliament. Each time we have set about to make the gun laws more restrictive to protect the public by preventing crimes with guns, we have heard the same old myths put forward by the gun lobby.

It can be demonstrated that despite the rhetoric after each gun law has passed there has been an increase in hunting licences available to responsible hunters. This gun law will not stop responsible sportsmen, hunters and shooters who belong to gun clubs and are competitive shooters from practising their sports.

I ask my colleagues in the House not to be freaked out by members of the gun lobby. They are not as important as they believe they are. They are not as numerous as they believe they are. They do not have the power they think they have.

They have threatened many members in the House before against voting for the strengthening of gun laws. They have threatened them during election time and have failed. I have been threatened, as I say, four times by members of that lobby. They have had no effect on me whatsoever. They have also threatened colleagues of mine from rural areas and have no effect on them whatsoever. They should be disregarded. They talk nonsense for the most part.

Mr. Hill (Prince George—Peace River): Tell that to the Tories.

Mr. Allmand: The Tories were defeated for many other reasons and not for their gun laws, let's face it. If you think they were defeated for their gun laws you are really dreaming in Technicolor.

The Deputy Speaker: I ask the member to address his remarks through the Chair.

Mr. Allmand: Thank you, Mr. Speaker. Among the myths of the gun lobby is that when we attempt to ban or restrict guns only criminals will have guns. There is no class of persons born criminal and there is no class of persons born non-criminal. People do not have an identifying mark as criminal or non-criminal.

As I just said a few minutes ago, ordinary individuals in situations of stress, alcohol, drugs or whatever often strike out at other people and if guns are available they use them. It is not because they are professional criminals. As I say, the overwhelming number of murders in Canada committed with guns are not committed by professional criminals and gangsters but by ordinary people like Fabrikant and Lepine who did not commit any crime before in their past lives.

Another myth we hear over and over is that guns do not kill but people kill. Of course a gun is the most lethal type of means by which to kill another person. Yes, it is possible to kill someone with a baseball bat, but frankly I do not know anybody in this House who would rather have somebody chasing them

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with a lethal weapon instead of a baseball bat. Of course it is possible to kill people with poison, a knife or a baseball bat, but a gun is manufactured to kill, to kill animals or to kill people. Guns should be controlled and this bill will give better control.

(1715)

With respect to registration, previous speakers, especially those from the Reform Party, asked how it will protect society and why we are doing it. We have had registration in this country for many years. Restricted weapons, especially handguns, have been registered for a long period of time and it has been successful. The rate of crime with handguns in Canada has, for the most part, been much lower than the rate of crime with long guns because handguns have been much more strictly controlled.

With the registration of all weapons, including handguns and long guns, it will be easier to conduct criminal investigations. The police will know who have guns and who do not. It will be easier to trace weapons used in crime and the criminals who had access to those guns. It will be easier to take preventive measures against violence with guns. For example, in a family that has a history of family violence, the police will know whether the husband or another family member has a gun registered in their name and that gun could be taken away.

It is true as some who oppose this bill will say that not everyone will register their gun. However, a large number will. Such a measure will help the police to remove guns from dangerous situations, especially situations where there has been a record of family violence.

With respect to the ban on most handguns, that is, handguns that are not used for competitive shooting, handguns such as the Saturday night specials, the very small and very easy to conceal handguns, these have no purpose except for use in crime. If someone is actually taking part in competitive shooting, then the gun is registered; the person belongs to a gun club and that is permissible. The other types of handguns which are very small and are not used in competitive shooting will be banned under the legislation and they should be banned.

The bill provides for an increase in the penalties for the misuse of guns, for the smuggling of guns and for the illegal sale of guns and ammunition. I support that but I do not believe that increased penalties are the answer. Increased penalties deal with the situation after it has taken place. The crime has been committed. Someone is dead. They have found the criminal and they will give them a stiffer penalty.

What we are trying to do with this legislation is to prevent the crime from taking place in the first place. We are trying to make guns more difficult to obtain and to screen the applicants who

want to own guns. Doing that will prevent the crimes from taking place. It is a preventive measure.

To rely simply on long, tough, hard penalties as is done in most of the United States does not work. They have absolutely no effect whatsoever. The crime rates with guns are much higher there than they are in Canada, especially in Louisiana, Texas, Florida, Alabama and Mississippi.

In conclusion, I assure the House that as chair of the standing committee on justice, despite my strong views in favour of this bill, I intend to be absolutely fair with all sides who take part in the discussion before the committee. I want to assure those who oppose the bill that they will be fairly treated. Those who wish to amend the bill will be fairly treated. Those who support the bill will be fairly treated.

When I act as chair of the committee the most important aspect is the tradition of Parliament of the rights of minorities to have their say. I want to assure all members of this House and the general public that as chair of the justice committee everyone will be given their full right to be heard.

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Mr. Speaker, I rise today to take part in the debate on Bill C-68. I hope the Minister of Justice is listening to the constructive suggestions which have been advanced in this debate. My colleagues on this side of the House have put forward ideas and suggestions which would make parts of this bill much better. However, we strongly oppose one part of the bill.

(1720)

Today I want to address mainly the part on a national firearms registration system. I hope when we get into final debate on it that those on the government side who oppose the clauses that establish the regime of gun registration will stand with us to defeat those sections. If this were to happen it would be a great day for freedom in this Parliament and a great day for individual freedom in all parts of Canada.

I have spent most of my adult life in the teaching profession. One thing about teaching is that in order to explain something to others, it is essential to understand it yourself. For me, that means getting back to basics.

Therefore when I analyse legislation I ask myself: What is the problem the legislation is attempting to address or to cure? Once I am able to discern what the problem is, then I can go through the legislation clause by clause to see if the problem is being addressed correctly. This methodology seems to work most of the time. When it does not work, it usually is because I see the problem as advanced by the government in different terms than the government does and then can address it quite differently.

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In splitting the bill, crime control I agree is what we need. When I look at Bill C-68 I am puzzled as to what exactly it is that the minister is trying to get at. What harm is he trying to cure? If we take the legislation as a whole there are stiffer penalties for those who commit crimes, anti-gun smuggling deterrents and then a gun registration system for rifles and shotguns. This for me is the meat of the bill.

If the harm or the problem is too many offences being committed with guns, then the first two parts of the legislation, stiffer penalties and anti-smuggling, make sense. I can see some room to make them better but I basically agree. But what about the registration system which this legislation imposes? What is that aimed at? Here again I must support splitting the bill.

Every time I review the remarks of the justice minister when he is trying to justify the system I wonder how he can relate one to the other. He tells us there are pretty scary statistics out there dealing with the use of guns. Every six days a woman is murdered by someone using a gun. Over 1,000 suicides per year are the result of gun usage.

After reciting these statistics we are always told these are the reasons we need gun control. but we are never told two things. First, how will the registration of rifles and shotguns reduce these numbers? Second, what percentage of these acts take place with guns that through this legislation would be required to be registered? Again, I must stress crime control and a national gun registration do not relate.

The justice minister knows very well that the registration system will not reduce the number of murders or suicides by firearms one bit. What he should know is that Canada is a large and diverse country, a country which in many ways starts at the borders of metropolitan Toronto. This country is not metropolitan Toronto.

The justice minister should read the legislation that is presently in place in relation to gun control. He will find that present laws in Canada are among the toughest in the world with respect to firearms. Here is what you have to do if you want to own a firearm in Canada:

Take an optional federal course and mandatory test to qualify for a firearms acquisition certificate. Submit to a thorough police examination of your social history, employment and psychological history when you apply for your FAC. Go through an interview process with police and provide solid references. Wait a mandatory 28 days before your FAC is approved and issued with a photograph.

If you want to hunt you must take a separate mandatory hunting course which also covers firearms handling and safety. Submit to another provincial written and practical test on firearms handling. Abide by strict federal laws that govern

dozens of firearms handling and safety situations. They include: storing firearms and ammunition separately and under lock and key; rigid transportation standards; and tough guidelines for using firearms.

These rules are important but their effect has not yet ever been analysed. This was pointed out in the Auditor General's report of 1993. I believe the minister should wait to see how effective the controls put in place as recently as 1991 have been before he embarks on increased controls.

This registration system has many drawbacks and it is important that they be set out and discussed. It is expensive. The lowest estimate for its development and implementation is in the range of \$80 million to \$90 million. Oh yes, we are told that this money will be recovered from the gun owners who are required to register and we are also told the cost of registration will be quite reasonable to encourage those with guns to register. Which is it, Mr. Minister?

We are told one of the great pluses for this legislation is that it helps police. When they are answering a call at a dwelling place they will know whether there are firearms on site. We are told this will aid police and make it safer. Are we to conclude from this that the police will now enter homes where guns have been registered with their own guns drawn anticipating a gun battle? This will make our lives safer or the homes of our law-abiding citizens safer? I do not think so.

(1725)

However, all these criticisms of the registration system pale into insignificance when one considers the potential for computer crime as it relates to the registry. This area is so serious, of proportions of such magnitude that we must look at it.

Weekly we are informed of some computer whiz-kid who has broken the code to allow access to highly classified material, government controlled or otherwise. Just a few weeks ago the police in Toronto uncovered a fake credit card ring. One reason given for the success of the criminal venture until it was closed down was the access to corporate computers which the alleged criminals had acquired.

We were told in the summer that authorities in the western world could not stop or prevent computers from being accessed by the criminal element. We are told that the police around the world sometimes do not even have the information as fast as the criminals do. We are very foolish if we think they will not access this information. Now we are going to establish a computer based program which will show the location of every firearm registered in Canada. What a gold mine for criminals and organized crime.

Break the code for this registration system and this will be the home shopping channel for criminals. Imagine establishing a system whereby the location of virtually every gun in Canada is

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shown. Is there anything else we can do to make it easier for those who wish to steal guns?

What of the innocent people who register their guns? Are they sitting ducks—no pun intended—for criminals who break the code and enter the gun registration system? Why would we create such a monster if it is not going to do any good, if it is not going to reduce the number of crimes of violence, murders, attempted murders or suicides?

Create the shop at home channel for guns, rifles and shotguns. I do not think so. However, I am certain there is a part of our population that would not object if Rogers Cablevision carried this channel.

There are good parts in this bill which should be studied in committee and perhaps even made stronger. This is a very good reason to split Bill C-68.

First, I agree there should be a separate criminal offence for committing or attempting to commit a crime with a gun. The problem with it is as proposed is that it may very well be bargained away as part of a plea bargain for a guilty plea for some other charge.

Members of the justice committee should take a hard look at this. They should try to determine whether they can legislate that the offence not be subject to a plea bargain or find some other solution. A clear message must be sent to the criminal community in Canada that if criminals carry guns and commit crimes, they will be punished for the crime and for carrying the weapon.

I am also supportive of those parts of the bill which would attack the problem of gun smuggling in Canada. We live next to, arguably, one of the most violent nations on the face of the earth. It is vitally important that those who patrol our borders be given real powers to deal with those who would import guns illegally into Canada.

Again, this is something the justice committee should look at in detail. Should the people who patrol our borders be given powers to be more than revenue collectors? Should the provincial police or RCMP in particular provinces be required to maintain a presence at the borders? A true police presence at our borders would, to my way of thinking, reduce smuggling. I am not saying we should arm our customs agents, but they should be backed up by trained police.

There are other matters which must be looked at in this legislation, for example the position of those who wish to will their gun collections as part of their estate. I believe we should facilitate this. The requirement for those entering Canada to take part in marksmanship contests to obtain a temporary certificate should be looked at to see if it is realistic and workable.

Most of all, I urge members opposite, members from outside metropolitan Toronto as well as inside, to look at Canada and see

it for what it is, a vast country where hunting and other outdoor activities are both a way of life to some and a recreation to others.

The registration system proposed in this bill as it sits will not accomplish the goal set for it. Therefore, when it comes time to vote for this bill, or that part on gun registration during clause by clause analysis, vote down those clauses that pertain to the registration system.

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, I am pleased to take part in the debate on Bill C-68, an act respecting firearms and other weapons.

(1730)

The riding of Durham has both a rural and an urban component. Being neither a gun owner or user myself, I have gone to the shooting clubs and have listened to the concerns of legal gun owners. I have taken both gun owners and those abused by guns to meet with the Minister of Justice.

I have studied the crime statistics of both the justice department and the gun lobby. I have spoken with our police chief, the local firearms registration officer, judges, police in the field, homicide detectives and finally, I visited Millhaven penitentiary and spoke with murderers in their cells who actually used guns in the commission of crime.

Tougher penalties for the use of firearms in the commission of a crime, tougher controls of cross-border smuggling and trafficking of firearms are all supported by the people of Durham, including legal gun owners.

Rather than looking at the strengths of the legislation I would like to focus on what I see as some weaknesses. Hopefully these matters will be addressed at the committee stage of the bill. I would like to address the matter of the registration of all firearms. As you know, Mr. Speaker, handguns in Canada have had to be registered since the 1940s. I note this has contributed little to the reduction of the use of handguns in the commission of crime.

Primarily the issue for me is one of cost benefit analysis. What are the costs? Who is going to pay? What are the benefits of the system? This revisits the very foundations of our democracy which is that government has entered into a contract with the people. This is Locke's *Two Treaties on Government*. In the 15th century Locke determined that a fundamental democracy was one where people consented to be governed based on an unwritten contract with their government, a contract that implied a basic consent of the people not only to be governed but also, most importantly, to be taxed.

People want to revisit their contract with government. They want to know how taxes are consensual. They want to be part of the process. They want to be included with regard to the taxes they pay and the programs they finance. Across the nation people are demanding more accountability from governments.

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Taxpayers want to know how much programs are costing and specifically who is paying for them.

As you may know, Mr. Speaker, I intend to introduce a private member's bill early this spring, the subject of which will be a taxpayers' bill of rights. I note that if this legislation was in place, the current bill would have some additional and much needed information attached to it. Specifically the program would be costed fully during its implementation stage. It would detail the specific costs and would allocate them to the years during implementation. It would also show the anticipated revenues from registration charges to gun owners. Finally, the Auditor General would have certified the costing methods used as being reasonable.

The taxpayer is tired of discovering years after the implementation period of the waste of their money. I would like to quote from the Auditor General's report of 1993 concerning the previous gun registration system that is only a couple of years old: "We found several weaknesses in the methodology, which significantly reduce the extent to which the government, members of Parliament and the Canadian public can rely on the evaluation to be assured that the gun control program is effective".

I am afraid we are about to repeat the errors of the past. I note it has been stated that the proposed new registration system may cost \$85 million. However, there is great confusion. The current registration system for handguns costs \$60 million per year and includes only 560,000 handguns. There are a minimum of five to six million long guns in Canada.

I have a study here by Professor Gary Mauser at Simon Fraser University that states it could cost \$82 per firearm, \$496 million, or half a billion dollars. It has been suggested the first year be free to encourage registration. However the taxpayer knows that nothing is free. In studying budget projections, I can see no allocation of funding in the Department of Justice's budget for this program. We need a better fix on how much this program is going to cost.

(1735)

The taxpayer has the right to know this now. Clearly we can no longer afford the luxury of introducing programs for which we do not know the cost. The taxpayer wants to see better fiscal responsibility and in some ways we have done that in the recent budget.

This leads me to the second part of my analysis, which is the study of the benefits of the system. Benefits would have to be clear and obvious. They would have to promote the common good. They would have to demonstrate that there was clear correlation between registration and the intended results.

At this point I found gun owners generally reasoned people. They have tried to understand why the registration system is thought to be needed and so important today. I would further like to point out that a democratic society is judged not on how it treats its majorities but rather how it treats its minorities.

It is clear to me that the opinions of the majority who do not know the facts are of questionable validity. Most surveys would indicate that the average person is more concerned about crime control than gun registration.

I further note that both gun owners and taxpayers generally are a minority in this debate. It is clear to me that without convincing a sizeable portion of their numbers of the effectiveness and affordability, the registration system will fail.

Here are the stated goals as I understand them of the registration system: that it will allow firearms removal from domestic violence situations; that it will afford law enforcement agents better information when approaching a household for investigation purposes; that it will lead to safer storage practices.

My time today will not let me deal with these issues at length, however the result is that it is totally unclear whether some of these objectives are not already available in the current law and are not being enforced or whether the objectives can be met at all with the registration system for long guns.

I can find no clear documentary evidence from the justice department that makes this case. If I cannot make this leap of faith, neither can long gun owners. This is the real danger of the legislation, that we are placing a sizeable group of people in the category of believing that the system is unwarranted. They see the imposition of fees as an unwarranted tax, the proceeds of which will be wasted on further bureaucracy with no tangible results.

I spoke earlier about the concerns of taxpayers. Needless to say gun owners are taxpayers. I said that they wanted to revisit their contract with government. Do we have examples of where people believe taxing systems exist without consent and how they have reacted? We have only to look at the dreaded goods and services tax, clearly a tax that lacked common consent.

A recent study by the accounting firm Peat Marwick concluded that over 50 per cent of taxpayers would avoid paying this tax if given the opportunity. Police officers in my riding have avoided giving minor speeding tickets because they believe that the three-price increase in one year is just an unwarranted form of taxation on the working class.

The conclusion is that we are developing a system of justice in Canada where people pick and choose the laws they are governed by. This is mainly because they do not feel that they consented to them in the first place.

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I do not think this system of justice is sustainable. I believe that it will lead to chaos. Clearly our democracy must be one of inclusion rather than exclusion. Our society is becoming more complex and technical.

I would like to end my comments by quoting from one of our own political philosophers, Mr. George Grant. In his book *Twilight of Justice* he observed that one of the changes to a more technical society in Canada, that the need for control of humans in a technological society increases with the complexity of society. Technique causes the state to become totalitarian, to absorb the citizen's life completely.

(1740)

Finally, the definition of liberal, which I am, is favouring individual liberty. I hope the committee will take the time to discuss some of these matters.

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, I have owned firearms off and on for more than half a century. I have been a reasonably good citizen but now in the eyes of the Minister of Justice and certainly in the eyes of the popular press, I have become a threat to society, a menace to peace, order and good government.

I am going to be subjected, if these laws that are now before us in Bill C-68 are all lumped together as one—the administrative bureaucracy and the criminal sanctions—of running the risk of being a common criminal. That, to my way of thinking, is neither just nor sane.

If I or anyone else chooses to inconvenience the bureaucracy by failing to comply with the purely administrative requirement, the result will be a criminal record and the penalty could far exceed that which some drunken hoodlums recently received for murdering a harmless old man in the province of Saskatchewan. This is absurd.

The justice minister says that he has actually separated the administrative from the criminal because we have these two sections in the one bill. That is smoke and mirrors if we are still talking about draconian criminal penalties for failure to observe an administrative law. That, in my humble opinion, does not give separation.

I own a few firearms even today but I hardly ever hunt. I do not belong to any shooting club. I do not belong to the NFA. If I lost my guns tomorrow it would not make a big difference to my lifestyle. However, I would be losing something a lot more important than hardware. I would be losing a big piece of my civil liberty.

The justice minister says that the right to own a particular type of property, firearms, is really just a privilege. I submit that Canada's top lawyer has an unbelievably feeble grasp of history and of the common law. Omission from the British North America Act or the charter of rights and freedoms does not mean

that a right does not exist. Our legal system is based on British common law and on the sanctity of customary rights.

When Sir William Blackstone codified the common law he noted that every individual has certain absolute rights, including the right to personal security, personal liberty and the right to own and use property. Does that sound familiar? American revolutionaries did not invent those concepts. They merely enshrined in their constitution the rights which as Englishmen they already had.

Blackstone went on to list five auxiliary rights without which the absolute rights could not be protected and maintained. One of them was the right to own personal arms. When Americans passed their famous second amendment to the constitution, their right to bear arms, it was only a modest extension of a right which they had before the revolution.

In Great Britain there has been a steady chipping away at this right, starting in 1870 and accelerating after the first world war. It was supposedly because of the threat from Bolshevik or anarchist terrorists. However, just as in Canada today, public hysteria was fanned by the government and, just as in Canada, laws have become progressively more intrusive, complex and downright repressive. Today they have almost achieved the justice minister's ideal where only police, soldiers and the trusted elite of society have legal firearms. However, there is no shortage of firepower in the U.K.

(1745)

A few months ago I talked with a Scottish gun dealer and he told me that Great Britain is awash with guns. You can buy one faster and more easily in a pub than from him, and cheaper because there is no tax.

What is accomplished as gun laws are made tougher and tougher? What affect does the hassle and the expensive bureaucracy have on crime? Very little.

I have reviewed firearms legislation and crime statistics from various states south of the border and from several other countries. Now I am going to bore the House with some of the dull facts that the justice department's social engineers cheerfully ignore.

Consider the prairie provinces. Since gun controls began in 1978, the annual homicide rate has averaged about 3.2 per 100,000 people, of which about one-third are committed with guns.

In the four border states of Minnesota, North Dakota, Montana and Idaho the rate was 2.7 per 100,000. That is 16 per cent less. Those are all wide open. The justice minister would probably say those are lawless states where you can own and carry almost anything short of a bazooka.

The District of Columbia, with the most stringent controls of any North American jurisdiction except Mexico has the unbelievably high murder rate of 80 per 100,000 per year, the highest

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in the western world. How can there possibly be such problems where guns are strictly controlled?

Maybe it has something to do with cultural and economic forces. Maybe it has something to do with organized crime, drug dealing, racial tension, grinding miserable poverty and a collapsed public education system.

Gun control is an artificially induced smoke screen. It is a cynical ploy to distract the public from the real issues, not the least of which is the breakdown of our criminal justice system. The government helped create this highly emotional issue and now it is playing it for all it is worth. This issue has absolutely no relation to crime control and it is absurd that the justice minister has made the mixture. It is a lot easier to make scapegoats of decent citizens than it is to admit that our justice system is misdirected.

To give the devil his due, this bill does contain some good features actually aimed at criminals instead of ordinary citizens; the four-year minimum sentence for violent offences committed with a firearm, for example, although those receiving this penalty will still be eligible for parole.

In 1978, I told anyone who would listen that we had started down a long slow road to public disarmament, that future violent crimes would serve as excuses for more bureaucracy, that registration by serial number would follow and that the last step would be piecemeal confiscation of weapons, picking off gun owners one at a time. It is all coming true.

Half a million handguns are going to be effectively confiscated, no matter how the minister tries to sugar coat his proposal. Confiscation of registered long guns will begin, as it is already begun with handguns, through a process of natural evolution and will probably be spurred by some horrendous crime such as the Montreal massacre.

Public hysteria is a wonderful tool for government. Early in 1941, before Pearl Harbour, the Government of Canada confiscated the arms of Canadians of Japanese origin living on the west coast. Remember, we were not at war and these were Canadians, but their guns were taken away.

The political establishment was delighted and the tame establishment press bayed its approval, just as it is baying its approval for the proposals on the table in the House today.

(1750)

This bill is a classic example of the theory of government which states that everything not compulsory shall be forbidden. It is a bit of statism, and a bit of statism, like a bit of cancer, is not good for you.

James Madison said it best: "There are more instances of the abridgement of freedom of people by gradual and silent encroachments of those in power than by violent and sudden usurpations".

Mrs. Rose-Marie Ur (Lambton—Middlesex, Lib.): Mr. Speaker, I welcome this opportunity to take part in today's debate on second reading of Bill C-68, an act respecting firearms and other weapons.

Canada has had a long history in the monitoring and controlling of firearms. Canada has had laws restricting the possession and the use of firearms since 1877. These were a nationwide permit system for the carrying of small arms in effect in 1892. All handguns have had to be registered since 1934. In 1951 a centralized registry for restricted firearms was established under the control of the commissioner of the RCMP.

The classification system of prohibitive weapons and restricted weapons including all handguns and non-restricted long guns was introduced in 1968. This scheme was significantly enhanced by a number of amendments in 1977. The major addition was the creation of the firearms acquisition certificate, FAC, a screening system for those wishing to acquire any firearm including non-restricted hunting rifles and shotguns.

A new administrative regime involving local firearms officers and chief provincial firearms officers appointed by the provinces was also established. Currently the provinces administer the FAC system and most overall gun control. This regime was relatively untouched for over 11 years until the passage of Bill C-17 which received royal assent on December 5, 1991.

To my knowledge the last set of regulations pertaining to Bill C-17 came into force on January 1, 1994 and prescribed the criteria for competence in the safe handling and use of firearms. Barely a year after the implementation of Bill C-17's last set of regulations members are being asked to consider yet another firearms bill.

I propose to offer my comments on what I consider the positive aspects of Bill C-68. I will also offer my opinions on the parts of this bill which require more consideration by the justice committee and I will give my reasons as to why certain sections of this bill should be deleted in their entirety.

The most positive feature of this bill is its no nonsense approach to the criminal use of firearms. To that extent I applaud the proposals to create new offences for the criminal use of firearms, including the minimum four-year sentence for using a firearm in the commission of violent offences and the minimum mandatory sentence of one year for the use of a replica firearm, mandatory jail sentences for the possession of stolen firearms and stiff penalties for illegally importing and trafficking in firearms.

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For years Canadians from all walks of life have been demanding stiffer mandatory sentencing provisions for the use of a firearm in the commission of violent offences. Bill C-68 addresses this concern. Mandatory sentencing provisions for the use of a firearm while committing one of the 10 key violent offences of attempted murder, manslaughter, negligence causing death, robbery, kidnapping, hostage taking, sexual assault, aggravated sexual assault, extortion and discharging a firearm within intent to cause harm will be increased from one to four years. Offenders convicted of these offences will also be prohibited from possessing a restricted weapon for life.

I am concerned that section 85 charges might continue to be plea bargained away notwithstanding an increase in minimum sentencing provisions. The justice department's own research shows that two-thirds of section 85 charges laid are either dismissed, stayed or withdrawn because of problems of evidence or plea bargaining.

Bill C-68 also creates a new prohibitive category consisting of certain calibre handguns with a barrel length of 105 millimetres or less. In effect this will result in the prohibition of 58 per cent of the handguns currently in existence in Canada. Like all other owners of prohibited firearms, individuals who possessed these handguns on or before February 14, 1995 will be able to buy and sell only among themselves. Owners of these handguns will be able to use the handguns for the purpose for which they were originally obtained, whether target shooting or collecting. They will be required to demonstrate every five years that their handguns continue to be so used.

(1755)

These measures are a definite improvement over the action plan of November 30, 1994 which had contemplated a complete prohibition against any use or trade in these prohibited firearms. To his credit, the Minister of Justice has announced his willingness to have the justice committee consider whether handguns in the prohibited class that are used in recognized target shooting competitions should be exempted from the ban.

I am also grateful that the minister has asked the committee to examine the whole question of whether there might be a separate exemption provision for firearms that may have special significance to families as relics or heirlooms.

The minister has also suggested that the committee study the issue of whether technical amendments are necessary for historical re-enactments or heritage events using black powder reproduction firearms.

In each of these cases the Minister of Justice is to be commended for his flexibility. I am deeply disappointed, however, that the minister has remained steadfast in his insistence

upon the establishment of a national registration system for all firearms, including non-restricted hunting rifles and shotguns.

Bill C-68 includes provisions for the initiation of universal firearms owner registration where the current FAC will be replaced with a graduated firearms possession certificate, FPC, starting in 1996. Although initially voluntary, by the year 2001 possession of any firearm without an FPC will result in a Criminal Code offence that would carry a sentence of up to five years, one year in excess of the mandatory term proposed for the offence of using a firearm while attempting to murder.

As the second half of the proposed universal registration system, the bill would require every Canadian to register his or her firearm individually. Each firearm is to be identified by make, model, manufacturer's serial number and other identifiers, and a special firearms registration card, FRC, is to be issued for each firearm registered.

We should not be surprised that law-abiding firearms owners are deeply resentful over this registration proposal, which can only be described as intrusive and cumbersome. As more and more makes and models of various types of firearms are either reclassified for regulation or banned outright, we cannot blame some firearms owners for suspecting that the real reason behind registration is a gradual confiscation of most firearms in Canada. Over half of the current legally owned handguns in Canada will be banned as a result of Bill C-68.

It should be obvious by now that criminals do not register their firearms. A universal firearms registry, even if it were fully subscribed to by all legal firearms owners, will not reduce criminal activity involving firearms, nor will it improve public safety. Neither law-abiding firearms owners nor other taxpayers deserve to be burdened with any expense or inconvenience that has no demonstrable effect on reducing crime or improving community safety.

Canadians want tougher measures to be taken to reduce crime. This bill addresses that through mandatory sentencing for the use of firearms in the commission of violent crime.

During the third week of November 1994, when Decima Research asked on behalf of *Maclean's* and CTV what the main reason for the increase in violent crimes is, the greatest number of responses, 40 per cent, said the justice system is too lenient. Only 5 per cent of the over 1,600 respondents said that a lack of tough gun controls was the cause.

Non-firearm owning Canadians are beginning to understand that additional gun controls will only serve to penalize responsible firearms owners unnecessarily and will not reduce crime. The minister insists that a new registration system is the support structure for the government's firearms control package.

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I quote from a February 14 news release from the Department of Justice: "A universal registration system will help combat smuggling by monitoring the types and quantities of firearms coming into Canada". How can that be so when by definition smuggling involves evading the very authorities that would be doing the monitoring at Canadian borders?

If we are prepared to spend more money on gun control, let us spend it wisely. It has been suggested by the solicitor general of Ontario that a national task force on firearms smuggling be set up at key border points. I strongly support this proposal. A well co-ordinated task force involving all levels of police forces, additional customs officers and the support of all three levels of government would yield real results in the reduction of smuggled firearms into this country. That is where the real problem exists. It is not in the continued harassment of law-abiding firearms owners.

(1800)

I sincerely hope the justice committee will insist upon an objective, dispassionate examination of the utility of a national registration system as set out in the bill. I hope that at the end of its study it would conclude that the current system requiring a firearms acquisition certificate is more than adequate and that if anything has to be done to curb the criminal use of firearms, the work has to be done at Canada's borders and in our court rooms.

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, I am very pleased today to stand in the House to speak on the Reform motion to split Bill C-68. It reads:

That all the words after the word "that" be deleted and the following substituted therefor:

This House decline to give second reading to Bill C-68, an act respecting firearms and other weapons, because the principle of establishing a system for licensing and registration of all firearms and the principle of creating a variety of offences are two unrelated issues that should be addressed separately.

I concur with the motion and I encourage members opposite to support Reform in the motion to split the bill.

I will read an excerpt from a letter from a constituent, Mr. Ole Raasok of Irma, Alberta. He specifically asked me to mention his name and to read his letter if I had the opportunity. He wrote:

I was living in Norway when the Germans invaded our country in April 1940 and took control of government in June 1940 after Norway's capitulation.

In the fall of 1940 all gun owners were ordered to register their shotguns and rifles if they wished to hunt. As law-abiding citizens wanting to hunt, we were dumb enough to register our guns.

I am reading from a letter sent to me by a constituent who was raised in Norway and who experienced registration. I encourage all members opposite to listen carefully to what this gentleman

has to say. I believe we should not make light of individuals who have had similar experiences. He continued:

The following year we received an order to deliver all of our guns to the police. There was no use in trying to hide them because the guns were already registered and the government had the numbers. The guns were never returned and no compensation was made for them. I believe this is the hon. justice minister's plan.

I became a lieutenant in the reserve army before I immigrated to Canada in 1951. In that capacity I had full command over 160 men who all had their own weapons in their homes. There was never any talk of registration or permits to transport or use guns. Statistics show that Norway has one of the lowest criminal use of firearms in the world.

I have read only part of the letter from my constituent. I have heard many members opposite say that any idea or any suggestion by Canadians that registration and tougher gun control would lead to confiscation is ridiculous.

Whether it is the intention of the government to move to confiscation after registration, I have no idea. I would tend to think not. However I believe it is healthy for people in a democracy to have a certain level of distrust for government.

My constituent has seen the effect of not having a healthy level of distrust. I ask hon. members opposite to understand that many Canadians have this concern. Some do not trust this government and others will not trust future governments. It is important to listen to these concerns and it is important in a democracy to have a certain level of distrust.

(1805)

History has shown that Norway is a prime example that registration leads to confiscation. Is this what the minister has in mind for Canadians? This question is often asked of me in my constituency. It was not just every now and again but every day over the past 10 days. Every single day I had constituents ask me whether the minister had in mind confiscation after registration.

Earlier statements made by the minister suggested that he would prefer to have guns only in the hands of the police and the armed forces. The statement was made shortly after the House started sitting about a year ago.

I fully support the motion put forward by the hon. member for Yorkton—Melville because it will separate the so-called crime bill into two different parts. It is logical to split the bill because we are dealing with two different issues. On the one hand is the aspect of targeting crime and on the other hand is the anti-gun sentiment of the legislation which I do not support. The motion is necessary because it focuses on the real problem of crime.

We as members of the Reform Party support a crime bill. We support measures that would get tougher in dealing with the criminal use of firearms, including penalties for smuggling.

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However we do not support targeting law-abiding Canadians simply because they own guns.

From day one Reformers stated that legitimate law-abiding gun owners were not the problem but rather that the problem stemmed from the criminal use of guns in the commission of crime. We need to ask why the minister has chosen to put these two parts of the issue together in the same bill. While I cannot answer the question for certain I believe it is a legitimate question. When we consider that Canada already has some of the toughest gun control laws in the world it is particularly an appropriate question.

To link tougher gun control to crime fighting might sound politically appealing, but there is no statistical evidence to support the legitimacy of the idea. If the minister could provide us with some evidence we would not oppose the original legislation. The reality is that he cannot provide the information because it does not exist.

Several constituents have come to me saying that they had written a letter to the Minister of Justice asking specifically for any evidence he might have to show that more gun control would do anything to help prevent crimes committed with guns and to show that a registration system would prevent even one death. So far none of the constituents have had an answer to their letters. That is a shame. It is a serious question and they are not getting the answer.

Another concern has been raised often in my constituency concerning the computer system that will be set up to accommodate the central registry. The concern of my constituents in this regard is about the central registry and a hacker accessing the system.

We know hackers are very capable. They have accessed military secrets in the United States. They can get the names and use them in two ways. First, they can be used to find the locations of large collections of guns so that they can be more easily stolen. Second, criminals could determine from the lists where easy targets for break and enter may exist, where they feel the guns are not there and therefore they are easy targets.

My constituents have many other questions over past weeks and indeed over the past year. However I will close by saying that I would like answers from the minister to the two areas of concern expressed by my constituents. I do not believe he can give an answer in terms of the motive behind the registry, not necessarily the minister's motive but the motive of future governments. Also there is the possibility of the computer system being broken into and guns being stolen or a break and enter taking place.

(1810)

The Deputy Speaker: I am sorry but the member's time has expired.

Mr. Paul Steckle (Huron—Bruce, Lib.): Mr. Speaker, I rise in the House this evening to address a matter that has attracted a great deal of concern in my constituency of Huron—Bruce.

On November 30, 1994 the Minister of Justice and Attorney General of Canada announced the government's action plan on firearms control. This was a series of proposals designed to generate comments and constructive criticism from Canadians so they might have an equal partnership in forming the bill before the House today.

The people of Huron—Bruce seized the opportunity to comment on the issue, causing my Parliament Hill and constituency offices to be flooded with thousands of calls, letters and visits.

Among the proposals was a mandatory minimum sentence of four years in prison in addition to a lifetime prohibition against possession of a restricted weapon when convicted of committing any one of or a combination of ten specific offences with a firearm. Among those offences, attempted murder, armed robbery and sexual assault with a weapon were included. Also included in the proposals were new Criminal Code offences with strict new penalties for illegal importing and trafficking firearms, enhanced border controls with improved inspections, and permit requirements for import, export and in transit shipments of firearms within Canada.

I take this opportunity to commend the minister for putting forth the aforementioned crime control measures. I would however like to draw attention to Bill C-68, an act respecting firearms and other weapons that is currently being debated in the House.

The act encompasses most of the original proposals released by the justice department, including a new mandatory registration system and a ban on a variety of specific handguns and replica weapons. As I have mentioned before, the proposals prompted a massive outcry in my constituency. In response I have spoken and met with many groups and individuals in an attempt to acquire an understanding of their views.

The process has allowed me to speak directly with my constituents, thus giving me a good understanding of their thoughts and views. As an avid hunter and sportsman I am pleased to recognize the government taking the initiative to punish individuals for the illegal use of firearms. However I am not able to support further restrictions being placed on the legitimate and safe gun owner.

Bill C-68 is a bill that resulted from many tragic events in recent Canadian history such as the massacre at Montreal's École polytechnique in 1989 and a recent drive-by shooting in Ottawa. The events have fuelled the fires of public demands for changes to the Criminal Code with respect to the illegal use of firearms.

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The most recent package of gun control measures is known collectively as Bill C-17. The process of putting the legal aspects of the bill into place has only now just begun. Unless the new law is successfully implemented the changes contained in the legislation run the risk of becoming little more than symbolic gestures by the government to satisfy public opinion.

Good policy development and the delivery of adequate laws also include effective implementation and enforcement. There has not been enough time for the regulations contained in Bill C-17 to be fully realized. Thus the effectiveness of the regulations is also not fully understood. One can therefore reason that if this is true it is also too early to impose or evaluate the effectiveness of further controls such as a national registration system that would require more time and would place further stress on the already sparse financial resources of the nation's taxpayer.

There are clear constraints in public funding when it comes to our police forces that are already responsible for protecting our citizens under other provisions of the Criminal Code. It has been estimated by the justice department that implementation of a registration system could cost up to \$85 million with an annual maintenance cost of \$10 million, not considering annual increases.

Public safety will only be endangered if we dilute our resources. As a result we as members of Parliament must take care in allocating the limited funds we have in this area to ensure they are spent in the most effective and practical way possible.

It must be reiterated that gun control only plays a small role in our overall criminal justice system. Other aspects of the Criminal Code need to be fortified to effectively combat violent criminal activities.

As a legitimate gun owner I am already subjected to a large number of controls. By law, to purchase a firearm I must complete a firearm acquisition certificate course, pass a formal examination and submit to a thorough police examination of my social, employment and psychological history. I must also provide the police with character references that they can investigate to ensure I will use my firearms in a responsible manner. In addition, there is a mandatory 28-day waiting period before I receive my FAC with picture identification.

(1815)

If I wish to hunt, I must first pass a mandatory hunting course which covers firearm handling and safety. I must then also submit to a provincially regulated test which further reiterates these points.

In addition to these regulations, the province of Ontario has strict ammunition purchasing regulations in effect. Once I have the gun and the legal ability to hunt, I must then adhere to stringent laws regarding separate storage of the firearm and the

ammunition under lock and key, rigid transportation standards and tough guidelines for using firearms.

This clearly demonstrates how heavily the legitimate gun owners are already regulated. These regulations, like all gun control regulations, are very difficult to enforce. The police simply cannot search each household to see if these rules are being observed.

The UN estimates that firearm owners represent approximately 27 per cent of the Canadian population or seven million people owning up to 27 million firearms which is considerably more than what people are telling us in most of this debate.

Perhaps the government should concentrate its efforts on implementing innovative and cost effective methods of enforcing the laws currently in place. One such example could be a community based group of gun owners checking the homes of other gun owners in their area. This would alleviate the suspicions that many Canadians have of government intrusion in their daily lives and would assist in the enforcement of the safe storage aspects of Bill C-17.

Third, I would argue that crime control would be a more effective method of obtaining further public security. We must punish the criminal element and leave the law-abiding citizens alone. Firearm owners possess and use their firearms in a safe and responsible manner and do not contribute to crime or violent death and injury statistics.

In addition, the Canadian Centre for Justice Statistics reports that in 1991 two-thirds of all accused murderers were known to have criminal records, the majority for previous violent offences, and were already prohibited from legally owning or acquiring a firearm.

To further illustrate my point of the small number of firearms involved in deaths in this country, I would offer the fact that in 1991 only one person out of every 400,000 Canadians died as a result of a fatal gun accident compared to one person out of every 14,000 who died as a result of a fall. I am suggesting that we have adequate controls in place but we are simply not enforcing them.

Under Bill C-17 all firearms are required to be trigger locked in a locked cabinet separate from the ammunition. An analysis of fatal gun accidents in the United States could not locate even one instance where a child victim or shooter discovered a locked gun, unlocked it and shot themselves or someone else. Studies also indicate that at least one-half of all accidental shootings involved the consumption of alcohol just prior to the incident. How will the registration system prevent this from occurring?

Canadians must bear the responsibility of using their firearms in a responsible manner. The Government of Canada should not be asked to shoulder this burden. We must congratulate firearm owners in this nation for their initiatives into the area of the safe handling of firearms, not condemn them for their efforts. In

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Canada, while firearm ownership has increased, the accidental death rate has reduced by 80 per cent between 1986 and 1991.

In conclusion, people are demanding that we take action to further protect them from violent crime and other illegal activities present in certain areas of our society. The problem that the minister and indeed the entire government faces is the question of what response is most appropriate.

In his recent report, the Auditor General expressed concerns over the lack of evidence to justify the fact that the Canadian government passed more gun control legislation between 1977 and 1995 than in the entire preceding 50 years. The Auditor General also questioned the enforceability of the laws contained in Bill C-17. He also expressed anxiety over the lack of uniformity across the country regarding the FAC screening system.

These concerns are only a few expressed by the Auditor General and others concerned with this issue. I call upon the minister to consider the Auditor General's comments and the comments of all Canadians. Hunters and collectors compose a large part of our population and generate revenue for our economy each year through licensing fees, conservation efforts and the recreational hunting industry.

Canada's first explorers were from Europe, coureurs des bois who served the vital function of opening the new world to settlers. Hunting and responsible gun ownership is an intricate part of our rich heritage.

I suggest to the minister and to the House that firearms can co-exist with all Canadians in an allegorical guns and roses relationship respecting individual rights and privileges without further imposing unnecessary, cumbersome and expensive regulations on legitimate firearms owners and our nation's finances. The process must begin here with us.

(1820)

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, of course I would like to see support for the amendment to split this bill. That is the way we should proceed.

I received some information with regard to the registration system recommended by the minister. The minister has said both inside and outside this House that it is going to be a simplified system, that it is going to place a tool in the hands of the law enforcement agencies to help them do their job and maintain a safer society. All the law-abiding gun owner will have to do is pick up a card at the post office or one of the stores in his or her community, fill in the make, model and serial number of their firearm and mail the card in.

Last week I visited three of the RCMP forensic laboratories and spoke with their technical experts on this matter. Either the information they have is not getting through to the minister or he

is ignoring it. When I asked them about this concept of having the gun owner fill in a card and send it in, they laughed.

I also found out that these labs have what they call a standard collection of firearms, meaning they are one of a kind. No two firearms are the same in the collection. These standard collections are in every one of their labs across the country.

In this one lab the technicians had examined the long guns of which there were just under a thousand. They found that 20 per cent of those firearms did not have serial numbers and 1.7 per cent could not be identified.

I do not know how the justice minister is going to create a registration system when 20 per cent of a standard collection that is fairly representative of the firearms in this country do not have serial numbers. How are we going to register a firearm that does not have a serial number?

When I asked these questions the technicians' response was that they would have to be brought in. Brought in where? To the labs that do not as yet have but would have the technology to handle the thousands of firearms that would have to be brought in.

Already they are examining the feasibility of what form and what type of system ought to be used to place a serial number on a firearm. Certainly it is going to cost more than \$10 a firearm. Certainly it is not going to impose a simple constraint on a gun owner to fill out a form. I ask the minister, how in the world can a serial number be written on a card if there is no serial number on the gun?

I was also told that many firearms in this country are over 100 years old. A firearm does not wear out. A firearm is usually maintained fairly well by the owner. Many of those firearms do not have the manufacturer's name, the calibre, or any identifying marks other than perhaps a model number or a serial number.

I was shown a firearm that had been imported from Russia. There are thousands of them in Canada, according to the information given to me. All it has on it is a serial number consisting of two Russian letters and three numbers. There is not the calibre, the make or any other identifying features on that firearm.

(1825)

If we are going to develop a registration system which is truly going to be a workable and a valuable tool in the hands of our law enforcement agencies, we had better take a careful look at what we are going to do.

It is important, proper and wise that we consider the amendment before the House now. If the minister will consider splitting this bill, let us put our efforts together to devise a bill directed at the criminal use of firearms. If there are people who honestly and sincerely believe that universal registration will help, let us examine it before we go forward. Let us not hurry

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into something that our technicians are telling us will not work and will certainly cost a lot more than \$85 million to establish.

I ask the minister if he would consider these proposals. This kind of information is going to be laid, lock, stock and barrel, before the standing committee, through witness after witness we will bring forward, from either the RCMP or the city police forces from across this country which have to deal with the problem. They are now faced with a situation in which they have to give a legal opinion in court instead of a technical opinion. I will give the House an example.

If the minister goes forward and creates an offence for a person in possession of a handgun based upon its calibre, such as the .32 and the .25, that will create a serious problem. The reason for that is simple. Although the offence, the charge, the information in court will indicate that the individual is in violation of a section by virtue of the fact that they are in possession of a .32 calibre, all the defence counsel has to do is ask the technical witness about the calibre of the handgun?

Although marked on its side that it is a .32 calibre, the definition of calibre, according to these technicians, is not what is marked on the side, but by the size of the projectile it fires. The .32 calibre, according to them, fires a .30 calibre projectile.

I asked them what they would say on the witness stand when asked about the calibre. They said they would simply tell the court that it is designed as a .32, its markings are that of a .32, but it fires a .30 calibre projectile and they would let the judge decide. If they had respond yes or no to whether the firearm is .32 calibre, they said they would not respond. I asked them if they have ever considered a career in politics.

My point is that there are a host of technical difficulties. When it comes to placing the identifying features from a firearm on to a registration card that the police will be able to identify without question, if they come across an individual with a firearm in the back seat of a car or in the trunk of a car for example, they are not going to be able to positively identify that firearm.

All we have to do is look at the Terence Wade report in which he outlined the problems within the present handgun registration system. Approximately 30 per cent of the information contained in that system is simply useless.

I understand from some of the legal opinions I am hearing that soon the challenges in court will render the handgun registration system invalid within a court of law because it cannot be relied upon.

(1830)

There are so many different types of firearms that we are going to have an extreme degree of difficulty registering them to the point at which the registration card issued can identify one

specific firearm out of the 7 million to 20 million that exist in Canada today.

I point out difficulties that the registration system will have. It flies in the face of what the justice minister has said in terms of simplicity.

If it is going to be as simple as the justice minister has indicated, then it is not going to be worth the powder to blow it in the hands of the police officers as an enforcement tool.

Let us take a look at this. Let us go forward with the portion directed at the criminal use of firearms. Let us take a second look at the other part.

The Deputy Speaker: According to the rules there is a six-minute extension of the debate because of the statement made earlier.

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): Mr. Speaker, having served on the committee and being a member of the wildlife federation and coming from a rural riding of Saskatchewan, I am very concerned with the bill in its present form.

I support the minister with regard to the criminal element, the four-year mandatory sentence for the commission of a crime with a firearm. The use of a fake firearm in the commission of a crime and a one-year mandatory sentence I support wholeheartedly. Those actions that would take into consideration smuggling and other offences involving guns and other illegal activities I support wholeheartedly.

However, I have some strong reservations with regard to registration. If I am going to ask the citizens of Souris—Moose Mountain or any other area to spend \$85 million, we have to consider what we are going to do for that cost.

I am prepared to register. I have owned guns all my life. I am a wildlife member and a firearms safety instructor. I was never impressed with the FAC formed some years ago. Now we have a four-page document. The government might as well have made it 30 pages and we could have had a light history of each of us as we own handguns.

In Saskatchewan most of the people who own handguns handle them safely, especially those who are members of handgun clubs. They have to adhere to all the rules and regulations.

As wildlife members we have to make sure that under Bill C-17 we store our guns and ammunition properly. We do have a responsibility to one another. As a hunter, in order for me to go on any other person's land I have to respect it. That is a privilege, not a right.

Many of us think it is a right and not very many farmers post their land because they expect that each of us going on that land does respect each other's property.

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However, within the framework of the legislation as it comes forward, the reservations I have are that if we impose the opportunity for someone to enter into my home and check to see whether I have certain compliances, I would rather they do that with a search warrant.

Make no mistake. Legislation is not easy but it is all encompassing. Friends of mine have smaller barrelled guns that are virtually at the end of their time. They have spent great amounts of money on them and treasure them as relics. Those will now go to the criminal element because they will not register them or they will have to get rid of them.

(1835)

If we are going to confiscate, compensate. People would accept that. When I was on the committee I did not say anything about handguns. I think we have to be very careful of the direction we take in this regard.

I am very concerned. Rather than speaking to the media, this is the place where we should exercise our opportunity as members of this House on both sides to speak very clearly about how we feel.

I do not believe I would gain any points by going before the news media, trying to unravel where we are going. I credit the minister and the justice committee will review both the directions of my friends opposite and members on our side.

I will have the opportunity to vote against this bill. I cannot support it in its present form. However, that does not mean to say that I will not take a look at the changes that will come forward and address them to see if they meet the needs of the Canadians I represent.

I appreciate the opportunity to be frank and honest about a bill that I know the minister has great concern for, and great concern for all Canadians. Let us take a look at the changes and let us register our concern and our final judgment on it.

ADJOURNMENT PROCEEDINGS

[*Translation*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

THE BUDGET

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, on March 1, in a question to the Minister of Citizenship and Immigration, I objected to the \$975 fee announced in the budget that will be charged to anyone who wishes to immigrate to Canada, in addition to the \$500 they have to pay to have their file processed by immigration officers.

Canada is now one of the most expensive immigration countries. This unfair and unacceptable decision adds to the incredible increase in all fees connected with immigration and citizenship. By the same token, I want to condemn office closures and personnel cuts at the Department of Citizenship and Immigration and the drastic reduction in the number of IRB commissioners.

These exorbitant fees are the equivalent of several months or even a year's wages for immigrants from poor countries. Refugees could not even afford to pay \$500, so how could they pay an additional \$975? Most of them arrive in Canada without any money. Sometimes they lost everything they had in their country of origin. When they arrive here, they have to get winter clothes, food and accommodation for their families. This tax is cruel and inhumane.

With this measure, how can Canada claim to honour this country's humanitarian tradition with respect to displaced or persecuted persons, as specified in the Immigration Act? Furthermore, the vast majority of refugees throughout the world are women and children. This measure will make sponsorship and family reunification even more difficult.

I want to take this opportunity to condemn the treatment of refugees scheduled for deportation at the Malton detention centre near the airport in Toronto. Last Wednesday, a citizen of Uruguay who was to be deported had to be taken to hospital after he tried to commit suicide. I mentioned the case of twelve people of Hispanic origin who were ill treated.

(1840)

I again want to ask the minister to investigate these allegations and to deal with those who are responsible for this very serious and unacceptable situation.

[*English*]

Ms. Mary Clancy (Parliamentary Secretary to Minister of Citizenship and Immigration, Lib.): Mr. Speaker, newcomers to Canada have access to the universal social programs that are paid for by all Canadians.

Immigrants and refugees also have access to our extensive integration and settlement services, the best in the world. The cost of these programs is \$271 million a year, a great part of which goes to the province of Quebec. We are talking about language training, assistance in job searches and help for families enrolling their children in schools. The list goes on.

Canadians have told us through consultations that they want those who derive benefits from Canada's wide range of programs and services to help pay for them. Refugees and immigrants have said they want to help as well.

We recognize that not everyone will be able to afford the fee. For that reason we have created a new loan option that will enable refugees to get the financial assistance they need. Like

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the loan option for travel, we expect that they will repay those loans at the 95 per cent rate at which they repay the others.

Newcomers to Canada make an investment in their future, a Canadian future, and this is a small price to pay for living in the best country in the world.

LOW LEVEL FLIGHTS

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, on March 3 in question period I brought to the attention of the House the report of the federal environmental assessment panel which reviewed low level military training flights in Labrador and Quebec. Approximately 6,000 to 7,000 low level training flights a year are currently being conducted out of Canadian forces base Goose Bay.

These flights are allowed under a 10-year multilateral memorandum of understanding agreement signed by Canada and the NATO allies which expires in 1996. The assessment panel report recommends that the government accept the Department of National Defence proposal to negotiate a new agreement that would more than double the number of flights, establish a new practice bombing range and expand the flight training area.

This would effectively concentrate the flights over traditional lands that have been used and occupied by the Innu nation for more than 9,000 years. After 10 years of experience observing the effects of these flights, the Innu contend that the noise adversely affects the wildlife, especially caribou, which they rely on for food.

The noise also causes the Innu mental and physical stress and disrupts their culture and traditional way of life. Many Innu boycotted the hearings because they felt these concerns as well as issues relating to aboriginal rights and land claims negotiations were not being adequately dealt with by the panel.

Although the panel did not adequately address the issues raised by aboriginal people, it did acknowledge that research concerning environmental effects on the flights was lacking. On this point the report is very clear: "So little is known about much of the wildlife in the training areas and the effects of overflights on them over the longer term that much uncertainty and hence concern remains. As a result the panel could not draw conclusions on the longer term effect of low level flying on the natural systems".

The panel therefore recommended that the project proceed only if key conditions are met and certain issues are dealt with. The first condition is that before a new low level flying agreement is signed and the flights are allowed to continue, the government must establish an independent institute to study and monitor the effects of the flights.

The panel also recommended that as soon as possible the government establish a joint management board for the George River caribou herd and settle aboriginal land claims in the affected area.

In question period the Minister of National Defence gave no indication of whether he agrees or disagrees with the report, if he would recommend that cabinet accept the report or what measures the government will take to ensure that the panel's conditions are met.

The government's own assessment panel admits the impacts on the environment and aboriginal rights are unknown and DND's avoidance procedures probably will not work. Does the government think that these flights should be allowed to continue when their effects are unknown? When one does not know the impact of something, it may not be wise to proceed.

It is important for the Innu people whose lives will continue to be affected by this program to know now if the government will accept the panel's report and, if the government does accept the recommendations in the report, what steps will be taken to address the issues identified by the panel and ensure that its major conditions including land claims negotiations will be met. This is an important point, especially since it appears clear that the provincial government of Newfoundland, because of the land claims dispute, will not enter into land claims negotiations with the Innu people. It is very important to know how the Government of Canada will respond to this very important matter.

(1845)

The government must ensure that it does not address the economic interests of one group while ignoring the economic interests of another.

Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.): Mr. Speaker, you will perhaps recall that the Department of National Defence had requested an environmental assessment be initiated to study the impact of an increase in the activity of low level flights at CFB Goose Bay.

The panel known as the FEARO panel has submitted its report to two of my colleagues, the Minister of the Environment and the Minister of National Defence. The panel has made every effort to hear from groups and individuals interested in putting their views forward. It has made recommendations to the government after considering their views.

[*Translation*]

The panel concluded that stopping the military flights would be very damaging to the region's economy. It recommended that this activity be allowed to continue, under certain conditions set out in the report. According to the seven members of the panel, there was little concrete evidence, at that stage, that the flights had a substantial negative impact on the environment, human health or the community.

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[English]

The federal government is now studying the advice of the panel and will prepare a response to the panel's recommendations. It will be made public on completion.

ROYAL BANK OF CANADA

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, I am pleased to have a chance this afternoon to speak about the tax system and in particular how it affects banks in Canada. I want to lead off first of all with a comment from the "Budget in Brief" or the budget itself.

I remember the Minister of Finance in his speech talked about the fact that the government was going to get tough. It was going to close off some loopholes. For example, the large corporation tax rate was going to increase by 12.5 per cent. I remember my friends on the Liberal benches were cheering at that point. There was a lot of applauding and actually a couple of half-effort standing ovations.

This was a 12 per cent increase of the large corporation tax rate. The tax rate of large corporations will rise from 0.2 per cent to 0.22 per cent. Granted that is 12 per cent but it is a tax going from 0.2 per cent to 0.22 per cent. Anyone who knows anything about mathematics would say this is infinitesimal and yet technically it is an increase. My gosh, we are hardly getting tough when the tax rate goes from 0.2 to 0.22. Yet that is the kind of impression the government left, that it had gone to all kinds of trouble to close loopholes.

I am prepared to say this afternoon that the government did not close any loopholes. Even the old family trust, the one that is favoured and is considered the mother of all tax loopholes, is still there. Basically it was just tinkered with and that privilege will continue.

Let us talk about the Royal Bank. If there is one corporate sector that is held up it is the banking sector. I want to challenge people opposite and perhaps anyone watching to take a look at the annual report of the Royal Bank of Canada for 1993. When looking through this report, and granted I am not an accountant or a tax lawyer, but I have read a lot of annual reports and financial statements, to me it says the bank does not pay income tax. Page after page says basically that.

When I spoke with the bank I was told that is not technically correct. It actually pays tax. I have got to say today that the Royal Bank does pay some tax. The Royal Bank pays all the usual taxes that corporations pay but we have to realize that the Royal Bank is included in a number of subsidiaries. When we add up all of the subsidiaries which include things like Royal Bank Mortgage Corporation, RBC Dominion Securities Limited, Royal Trust, the Royal Bank Canada (Barbados) Limited, the Voyageur Insurance Company and many more—the consolidated umbrella of all of the aspects of the Royal Bank—it does

pay income tax. As a matter of fact, it paid about \$509 million in 1992.

However, what we would call a bank that we go into with tellers where we get a mortgage, a car loan or whatever, actually lost money. Therefore, in spite of all of its fees and so on, it did not pay income tax. It did pay a minimum corporate tax and did pay the corporation tax of 0.2 per cent which the government has now raised to 0.22 per cent. While the bank, including all of its subsidiary operations did pay income tax, for clarification the Royal Bank per se, unconsolidated, did not pay income tax. Therein lies the difference.

Did the budget change any of that? No, it did not. As a matter of fact, the budget changed very little of our tax system. I would be remiss this afternoon not to say that the large share of our accumulated debt—more than 45 per cent—comes from all of the tax loopholes we have in the system. That is what has caused a lot of our debt. Yet the government did not take any steps in any substantive way to close these loopholes.

I would be interested to hear what my hon. friend has to say in terms of whether the Royal Bank has paid income tax or not. Remember—

The Deputy Speaker: The hon. Parliamentary Secretary to the Minister of Finance.

[Translation]

Mr. David Walker (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, several banks reported record profits in 1994. This has led observers to wonder whether the banks are paying their fair share of taxes.

Banks pay a considerable amount of taxes. They pay income tax and are subject to two federal capital taxes, including the large corporation tax which applies to all corporations with more than \$10 million in capital, and the capital tax for large financial institutions which acts as a minimum tax.

During the period 1991–93, the six largest banks and their mortgage loan affiliates paid nearly \$1 billion annually in federal income tax and capital tax. The banks also pay income tax, capital tax, property tax and other types of taxes to provinces and municipalities.

Members are probably aware of measures that were introduced in the last two budgets to ensure that banks, and financial institutions generally, continue to pay their fair share of taxes. This year's budget introduced a special tax on the capital of large deposit institutions, including banks.

[English]

The Deputy Speaker: Under our rules the motion to adjourn the House is deemed to have been adopted. Accordingly, the House stands adjourned until 10 a.m. tomorrow.

(The House adjourned at 6.53 p.m.)

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