



CANADA

# House of Commons Debates

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VOLUME 134 • NUMBER 079 • 2nd SESSION • 35th PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, October 2, 1996**

**Speaker: The Honourable Gilbert Parent**

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# HOUSE OF COMMONS

Wednesday, October 2, 1996

The House met at 2 p.m.

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*Prayers*

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**The Speaker:** As is our practice on Wednesdays, we will now sing O Canada, which will be led by the hon. member for Calgary North.

*[Editor's Note: Whereupon members sang the national anthem.]*

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## STATEMENTS BY MEMBERS

*[English]*

### GREEK ORTHODOX CHURCH

**Mr. John Cannis (Scarborough Centre, Lib.):** Mr. Speaker, this past Sunday, September 29, the spiritual leader of the Greek Orthodox Church of Canada, His Grace Bishop Soterios was elevated to the ranking of Metropolitan by His All Holiness Ecumenical Patriarch Bartholomew and the Holy Synod. In addition, I am proud to say that our Diocese of Canada will now, as a result, be recognized as a Metropolis.

It is a very proud moment for all Orthodox Canadians of Hellenic descent to have this honour bestowed on us. As the spiritual leader of the Greek Orthodox Church of Canada, His Eminence Soterios has worked diligently with zeal, compassion and understanding to improve our lives spiritually within a united Canada.

Over many years of dedicated service to the Lord and to the congregations, His Eminence Soterios has worked tirelessly, initiating programs to address the needs of both young and old, such as family counselling, women's issues, senior services and youth programs.

To this end I wish to express my heartfelt congratulations, wishing His Eminence good health and longevity. May the good Lord give him strength to continue his excellent work.

*[Translation]*

### THE PERLEY BRIDGE

**Mr. Maurice Dumas (Argenteuil—Papineau, BQ):** Mr. Speaker, when the construction work on the new Perley Bridge between Grenville, Quebec, and Hawkesbury, Ontario, was begun this past June 10, the Minister of Public Works and Government Services indicated that 50 per cent of the workers would come from Quebec, and 50 per cent from Ontario. Yet, on the construction site, the majority of workers are from Ontario.

Dufferin Construction apparently hired its workers through the Hawkesbury Employment Centre. Unfortunately, the Lachute employment centre does not offer the same service as its Ontario counterpart. In Quebec, workers have to contact the Commission de la construction du Québec, the CCQ. The only problem is that the employer, in this case Dufferin Construction, has not contacted the CCQ for a list of potential workers.

I am therefore asking the minister of public works to intervene so as to ensure that Quebec workers may enjoy the same opportunities as their Ontario colleagues, as promised by the Minister last June.

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*[English]*

### GUN REGISTRATION

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, yesterday in the House the Liberal member for Souris—Moose Mountain made grossly inaccurate statements. He alleged that I was telling people in his riding to not respect the law. That is totally false. In fact it was the opposite.

The audience of over 200 was clearly told they should work to defeat the Liberal government so that Reform could repeal Bill C-68 and farmers and shooters would not have to register their guns.

The member did not come or even send representatives to this most important meeting in Moosomin. For over 200 farmers to show up at this meeting at harvest time shows how important an issue this is. They are frustrated with a government that does not listen and runs roughshod over the fundamental rights of people. Useless laws cause people to lose respect for the law.

*S. O. 31*

Is this member telling his constituents to immediately run out and register their guns? Has he done an about face and decided that gun registration is a cost effective way of controlling crime?

I request that he immediately withdraw his statement. It is totally unacceptable for the member to blatantly misrepresent my words and Reform policy.

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**EMPLOYMENT INSURANCE**

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, where are the Atlantic Liberal MPs? Why will they not speak up for their constituents?

Last Friday I challenged all Atlantic Liberal MPs to sign a motion that would require the House to debate the new EI fisheries regulations. As of today, not one Atlantic Liberal MP has agreed to sign the motion that would allow proper debate.

These new regulations, which were quietly tabled, will see the employment insurance benefits for fisheries reduced by \$33 million. The savings will come from lowering benefits, shortening the duration of benefits and penalizing repeat users.

Today I challenge my colleagues from all parties to rise above partisan politics, to preserve the quality of life and dignity of our fishing families. With these new EI regulations, the government is unfairly punishing our fishers.

I ask all my colleagues to sign. I only need about 30 signatures and it will be debated in the House. Atlantic fishing families are waiting for Parliament to do what is right, to stand up and protect their livelihood.

\* \* \*

[Translation]

**THE DEATH OF ROBERT BOURASSA**

**Mr. Mark Assad (Gatineau—La Lièvre, Lib.):** Mr. Speaker, Robert Bourassa was a man who represented Quebecers throughout Canada, and his political career was devoted to promoting the collective prosperity of his fellow citizens. He was, in brief, one of the architects of modern Quebec and he had a vision of Quebec of the future.

Everyone who has known Mr. Bourassa has been struck by his strong democratic values and his particular sensitivity to the most disadvantaged in our society.

Throughout his entire career, his prime objective was the economic development of Quebec, but he was also concerned about social justice. Robert Bourassa was a real human being and easily approachable. No matter how busy he was, his door was always open.

• (1405)

All of his colleagues and activists in the Quebec Liberal Party liked Mr. Bourassa and had the utmost confidence in his leadership.

Our most sincere condolences to Mrs. Bourassa and the family.

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[English]

**FARMERS**

**Mrs. Marlene Cowling (Dauphin—Swan River, Lib.):** Mr. Speaker, as a member of Parliament and a lifelong farmer, rural economic development is at the top of my priority list. As the fall harvest is upon us, I would like to take this opportunity to pay tribute to all Canadian farmers who help make the Canadian economy strong by their hard work and determination, particularly those farmers from my riding Dauphin—Swan River.

We can be proud that Canada's farmers produce the safest and highest quality food products in the world. Our farmers make a valuable contribution to the Canadian economy. Agriculture accounts for 8 per cent of the GDP and 15 per cent of all employment in this country.

Hats off to Canadian farmers. Their efforts and hard work will continue to help Canada remain the best country in the world. Let us not forget that rural economic development initiatives of the Liberal government ensure that all Canadians, rural and urban, benefit from strong economic growth.

\* \* \*

[Translation]

**THE DEATH OF ROBERT BOURASSA**

**Mr. Louis Plamondon (Richelieu, BQ):** Mr. Speaker, with the passing of Robert Bourassa, today Quebec has lost a great defender of Quebec's interests. A man of principle, brave, tenacious and dedicated both to his family and to Quebec. He has put his mark on our history.

Throughout his life he fought for Quebec with conviction, determination and skill, always showing the greatest respect for allies and opponents alike. He leaves an impressive political legacy, as reflected in his economic policies as well as in his repeated demands for broader powers for Quebec.

On behalf of all my colleagues in the Bloc Québécois, I wish to extend our most sincere condolences to his wife and children.

Robert Bourassa, thank you for your great contribution to democracy in Quebec and Canada.

[English]

## IMMIGRATION

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, most Canadians thought that the previous minister of immigration was hopeless, but the new one is even worse. She has failed to get rid of more than 1,300 bogus and criminal refugee claimants in the Vancouver area alone.

In March I wrote the minister about one of many in my riding, a man who has been forging passports so that other criminals could get into Canada and join him. It was a profitable home based business. He paid no income tax on the proceeds. He had no business licence and he remitted no GST.

For passport forgery he got three paltry month's probation at home. He even qualified for Canadian citizenship after entering Canada for a second time after lying to immigration officials about his past. Now he is accused of sending someone else in his place to the citizenship ceremony.

When will this failure of a minister start earning her salary by ridding us of these criminal refugees and taking some meaningful action to put a stop to them getting into the country in the first place?

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## ETHANOL

**Mr. Jerry Pickard (Essex—Kent, Lib.):** Mr. Speaker, today there is good news in Chatham, Kent county for the economy, farmers, workers and the environment. Commercial Alcohols Inc. has announced the construction of an ethanol plant. The \$153 million facility will generate 400 direct and indirect jobs, provide a new market for 15 million bushels of corn, and create additional jobs in trucking.

Once the operation of the plant is under way, it will run 24 hours a day, seven days a week, producing 150 million litres of fuel ethanol and industrial alcohol. It is a truly Canadian success story.

This announcement demonstrates that investors are confident in the Canadian economy and they are confident in the government's alternative fuels policy. This announcement also demonstrates that we can achieve great things in partnership with the private sector.

I wish to thank Commercial Alcohols Inc. and all those who helped this plant to succeed. I urge my colleagues and all Canadians to share in the success. Think Canadian and fill up with Canadian ethanol blended fuels.

*S. O. 31*

• (1410)

[Translation]

## THE DEATH OF ROBERT BOURASSA

**Mr. Clifford Lincoln (Lachine—Lac-Saint-Louis, Lib.):** Mr. Speaker, I was very sad to hear the news this morning of the death of Robert Bourassa. Although I campaigned for one of his opponents during the leadership campaign in 1983, Mr. Bourassa did me the honour of appointing me to his cabinet in 1985.

Even after our political paths diverged, Robert Bourassa showed me and my two colleagues, Richard French and Herb Marx, the understanding and courtesy that imbued all his personal relations.

In paying tribute to his memory, I would like to take the few moments I have to talk about a side of his character that is less well-known. He was, above all, a very warm individual. Seemingly cool, he was simply a very nice man. Behind that stern face sparkled a great sense of humour. He was, above all, unfailingly cordial and sympathetic in his dealings with all his colleagues. He never took himself seriously. His door was always open, and the most junior member would always feel welcome and find a sympathetic ear.

I therefore wish to express my loyalty to and respect for the man who was, more than a leader—he was a friend. To Mrs. Bourassa and her family I wish to extend our profound and most cordial sympathy.

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## THE MONTREAL BIOTECHNOLOGY RESEARCH INSTITUTE

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, yesterday, Canada's Minister of Industry announced that more than \$20 million would be invested in the Biotechnology Research Institute in Montreal.

This institute, which is part of the National Research Council of Canada, works in close co-operation with the private sector. Since it opened in 1987, the BRI has helped businesses as prestigious as Ibx Technologies, Medicorp, Immunocorp, Quantum Biotechnologies and BioSignal get off the ground.

The money will be used to expand existing facilities by 50,000 square feet and create over 200 specialized jobs. This Canadian investment in Montreal's economy was made possible by FORD-Q, the National Research Council of Canada and private sector developers.

This major investment confirms the Canadian government's unfailing support for Montreal's global leadership in the area of biotechnology.

*S. O. 31**[English]***THE LATE ROBERT BOURASSA**

**Mrs. Eleni Bakopanos (Saint-Denis, Lib.):** Mr. Speaker, I rise sadly today to pay tribute to a man with whom I had the honour and privilege to work for over 10 years as an organizer and political adviser for the Quebec Liberal Party.

He was a man who believed in a strong Quebec inside a strong Canada. I remember a man who believed in the full and strong participation of all Quebecers in the political process, regardless of their ethnic origin.

But I rise not to speak of his political accomplishments, which are many, but to remember the human side of the man we call Robert Bourassa.

*[Translation]*

I remember he would rather drink a glass of milk than anything else. I remember he loved Chinese food. I remember he always started off his days by swimming laps in the pool. I remember he always had vegetables in his car.

*[English]*

I remember the first time I met him and we spoke. He was crammed with his feet up to his chin in a used car that I used to drive around as a political organizer. In that position he made a commitment to me and to other Quebecers that night—I was a novice at the time—that he had a deep commitment to public service and to ensure that members of Quebec's cultural communities continue to play a strong role in Quebec's future development.

I extend my sympathies to his family and his wife—

*[Translation]*

In short, I remember.

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*[English]***NUCLEAR WEAPONS**

**Mr. Bill Blaikie (Winnipeg Transcona, NDP):** Mr. Speaker, I am sure all Canadians breathed a sigh of relief when the comprehensive test ban treaty was signed at the United Nations just a few days ago, but at this time I think we need to reflect on what now needs to happen.

The Canadian government needs to work now to abolish nuclear weapons entirely. It is not enough just to talk about getting other countries who have not signed the treaty yet to sign on, like India. The fact is that countries like India, while I wish they would sign the treaty, have a point when they say that the countries who now possess nuclear weapons should be working to abolish those weapons faster than they are.

I urge the government to break out of the NATO mindset and to work toward the abolition of nuclear weapons, weapons which I have always regarded as a blasphemy, given that we would even think, in the name of anything, of destroying all creation.

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**ELECTIONS CANADA**

**Mr. Grant Hill (MacLeod, Ref.):** Mr. Speaker, chief electoral officers represent Elections Canada in every constituency in Canada. They are supposed to be unbiased and impartial.

When I found out that the Liberals were breaking another campaign promise by systematically turfing out the old officers and replacing them with their pals, I did some checking.

● (1415)

All the old officers were fired. None had been offered the job and none saw the position advertised. The new officers had no special skills and were just well connected to, guess who, the Liberals. This breaks another red book promise to return integrity to politics.

Reform's solution is simple: advertise openly and make sure you hire the best person. The chief returning officers should not be political hacks, period.

\* \* \*

**VIOLENCE AGAINST WOMEN**

**Ms. Colleen Beaumier (Brampton, Lib.):** Mr. Speaker, several months ago the Coalition for the Safety of Our Daughters distributed a videotape to some members of the House called "Reel Hatred". This video contains clips from so-called slasher films which depict horrible acts of violence against women and girls.

The distributors and retailers of these videos hide behind the principle of free speech which is the foundation of a free and democratic society. However, all good democrats know that the freedom to commit an act ends when that act causes another individual harm.

This is the case with slasher films. Just as movies can inspire us to do great things, they can also inspire individuals to commit horrible acts of violence, a fact which is demonstrated by so-called copycat crimes.

In our zeal to protect free speech, we should not protect the right to produce and distribute such rubbish.

\* \* \*

*[Translation]***THE DEATH OF ROBERT BOURASSA**

**Mr. Laurent Lavigne (Beauharnois—Salaberry, BQ):** Mr. Speaker, we were saddened to learn of the death this morning of former Quebec premier Robert Bourassa. Elected four times to the

position, Mr. Bourassa was Quebec's youngest premier ever at the age of 36.

All the people of Quebec recognize the tremendous efforts he put into giving Quebec the tools it needed for its economic future. Throughout his life, Mr. Bourassa treated his fellow citizens with respect and compassion and listened to what they had to say.

His oft-repeated desire to secure Quebec's rightful place within the Canadian federation was one of his greatest challenges. We will all remember this great democrat, this man of conviction and conscience.

Today Quebec lost a great man and, on behalf of my colleagues and the people of Quebec, I wish to convey my sincere condolences to Robert Bourassa's family and friends.

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## ORAL QUESTION PERIOD

[*Translation*]

### THE SOMALIA INQUIRY

**Mr. Michel Gauthier (Leader of the Opposition, BQ):** Mr. Speaker, in his testimony before the Somalia commission this morning, Roberto Gonzales, the former director of public affairs at National Defence, made a shocking revelation, stating that not only was General Boyle, the chief of defence staff, aware of a plan to tamper with information to be released but that he had actually approved this plan.

In light of the fact that Mr. Gonzales states unequivocally that final approval for the cover-up operation came from General Boyle himself, how does the Minister of Defence intend to react to such a damning revelation?

[*English*]

**Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, we have made the same argument a number of times over the last few weeks. We have a process that is now working and that is the commission of inquiry. All people are free to come to the inquiry and give their evidence and facts as they see them.

It is inappropriate for anyone's testimony, anyone's set of facts, anyone's set of circumstances that is being raised at the inquiry to be debated in the House of Commons. Let the commissioners do their work. Let them issue a report and the government will respond.

[*Translation*]

**Mr. Michel Gauthier (Leader of the Opposition, BQ):** Mr. Speaker, Mr. Gonzales testified he met with General Boyle in person to get his approval to tamper with the information, which is no insignificant matter.

### Oral Questions

My question is for the Minister of Defence. I can see that he wants to keep General Boyle in his position at all costs, but in the light of the numerous allegations condemning the chief of defence staff, does he not consider he should be relieved of his duties at least—and I think people would consider this the minimum—until the investigation is complete?

[*English*]

**Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, what the government and I want at all cost is for the commission of inquiry to be allowed to do its work, to do it in an unfettered way and come to reasoned judgments. Then the government will respond.

• (1420)

[*Translation*]

**Mr. Michel Gauthier (Leader of the Opposition, BQ):** Mr. Speaker, given the absolutely incredible situation we are facing, I would like to ask the Minister of Defence this: How far is the minister prepared to go to save his friend, General Boyle? How far?

[*English*]

**Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, there are fundamental principles of justice at stake and they concern a number of individuals who will be going before the inquiry. We should allow the inquiry to hear all the evidence and allow each individual the right that all Canadians deserve, and that is to be heard in an impartial setting and have those people who are conducting the inquiry come to reasoned judgments in a way that will reflect the principles of Canadian justice.

[*Translation*]

**Mr. Pierre Brien (Témiscamingue, BQ):** Mr. Speaker, my question is for the Prime Minister.

The Prime Minister just heard the defence minister renew his support for General Boyle, in spite of the very serious accusations made against him this morning under oath by Mr. Gonzales, who was the director of public affairs when the falsified documents were released.

Does the Prime Minister not think that, this time, his defence minister has gone beyond the acceptable?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the Minister of National Defence just provided the government's view on the issue: We asked a commission of inquiry to look into all the issues relating to the incidents in Somalia and to report to us, so that we could take appropriate action. As the minister said, all kinds of allegations are made before a commission of inquiry. Some people say certain things, while others have a slightly different view. There are lawyers who make representations on behalf of each of the parties involved.

*Oral Questions*

The commissioners are now hearing arguments. Later, they will report to the government and, at that time, we will act on their recommendations.

**Mr. Pierre Brien (Témiscamingue, BQ):** Mr. Speaker, my supplementary is also for the Prime Minister.

Does the Prime Minister not think that, from a strictly ethical point of view, such serious accusations against the Chief of Staff justify General Boyle's suspension, at least for the duration of the inquiry? If the Prime Minister will not dismiss General Boyle from his duties, will he at least suspend him?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the commission of inquiry is currently conducting its proceedings. We hope it will release its findings at the earliest opportunity. The sooner the better for everyone.

In the meantime, we have to respect the rights of each individual to be heard and we must wait for the commission to render its judgment, before taking action.

[English]

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, this morning I received a very moving letter from a retired armed forces captain, Stephen Ransier in Guelph. What made it moving was that along with it he included his Canadian service decoration for years and years of military service in the Canadian Armed Forces.

This is what he said: "I have concluded that I can no longer wear my Canadian forces decoration—with pride or honour". He lists the reasons why: lack of moral leadership; a minister of defence who appears to have no concept of or interest in the military; and a chief of the defence staff who abrogates his responsibilities.

What does the Prime Minister have to say to Captain Ransier and others like him who are so disappointed in the leadership at the top that they return their Canadian forces decorations?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I will tell this gentleman that it is exactly because we are very preoccupied with the morale in the armed forces following the incident in Somalia that this government did the very unusual thing of setting up an inquiry into the matter. It is exactly because I want the commission to finish its work that I will not prejudge the conclusions of the commissioners.

I have respect for all the people serving today in the armed forces. All of them are not responsible for what happened in Somalia. When the results are known, we will act. In the meantime we have to respect the commission and let it finish its work. After that we will make our decision based on its recommendations.

• (1425)

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, I will give the Prime Minister the letter.

As a young soldier Captain Ransier protected the current Prime Minister during the FLQ crisis. He apparently stood outside the current Prime Minister's door when he came back from Pierre Laporte's funeral. He accompanied Mrs. Chrétien to the grocery store during those unsettled times. Now he is looking to the Prime Minister for protection of the morale and reputation of the Canadian Armed Forces.

What is the Prime Minister's response to soldiers who are looking to him to protect the morale and reputation of the Canadian Armed Forces from mismanagement by the Minister of National Defence and the chief of defence staff?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, there is an inquiry.

I am happy that the gentleman did his job properly when he was there. He was rewarded with a decoration for the work he performed. He should not jeopardize the services rendered because there is an inquiry at this time. He should not try to politicize the issue.

At this moment what is important is to go with the inquiry, let the commissioners ask the questions, get the answers, weigh the pros and cons of every testimony and render a judgment. It is not for anybody in the House of Commons to decide matters which are discussed in front of an inquiry and prejudge the conclusion. That would show a complete lack of respect for the commissioners who are doing a difficult job.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, I know political letters when I see them and this is not a political letter.

I will hold Captain Ransier's decorations in trust and I will return them to him on the day when he can wear them with pride and honour. I will hold them in trust until there is a new defence minister and a new chief of defence staff. How long will Captain Ransier have to wait?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, that is precisely the way to politicize the issue. The leader of the third party cannot find a lot against the government and he is looking for an occasion to have his picture in the press with the soldiers.

We will run the government the way we think it should be run. The proper way to run a government is to show respect to the commission. We must let the commissioners do their job. They have sworn to do their job properly. When the commission completes its work we will act accordingly. That is the way things are done in Canada. We will not find anybody guilty before the case is closed.



*Oral Questions*

[Translation]

**REVENUE CANADA**

**Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ):** Mr. Speaker, my question is for the revenue minister.

Over the past five years, Revenue Canada has audited the excise taxes of only one oil company and of no tobacco products manufacturers, thus risking the loss of millions of dollars, because there is a four year limitation on audits. In other words, after four years, you can no longer recover the money. We are not talking about smuggling here, but lax tax controls.

Can the revenue minister explain to us why her department did not do its job properly, letting millions of dollars that it can never recover disappear daily?

[English]

**Hon. Jane Stewart (Minister of National Revenue, Lib.):** Mr. Speaker, we have been doing our work.

What I want to explain to the House is that even though audits were not completed, we were constantly monitoring the tax revenues from these companies. There was absolutely no indication that there were any changes to the amounts of revenue which the government was receiving.

[Translation]

**Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ):** Mr. Speaker, might we remind the minister that the number of public servants assigned to audit functions has been plummeting in her department for 20 years and that the auditor general tells us that, since 1991, those left have been doing only GST audits.

● (1430)

I therefore ask the minister what she is waiting for to hire or train new auditors, thus making it possible to carry out the required controls within four years and collect millions owed the federal tax department?

[English]

**Hon. Jane Stewart (Minister of National Revenue, Lib.):** Mr. Speaker, the hon. member is wrong. In fact we have hired 1,200 new auditors. With the last budget the Minister of Finance gave us \$50 million to hire 800 more.

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**SOMALIA INQUIRY**

**Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.):** Mr. Speaker, the answers of the defence minister and the Prime Minister may have been acceptable, except for one small fact.

Troops from the Canadian Armed Forces are deployed around the world. This issue of leadership goes right to the heart of the matter. If they do not do something, they are going to get someone killed in our Canadian Armed Forces.

Today Roberto Gonzales contradicted the general and implicated him in the cover-up. I would like to ask the Prime Minister a very simple question: Will the Prime Minister clearly state to this House whether or not General Boyle still enjoys the confidence of this government?

**Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, we have been very consistent in our answers. You have heard them again today.

What is very troubling is that at this time people in the armed forces are feeling a lot of pain; people in the House of Commons are feeling a lot of pain; Canadians are feeling a lot of pain about the problems we have had with this particular mission. These are being looked into by the inquiry.

For members to come here to the House of Commons and exploit the pain of an individual soldier, to come here to the House of Commons and basically give the impression that somehow lives are at risk goes beyond any partisan politics I have ever seen in nearly 20 years of being in and out of this Chamber.

I would only hope for decency's sake that the hon. member and his colleagues would let the inquiry do its work and leave the members of the armed forces to continue to do the good job they are doing.

**Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.):** Mr. Speaker, being a former member of the Canadian Armed Forces, I take this to heart.

The worst situation in the Canadian Armed Forces and for personnel in the Canadian Armed Forces was when the chief of defence staff stood up, blamed everything on his subordinates and said that his subordinates lacked moral fibre. That was the worst thing that ever happened.

In a speech on ethics in 1991 the Prime Minister stated in this House: "When we form government, every minister in the cabinet that I will be presiding over will have to take full responsibility for what is going on in his department. If there is any bungling in the department, the minister will have to take the responsibility".

Canadians know there has been a whole lot of bungling going on in the minister's department. I have a simple question for the Prime Minister: Exactly how much does it take before the Prime Minister, before you hold your Minister of National—

**The Speaker:** My colleagues, please. You will address your questions to the Chair and then they will be passed on through. I will permit the right hon. Prime Minister to answer.

*Oral Questions*

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I have a lot of confidence in the Minister of National Defence.

When I was in the opposition, I knew there were a lot of problems in that department. That is one of the reasons we made a promise to have an inquiry into the Somalia affair. I said at that time that one of the problems which existed in the previous administration was that there were seven defence ministers in nine years.

I said to the Minister of National Defence: "You will take over a very difficult job, but I will keep you in that job. This department needs the respect of the government. We should have a minister who will be there for a long time, who will be responsible and who will take his responsibilities very seriously". That is exactly what the Minister of National Defence has been doing since November 1993.

\* \* \*

• (1435)

[Translation]

**THE CANADA LABOUR CODE**

**Mr. Réal Ménard (Hochelaga—Maisonnette, BQ):** Mr. Speaker, my question is for the Minister of Labour.

The Minister of Labour is in the process of reviewing part I of the Canada Labour Code. The task force he set up for that purpose recommended in its report, the Sims report, which was tabled this past January, that the RCMP be given the right to collective bargaining.

Since RCMP officers are the only police officers in Canada who do not have the right to collective bargaining, will the minister undertake to use the current revision of the Canada Labour Code to put an end to this discriminatory and unjustified situation?

**Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I have already given the hon. member an answer on this. Within a few weeks, I hope to be in a position to table amendments to the Labour Code. At that time, people will have a chance to see what the proposed amendments are.

Since the hon. member referred to the Sims report, I would invite him to reread it. I believe there is a difference between what he has just said and what the report states with respect to the RCMP.

**Mr. Réal Ménard (Hochelaga—Maisonnette, BQ):** Mr. Speaker, I would ask the minister to leave it to the opposition to decide whether or not he has provided an answer, and at this point he has not.

The RCMP Association has proposed a collective bargaining system under which there would be binding arbitration without the

right to strike. Does the minister intend to accede to this proposal, which is fair, equitable and respectful of RCMP employees?

**Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I repeat, we are in the process of drafting the amendments to the bill concerning part I of the Labour Code, and I invite the hon. member to wait until the bill is tabled in the House and then to make his comments and pass judgment on the minister's actions.

\* \* \*

[English]

**IMMIGRATION**

**Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.):** Mr. Speaker, on Monday when I asked the immigration minister about the case of Dennis Garcia, an escaped American dangerous offender who claimed refugee status in Canada and was released, the minister simply responded by stating that the government has a different view from the Reform Party.

Now we find out just how different the government's view is. She has issued new guidelines to immigration officers that they are to bend over backward to avoid detaining illegal immigrants and bogus refugees.

Can the minister explain why she is issuing guidelines to immigration officers that contradict sections of the Immigration Act?

[Translation]

**Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, I have not issued any new guidelines on the subject, and the hon. member is saying is just not true.

[English]

**Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.):** Mr. Speaker, I would suggest that the information comes from immigration officers within her department. They are the ones who have received this information from the minister.

The Reform Party believes that an escaped dangerous offender who savagely beat a defenceless woman during a robbery should not even be allowed to claim refugee status in Canada, never mind being released from detention. The Liberals think that not only should he be released but he should be welcomed with opened arms.

Can the minister explain why this government is now adopting a get soft approach concerning illegal immigrants and bogus refugees rather than protecting Canadians?

[Translation]

**Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, it is not true that we are going to make changes in the Immigration Department's detention policy

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so that dangerous criminals may circulate freely in this country. It is not true at all.

The reason this policy is now under review—a policy that was not adopted by the deputy minister or by the current minister—is to conform to existing jurisprudence. We also respect the rule of law in this country.

\* \* \*

• (1440)

**MUSEUMS**

**Mr. Gaston Leroux (Richmond—Wolfe, BQ):** Mr. Speaker, applications for museum financing under the Museums Assistance Program were filed with the Department of Canadian Heritage as of February 15 this year. Some Canadian museums received their replies at the end of June, but most did so at the end of August. In Quebec only one museum received a reply, and it happens to be in Shawinigan, in the Prime Minister's riding.

My question is directed to the Minister of Canadian Heritage. What explanation does the minister have for the delay in responding to museums in general and those in Quebec in particular, and why does she let small museums languish for as long as seven months before bothering to answer their applications?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** Mr. Speaker, in the same article it says that the McCord Museum received \$100,000. What he says is not true.

**Mr. Gaston Leroux (Richmond—Wolfe, BQ):** Mr. Speaker, if I may refresh the minister's memory, scarcely two years ago, in 1994, corporate services asked her to reply within four months of the mailing date on grant applications.

If this is due to a considerable lack of efficiency, I would ask the minister to explain why she is super-efficient when she hands out flags and so negligent when dealing with museums in Quebec?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** Mr. Speaker, I am very particular about how we spend \$8 million of Canadian taxpayers money. Since we received some applications only a few weeks ago, our purpose is to protect both the museums that filed proper applications and taxpayers in Quebec and Canada.

\* \* \*

[English]

**LAND MINES**

**Mrs. Dianne Brushett (Cumberland—Colchester, Lib.):** Mr. Speaker, my question is to the Minister of Foreign Affairs.

The Canadian summit on land mines begins tomorrow, with more than 70 countries represented. Parliamentarians from the new Republic of South Africa visiting this House today told us last evening that in Mozambique alone at least one child per day, every day, is killed by a land mine while walking to school. What does the minister hope to achieve that will stop this human tragedy?

**Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.):** Mr. Speaker, I would like to thank the member for the question. The purpose of this conference that begins here tomorrow is to bring together over 70 countries to begin organizing the move toward the total global elimination of land mines. It is a very significant landmark.

I would like to point out that as part of the leadership that Canada has taken, I think the House should applaud the decision taken today by the minister of defence to move toward the elimination of the Canadian stock of land mines beginning with a two-thirds reduction immediately.

That is the kind of leadership and dedication that we see taking place and I would invite members of Parliament to attend the exhibit that was opened today on land mines where we can see the professionalism, competence and courage of our armed forces today as they work around the world on the elimination of mines.

\* \* \*

**JUSTICE**

**Mr. Jack Ramsay (Crowfoot, Ref.):** Mr. Speaker, it is evident that the justice minister continues to support the right of murders to a full judge and jury review of their parole ineligibility after serving just 15 years of a life sentence. By doing so, the justice minister continues to support the criminal and ignores the pain and anguish of the families of murder victims.

The minister and his government have repeatedly taken the side of the criminal at the expense of law abiding Canadians. Why does the minister of justice not eliminate section 745 of the Criminal Code completely and deny all first degree murderers, including Clifford Olson, any opportunity for early release and demonstrate his willingness to come down on the side of the victim?

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I urge the hon. member to support Bill C-45 which we put before this House to improve the current provisions of the Criminal Code so far as they relate to applications for early parole by those sentenced to prison for longer than 15 years.

• (1445)

In that bill we have proposed a tightening and a toughening of that provision to ensure it is available only in exceptional cases. What is most important of all, apart from the fact altogether that it would make applications of that nature impossible if one is

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convicted of multiple or serial killing, it puts the ultimate decision in the hands of the community, the community jury, the very Canadian people for whom this hon. member purports to speak.

**Mr. Jack Ramsay (Crowfoot, Ref.):** Of course, Mr. Speaker, we recognize in the minister's response that he is forgetting one more time about the victims of crime.

Fourteen years ago Darlene Boyd's teenage daughter was raped and murdered, her body burned by Jim Peters. In four months this murderer can apply for early release under section 745 of the Criminal Code.

How can the justice minister justify putting Darlene Boyd through this torment and anguish one more time?

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I have met with Darlene Boyd. I have spoken to her directly about this issue. I saw for myself the enormous tragedy she has had to endure and live through.

I know I speak for all members of this House when I say our hearts go out to Darlene Boyd and to others who find themselves facing those types of tragedies.

If the hon. member and his colleagues in the Reform Party would co-operate with us and support Bill C-45, as I urge them to do, we will change the provisions of the Criminal Code so that before anyone who is in custody can bring such an application they would first have to have it screened by a judge of a superior court to demonstrate, and they would bear the onus, that there is a reasonable prospect of their success in front of a jury.

Second, they would have to persuade a jury unanimously, as opposed to the present two-thirds rule, that they should be given permission to apply early to the parole board.

I believe those changes allow us to retain this provision, which has been part of criminal law for 20 years, while improving it and ensuring that it is available only in exceptional cases. I urge the member to join us in passing that legislation.

\* \* \*

[Translation]

**RAILWAY SAFETY**

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

This summer, we learned from the Transportation Safety Board of Canada that the number of main line derailments in Canada in the first seven months of 1996 was 50 per cent higher than in the same period last year. Since the beginning of the year, there have been 146 accidents, compared to only 97 last year, for an average increase of seven accidents per month.

Does the minister not think that this disturbing rise in the number of rail accidents is due partly to the appalling condition of the rail system itself, especially in Quebec where, according to a 1995 Transport Canada study, the number of problems on Quebec's main rail lines is three to ten times—

**An hon. member:** Question.

**The Speaker:** I am sorry, but I must give the floor to the hon. Minister of Transport.

[English]

**Hon. David Anderson (Minister of Transport, Lib.):** Mr. Speaker, the subject is a very serious one and safety is in fact Transport Canada's preoccupation in all its activities.

I point out to the hon. member that it is certainly correct, there has been an increase in mainline accidents. I would suggest, however, the figures should be looked at rather carefully to see what level those accidents are on. In fact, in terms of the more serious accidents there is a very slight change.

I can also assure the member that only an hour ago I was meeting with the presidents of Canadian National and Canadian Pacific to discuss this very issue and I certainly welcome his concern on this account.

[Translation]

**Mr. Paul Mercier (Blainville—Deux-Montagnes, BQ):** Mr. Speaker, the minister apparently cannot see a cause and effect relationship between the appalling condition of Canada's rail system and the record number of accidents.

Will he at least admit that his negligence in the recent closing of some rail carriers' maintenance facilities is partly responsible for the increase in the number of accidents?

[English]

**Hon. David Anderson (Minister of Transport, Lib.):** Mr. Speaker, certainly not. The situation is not related, as the hon. member suggests.

● (1450)

This is not the easiest question to deal with when one is analysing statistics, but I would suggest that the hon. member compare the enormously successful Canadian system with others.

If the member compares the record of both CN and CP to those lines across the border, he will find that we have a very safe system. However, inevitably in a country with the amount of rail traffic that we have there will be some accidents. I certainly welcome his concern and interest in the subject because it is, as I said earlier, the most important priority of my department.

## CANADIAN WHEAT BOARD

**Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.):** Mr. Speaker, evidence shows that the Canadian Wheat Board has not performed well with its sales of barley. The agriculture minister has sat back and twiddled his thumbs over marketing reform while barley growers have lost millions of dollars.

The minister knows that the Alberta plebiscite and several prairie polls, including his own, indicate barley growers support voluntary participation in the Canadian Wheat Board.

My question is for the Minister of Agriculture and Agri-Food. Will he stop twiddling his thumbs and implement his panel's recommendations or at least hold a plebiscite soon asking barley producers if marketing barley through the Canadian Wheat Board should be voluntary?

**Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, on the first day of this session of Parliament, September 16, I was asked a question by the hon. member for Provencher as to the timing of the government's reaction to the controversy in western Canada about western grain marketing. I indicated in that reply that we would be in a position to announce our policy decisions before Thanksgiving.

I am pleased to confirm that we are on track with that timing. I will be in a position to make an announcement of the government's policy decisions within the next several days.

On the specific allegations the hon. gentleman has made with respect to barley marketing, I presume he is referring to recent media reports carried in Winnipeg and elsewhere. I can assure him those media reports are grossly inflated and are not an accurate representation of the facts.

**Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.):** Mr. Speaker, if the minister wants to talk about gross misrepresentation, he should talk about his own Angus Reid poll which was a crude manipulation, attempting to swing support behind the monopoly selling of barley. That is why a plebiscite is so important.

I would really like the minister to commit today to call a plebiscite with a clear and honest question, which he has said is important, that will allow all prairie barley producers a vote on their marketing choice in the future.

**Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I am sure the Angus Reid organization will be intrigued with the hon. gentleman's allegation of manipulation. I will be certain to draw that to the attention of Mr. Reid and he can take whatever response he deems appropriate.

With respect to the barley issue, as I have said, the government is on the verge of making its policy pronouncements. The hon.

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gentleman has only a few days to wait and I think he may be intrigued by the position we announce.

\* \* \*

## FUEL IMPORTS

**Mr. Pat O'Brien (London—Middlesex, Lib.):** Mr. Speaker, my question is for the Minister of Natural Resources.

Atomic Energy Canada and Ontario Hydro are proposing to import plutonium fuels from the United States. If the federal government agrees to this proposal will the minister commit our government to a full environmental assessment with public hearings to afford Canadians a fair and full opportunity for meaningful input?

**Hon. Anne McLellan (Minister of Natural Resources, Lib.):** Mr. Speaker, let me reassure the hon. member that any decision in relation to the importation of MOX fuel is a very long way off.

Feasibility studies are presently being done in relation to the possible use of MOX fuel in Candu reactors. If it proves feasible then obviously there still has to be a decision made by the United States or perhaps Russia as to whether they choose the Candu as an option for disposal.

In relation to the hon. member's specific question, let me reassure him that all relevant federal and provincial environmental health and safety assessment processes and licensing processes will be followed. Many of those processes involve full opportunity for the public to participate and to offer its point of view.

Let me reassure the hon. member that the public will have ample opportunity for input into any final decision—

**Some hon. members:** Oh, oh.

\* \* \*

• (1455)

[Translation]

## TELECOMMUNICATIONS

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

On December 20, the minister stated that he did not want the rate restructuring in the field of telecommunications to be done at the expense of accessibility. The minister said: "Accessibility is currently not at stake and we will make sure that it will not be in the future".

Since the minister and the CRTC authorized significant increases in the cost of local services, with more to come, what measures is

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the minister contemplating to make sure local services remain affordable for everyone?

[English]

**Mr. Morris Bodnar (Parliamentary Secretary to Minister of Industry, Minister for the Atlantic Canada Opportunities Agency and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, the position of the government has been to continuously allow competition to play an important role in the provision of services, including the area of telecommunications.

During this process, the CRTC has been involved. It is very important to recognize that during the restructuring in this area of telecommunications there may be inconveniences that arise.

However, the marketplace is an important place that sets the fee structures, and when the marketplace takes priority it comes up with a level of funding and a level of pricing that is superior with lower costs for the consumer.

[Translation]

**Mr. Pierre de Savoye (Portneuf, BQ):** Mr. Speaker, I appreciate the hon. member's answer, but the fact is that consumers will pay more, not less. Incidentally, the federation of consumers' associations and the National Anti-Poverty Organization proposed the setting up of a fund to ensure universal access to telecommunications for low-income people and the regions.

Will the Minister of Industry follow up on this suggestion?

[English]

**Mr. Morris Bodnar (Parliamentary Secretary to Minister of Industry, Minister for the Atlantic Canada Opportunities Agency and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, the suggestion that has been made is a matter we will take under advisement and discuss with the Minister of Industry.

\* \* \*

**TOBACCO**

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Mr. Speaker, a moment of sympathy, please, for the Minister of Health who has been suffering under the tough and personal attacks by the tobacco lobby. But while he is suffering, 10,000 Canadian children take up smoking every single month. They suffer from premature illness and death.

Would the Minister of Health like to come out from underneath his suffering and put tobacco under the Hazardous Products Act?

**Hon. David Dingwall (Minister of Health, Lib.):** No, Mr. Speaker.

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Mr. Speaker, one year ago the Supreme Court decided to revoke its ban on advertising, and while 40,000 Canadians die every year from tobacco the Prime Minister plays golf with the president of Imperial Tobacco.

If the minister is not prepared to put tobacco under the Hazardous Products Act, I would like him to tell this House what he is prepared to do to prevent 40,000 Canadians from dying every year from this most preventable disease.

**Hon. David Dingwall (Minister of Health, Lib.):** Mr. Speaker, I am happy to receive the support of the Reform Party as it relates to our blueprint and the direction in which we wish to proceed in terms of tobacco.

The hon. member has quite wrongly described the best solution as it relates to tobacco consumption in this country. We hope to move forward in a comprehensive way which will address a variety of things from enforcement to the proliferation of youth smoking.

The hon. members yell out from their seats. It has taken them three weeks to come up with a question with regard to tobacco. I say to the hon. members opposite that the legislation we are intending to introduce will come relatively soon.

\* \* \*

**FOREIGN DEBTS**

**Mr. Alex Shepherd (Durham, Lib.):** Mr. Speaker, my question is for the Minister of Finance.

At a meeting this past weekend the minister agreed that Canada along with other countries would forgive certain debt to third world countries. At a time when Canadians are being asked to bear the burden of our own deficit and debt reduction measures, why are we forgiving other nations?

• (1500)

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, this was indeed a landmark decision taken by the G-7, the IMF, the World Bank and the creditor nations of the Paris Club. As a result, some \$5 billion to \$7 billion of debt of the poorest of the poor countries in the world will be forgiven and they will be put in a position where they can put their existing debt on a sustainable basis.

We should not discuss this in terms of the arid numbers on a sheet of paper. We should realize that as a result of this, millions of children who otherwise would not get vaccinated will receive vaccinations. As a result of this, children who would otherwise not

have a chance to learn to read and write will get school books. As a result of this, food will be put on their tables and decent hospitalization will be provided.

The reason that this Canadian initiative, among others, has taken hold is because this nation understands that we are one world and we must take care of each other.

\* \* \*

### OLYMPIC ATHLETES

**Mr. Nelson Riis (Kamloops, NDP):** Mr. Speaker, my question is for the Prime Minister, who along with everybody else was very proud yesterday when we applauded the Olympians on the floor of the House of Commons, including many of my Liberal colleagues. But as we were applauding, the Liberal government was gutting the support program for Canadian Olympians.

In light of the support shown yesterday by the representatives of Canadians on the floor of the House of Commons, would the Prime Minister consider shutting down the information office with its \$27 million allocation and provide that money to support Canadian Olympians?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** Mr. Speaker, at a time when we are cutting across the board and at a time when we are facing very difficult decisions, we increased the individual payments to athletes by 25 per cent. Last year we invested \$20 million of the taxpayers' money assisting our athletes in what proved to be the absolute best performance ever at the Olympics.

I hope that with the support of the Minister of Finance, having turned the corner on some of our economic problems, that in future years we can build an even stronger national mandate for national sport as a nation builder.

\* \* \*

[Translation]

### UNEMPLOYMENT INSURANCE

**Hon. Jean J. Charest (Sherbrooke, PC):** Mr. Speaker, my question is for the Prime Minister.

Even when he is reminded of the very high level of unemployment, the Prime Minister does not seem to want to budge on the unemployment issue. When he is reminded that the unemployment rate in Canada has remained above 9 per cent for 71 consecutive months, the longest stretch since the 1930s, he does not seem to be moved to action either. A report released by the Conference Board this week shows that the real unemployment rate among young Canadians exceeds 25 per cent.

I would like to give the Prime Minister another chance to tell this House he welcomes this opportunity to announce a reduction to

### Tribute

Canadians in their unemployment insurance overcontributions—an extra \$10 billion that will be taken out of the pockets of small business workers.

Will he not reconsider, cut unemployment insurance premiums—this tax on employment—and restore hope to those who, at present—

**The Speaker:** The hon. Minister of Human Resources Development has the floor.

**Hon. Douglas Young (Minister of Human Resources Development, Lib.):** Mr. Speaker, there is no doubt that, whenever the hon. member shows up in this House, he speaks quite boldly. Today, he dared to come and tell us about the unemployment rate and the rates of premiums paid by workers and employees. When he was in government, when his party formed the government, these rates were higher than they are today. The unemployment rate was higher than it is today.

The longer he stays at home, the better off we will all be.

\* \* \*

• (1505)

[English]

### PRESENCE IN GALLERY

**The Speaker:** I wish to draw the attention of members to the presence in the gallery of a parliamentary delegation from South Africa led by Mr. Geoffrey Doidge.

**Some hon. members:** Hear, hear.

**The Speaker:** We will now proceed, before the routine order of the day, to tributes to Mr. Robert Bourassa, the former premier of the province of Quebec.

\* \* \*

[Translation]

### HOMAGE TO ROBERT BOURASSA

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, it was with great sadness that I learned this morning of the death of Quebec's former premier, Robert Bourassa.

I would like, first of all, to mention the exemplary courage he demonstrated during his long battle with the illness that finally claimed his life.

He met this ultimate test, as he met all the other tests in his life, quietly and with determination.

I extend my sincerest condolences, of course, to his wife Andrée, with whom I had the opportunity to speak earlier this morning, and to his children and grandchildren, as well as his former colleagues and friends.

*Tribute*

In Robert Bourassa, our country has lost a great Canadian, who always worked to improve the lot of his fellow Canadians.

I first met him in the early 1960s, when he was a tax advisor with the Department of National Revenue, here in Ottawa. He went on to teach at the universities of Ottawa, Laval and Montreal, and took up a position as director of research with the Bélanger commission on taxation.

He began his political career in 1966, when he was elected MNA for Mercier. Four years later, at the age of 36, he became the youngest premier in the history of Quebec.

His first term of office will be remembered primarily for the contribution he made to the modernization of Quebec through the massive James Bay hydroelectric project. In launching this project and introducing social programs, such as health insurance, Robert Bourassa showed his keen long term vision in trying to equip Quebec with the economic and social tools it needed to meet the challenges of the future.

After his defeat in 1976, he withdrew from active political life to teach and reflect on the future of Canada. He was again elected leader of the provincial Liberal party in 1982 and resumed the position of premier of Quebec from 1985 to 1993.

The memory I will carry of his long career in politics is the following: Robert Bourassa was at once a proud Quebecer and a proud Canadian. He was always an ardent federalist, who defended Quebec's interests within Canada. He remained convinced that, despite the challenges and complexities of Canadian federalism, Quebec's place was with Canada. He sought the cultural and linguistic development of French Canadians, while holding firmly to the belief that Canada would continue to serve Quebecers well in this regard.

[*English*]

Robert Bourassa served Quebecers well during his time as premier. He was always a voice of moderation and reason. He was convinced that Quebec's future prosperity lay within Canada and Canada's with Quebec.

Mr. Bourassa devoted himself to public service for more than 30 years. I know, today, all Canadians will wish to express their appreciation for his life and work.

[*Translation*]

I pay tribute to the memory of Robert Bourassa, who gave his life in the service of his fellow citizens. On behalf of the government of Canada, of members in this House, and of all Canadians, I share the pain felt by Mrs. Bourassa, his family and all Quebecers. On behalf of all of them, I say to Mr. Bourassa: We thank you.

**Some hon. members:** Hear, hear.

• (1510)

**Mr. Michel Gauthier (Leader of the Opposition, BQ):** Mr. Speaker, today Quebec mourns the passing of the former Premier of Quebec, Robert Bourassa, a man who spent nearly 30 years of his life serving Quebecers to the best of his ability.

In 1960, Mr. Bourassa started to make his mark as a professor at the University of Ottawa, Laval University and the University of Montreal. Elected for the first time in 1966 in the riding of Mercier, Mr. Bourassa embarked on a long and brilliant political career.

In 1970, his perseverance, his talent as a communicator and his energy made him, at the age of 36, Quebec's youngest premier. He was an excellent politician, and was responsible for a number of impressive achievements that remain today as symbols of Quebec society. The decisive role he played in building a modern Quebec is reflected, as the Prime Minister mentioned earlier, in our health insurance system and the James Bay project, for instance.

Mr. Bourassa was always concerned about Quebec's future. He was responsible for the signing of the Meech Lake Accord, whose demise was certainly not his fault. He did everything to save the accord. His efforts to renew the Canadian federation were praiseworthy, even if they were to no avail.

I had the pleasure of sitting with Mr. Bourassa in the Quebec National Assembly when I was elected for the second time as a member of the Parti Québécois in 1985. I soon realized he was a very human person who profoundly respected his opponents. In fact he taught me a very useful lesson in politics when I was the energy critic and stood opposite him: he taught me that in politics one must never underestimate one's opponent.

A man of consensus and discipline, Mr. Bourassa was until the very end an enduring benchmark in the political history of a province that is gradually evolving towards political sovereignty.

On my own behalf and on behalf of my colleagues and the people of Quebec, I wish to extend my most sincere condolences to the family and friends of Mr. Bourassa. Today, Quebec has lost a great man.

In concluding, I would like to quote something that Mr. Bourassa said, in which there is a lesson for us all: "Happiness is being able to fight for one's convictions".

**Some hon. members:** Hear, hear.

[*English*]

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, I rise to join with other colleagues in paying tribute to Robert Bourassa on the sad occasion of his death.

Allow me first of all to express sympathies to his family and to the people of Quebec on this loss of a husband, father and a political leader. These sympathies are expressed on behalf of the Reform members of Parliament and their constituents, many of



whom live in constituencies and areas a long way from Quebec and yet who feel the loss that Quebecers feel today.

[*Translation*]

My wife Sandra and I wish to extend our heartfelt sympathy to his wife, Andrée, and their two children, François and Michelle.

[*English*]

In paying tribute to his memory we could focus on a number of things as other speakers have done: his academic contributions, his political work, the acts of his government and his commitment to keeping Quebec within Canada.

The attribute that I would like to select for tribute is a more human one. We in this Chamber, who spend all our time on politics, do not spend enough time paying tribute to human characteristics, and that is his courage in adversity, particularly in his latter years. In his latter years he carried out all his political and governmental work while suffering from a painful illness. The willingness and ability of a public servant to attend to the affairs of others while enduring personal pain and suffering is a rare attribute. It is one which should be recognized and praised particularly on this occasion.

• (1515)

We salute today the many contributions of the late Robert Bourassa, but particularly his courage in adversity.

[*Translation*]

**Mr. Bill Blaikie (Winnipeg Transcona, NDP):** Mr. Speaker, on behalf of my colleagues in the New Democratic Party, I wish to offer a tribute to Mr. Bourassa, as well as to convey our sympathies to his family and friends.

Canada and Quebec have lost one of their masters in the art of politics, and a great public resource. The political life of Robert Bourassa reflects in many ways the history of Quebec since the quiet revolution.

He also played a central role in some of the most important moments in the history of the Canadian federation, namely the October crisis and the negotiations around the Meech Lake accord.

History no doubt will attest to the difficulties he encountered in trying to accommodate the aspirations of Quebecers and those of other Canadians within our federal institutions. It will also attest, however, to the fact that there were people of good will, like Mr. Bourassa, who made that effort, and that the effort is worthwhile.

[*English*]

I first met Mr. Bourassa when I was vice-chairman of the special committee of the House of Commons on federal-provincial fiscal relations. We met with former premiers in 1981 in the parliamenta-

### *Tribute*

ry dining room. We gathered a lot of former premiers to receive their advice on how to deal with federal-provincial fiscal affairs. At that time Mr. Bourassa was a former premier, but he was to go on from there to make one of the political comebacks of the century and to become premier again.

I remember also that he first came to my attention when I was a teenager as the premier of Quebec during the October crisis. All Canada was riveted on the events happening in Quebec at that time.

I see him as someone who tried to balance his perception of Quebec as a community and his perception of Canada as a community where Quebec could thrive not just as individual Quebecers but also as a community.

My sadness today is not just for Mr. Bourassa; it is for the fact that the ambivalence and the ambiguity which he expressed so well has been broken. Many of his critics—critics not of him but of the things which he stood for—have prospered. The kind of Canada which he sought to build is on the ropes.

I say to all of us here that the one thing we could do to honour his memory would be to revitalize the kind of Canada which he had in mind. I did not always agree with him, but he knew that the best place for Quebec was within Canada and that the best kind of Canada was a Canada open to Quebec.

[*Translation*]

**Hon. Jean J. Charest (Sherbrooke, PC):** Mr. Speaker, today is a day of great sadness for all those who had the pleasure, indeed I would term it a privilege, of knowing Robert Bourassa.

I would like to pay tribute to his courage, his constant companionship throughout his political career, as well as throughout his illness. My most heartfelt condolences, and those of my party, to Mrs. Bourassa, their children and grandchildren.

• (1520)

Robert Bourassa was the incarnation of modern Quebec. Throughout his long career, economic issues were his main concern. In 1970, he headed the government at a crucial time in Quebec history. In that context, he was able to stay the course and focus on his fundamental objectives: Quebec's cultural security and its economic progress.

Quebecers' unshakeable belief today in their ability to be the masters of their own economy is, in large part, the work of Robert Bourassa.

Mr. Bourassa was the incarnation of modern Quebec in all of its dimensions. He spoke to us knowingly of our own ambitions and also reflected our ambivalence.

[*English*]

Canadians would often remark that Mr. Bourassa for them was an intriguing political figure. Those of us who knew him well and

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were from Quebec were always tempted to reply that he was a true reflection of the people of Quebec.

[*Translation*]

Robert Bourassa too felt ambivalence, the ambivalence of a person with a very great responsibility. He was always concerned with protecting and furthering the interests of a mainly franco-phone population.

This concern was ever-present, whenever discussions and negotiations were held on the future of Quebec and of Canada, in Victoria in 1971 and in the 1980 and 1995 referendums, and especially in the negotiations around the Meech Lake accord.

What needs to be kept in mind concerning that event is that he had obtained an agreement which satisfied both Quebec and the other Canadian partners. Events, unfortunately, took a different turn, and history will be the final judge.

On a personal note, I remember Mr. Bourassa as a generous and affable man, one who was able to resist the temptation to lower debates to a personal level and one who, of all the politicians I have had the opportunity to observe, was without a doubt the one who always treated his colleagues, his opponents, the media and the general public with the utmost respect.

The second quality that characterized Robert Bourassa was, without a doubt, his exceptional perseverance. Who, after the 1976 election, would have dared predict that he would return to public life? Yet he did, and stronger than ever, at the head of majority governments in 1985 and 1989. Twenty years ago, who would have thought that people would one day hold him in such affection?

We shall all keep in our hearts the undying memory of an exceptional head of government and, what is more, a great man who never admitted defeat.

**Some hon. members:** Hear, hear.

**The Speaker:** I ask you all to rise for a minute of silence in memory of Mr. Robert Bourassa.

[*Editor's Note: Whereupon the House stood in silence.*]

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## ROUTINE PROCEEDINGS

[*English*]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Paul Zed (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 three petitions.

• (1525)

[*Translation*]

## WAYS AND MEANS

### TABLING OF NOTICE OF MOTION

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, pursuant to Standing Order 83(1), I have the honour to lay upon the table a notice of ways and means motion to amend the Income Tax Act.

I also table explanatory notes and ask that you designate an order of the day for the consideration of the motion.

\* \* \*

## TAX SYSTEM

**Hon. Paul Martin (Minister of finance, Lib.):** Mr. Speaker, perhaps I will be allowed, first, to join in with what the Prime Minister and the Leader of the Opposition had to say about Robert Bourassa. He was a good friend and a great statesman.

In May of this year the auditor general reported his concerns about a 1991 tax ruling that allowed a taxpayer to transfer property out of Canada without being subject to capital gains tax in Canada.

The House of Commons finance committee examined the issue and issued a report in September, just last month.

[*English*]

The House of Commons finance committee found that Revenue Canada's interpretation of the law as it stood in 1991 was correct but recommended in its majority report that the law be changed to ensure that tax is paid in Canada in similar circumstances from now on. With the tabling of a notice of ways and means motion today, the government is acting to implement the finance committee's recommendations.

[*Translation*]

This is a textbook case of the system working as it should. The auditor general has done his work as a watchdog. Parliament listened and asked a committee of the House to investigate. The committee probed and reported back to Parliament with recommendations. And now the government is proposing to implement those recommendations swiftly and fully.

It is imperative that Canadians have absolute faith in the tax system. People have a right to demand that everybody pays their share. That is why, from the time this government took office, we have worked hard at constantly improving the fairness of the tax system.

Each of our budgets has closed loopholes. We have said that we will constantly scrutinize the fairness and effectiveness of the tax system. This measure today is further evidence of our commitment. It will ensure that all emigrants from Canada—including individuals, trusts and corporations—will pay Canadian tax on any

*Routine Proceedings*

capital gains that have accrued in Canada up to the time of departure. They will either pay the tax immediately or give Revenue Canada security to pay those gains when the property is actually disposed of.

This measure takes effect immediately.

[*English*]

This measure will ensure that all those leaving Canada to live abroad, including individuals, trusts and corporations, will pay Canadian tax on any capital gains that have accrued in Canada up to the time of departure, if they are in fact emigrating. They will pay the tax immediately or will give Revenue Canada security to pay those gains when the property is actually disposed of. This measure takes effect immediately.

[*Translation*]

If these measures had been in place in 1991 the tax policy issue identified in the auditor general's report would not have arisen. This is not an issue about family trusts.

• (1530)

We removed all tax advantages for family trusts in the 1995 budget. One faces same tax policy questions whether one is talking about the transaction described in the auditor general's report or determining what rules apply to the small businessperson who moves from St. Stephen, New Brunswick, to Calais, Maine.

Exceptions to this rule will include gains that accrue on Canadian real estate and Canadian business property: things that Canada can always tax when they are ultimately sold. There will also be an exemption for pensions.

As well, emigrants with any significant property, including real estate, will have to report it all to Revenue Canada when they leave. This will help Revenue Canada ensure that former residents pay the tax they owe to Canada.

All persons who have been in Canada only temporarily will of course not be subject to these requirements.

[*English*]

With our new measures, Canada will be implementing one of the strictest systems in the world with regard to taxpayer migration. Indeed, Canada is only one of three or four countries that have any system at all for taxing people who leave. The United States does not have such a system, nor does most of Europe or Japan.

The motion to which I speak also implements the committee's more technical recommendations which have to do with issues such as the scope of the definition of the term taxable Canadian property and the character of property that is distributed from a

trust to a non-resident beneficiary. These are complicated points of law and policy.

I expect that many members in this House and many of their constituents will want to take part in shaping this legislation's final form. They will have that opportunity as it proceeds through Parliament.

I would like to thank the auditor general for bringing an important issue to Parliament's attention. I would also like to thank the chairman and the members of the finance committee. Their careful research and their thorough report have laid the foundation for this motion.

[*Translation*]

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, first of all, I wish to convey my sincerest sympathy to Mr. Bourassa's family.

In his statement, the Minister of Finance confirmed that the Liberal government helps some people to avoid paying taxes. He confirmed that he has done nothing to end the family trust scandal in which \$2 billion in assets was transferred to the U.S. without a penny in tax being collected.

Should we be surprised? Since the beginning of this affair, the behaviour of the Liberal members on the finance committee has been unworthy of parliamentarians. They tried to undermine the credibility of the auditor general.

According to the minister's statement, Canadians must have confidence in the tax system. They are entitled to demand that everyone pay his or her fair share.

On behalf of all the taxpayers in Quebec and Canada, I ask the Liberal government to shed light on this scandal and plug the tax loophole, instead of throwing the borders wide open as they are now doing.

[*English*]

If the minister truly wants, as he claims in his ministerial declaration, to re-establish confidence in the fiscal system, he must shed light on the scandal of December 1991 which permitted a family trust of \$2 billion to be transferred tax free in the United States. He must demonstrate to Canadians that they can have confidence in the system. With the scandal and the complicity of the government, the proof must be given.

**Mr. Herb Grubel (Capilano—Howe Sound, Ref.):** Mr. Speaker, I have three points with respect to the government's policy initiatives just outlined by the Minister of Finance.

First, I am glad that in his statement he eliminated the criticism of the auditor general which had pervaded the finance committee's own report.

*Routine Proceedings*

It makes no sense to distinguish criticism based on wasteful policies and the wasteful implementation of sound policies caused by faulty bureaucratic decisions. Waste is waste and the auditor general must fight it wherever he finds it.

● (1535)

Second, I agree with the minister that this entire controversy is not about the roll of family trusts as a vehicle for the evasion of taxes. The contemptible tax loopholes that once existed were closed by legislation some time ago.

I respect the integrity and goodwill of my colleagues from the Bloc Quebecois serving with me on the finance committee. However, after listening carefully for many hours to expert testimony on family trusts and capital gains taxation, I reluctantly and respectfully disagree with their continued allegations that family trusts have served recently and continue to serve as vehicles for tax evasion and avoidance.

Third, I want to raise a point of disagreement with the government's approach to solving the one clear and important problem identified by committee witnesses. This problem concerns the lack of data on real estate and private business assets left behind untaxed by emigrants. Under present rules the government taxes capital gains on these assets whenever they are sold and a fair value has been established.

Presently Revenue Canada has in place a rather unreliable system for assuring that the sales of these assets are recorded and taxed properly. Such sales are not brought to the attention of Revenue Canada automatically and emigrants avoiding the payment of these taxes are difficult to catch once they have moved abroad.

The government has chosen to tighten the net for catching all capital gains on such assets by a mandatory reporting rule and the payment of a security deposit. I find the latter provision to be an unnecessarily harsh and punitive measure. Many emigrants will not have assets acceptable to Revenue Canada as a security deposit and will be hard pressed to come up with some.

It would have been much kinder and more efficient for Revenue Canada instead to put contingent liens on real estate and ask operating divisions of the department to report the sale of privately held firms showing up in tax returns.

I regret that the government has failed to take the kinder and gentler approach to regulation and the treatment of Canadians. These emigrants deserve our respect and compassion even after they have decided to take up residence in another country.

\* \* \*

[Translation]

**INTERPARLIAMENTARY DELEGATIONS**

**Mrs. Eleni Bakopanos (Saint-Denis, Lib.):** Mr. Speaker, pursuant to Standing Order 34(1), I am pleased to table, in both official languages, the third report of the Canadian NATO Parliamentary Association.

It is the report of the official delegation representing Canada at the joint session of the defence and security committees, the economic committee and the political committee of the North Atlantic Assembly held in Brussels on February 18 and 19, 1996.

\* \* \*

[English]

**INTERPARLIAMENTARY DELEGATION REPORTS**

**Mr. Bob Speller (Haldimand—Norfolk, Lib.):** Mr. Speaker, pursuant to Standing Order 34, I have the honour to present to the House three reports from the Canadian Branch Commonwealth Parliamentary Association concerning our parliamentary seminar which was held in London, United Kingdom from March 5 to 16, 1996, a parliamentary visit which was held in London, United Kingdom from May 8 to 24, 1996 and the Canadian Regional Conference which was held in Winnipeg, Manitoba from July 27 to August 2, 1996. These are in both official languages.

\* \* \*

**COMMITTEES OF THE HOUSE**

## PROCEDURE AND HOUSE AFFAIRS

**Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I have the honour to present the 34th report of the Standing Committee on Procedure and House Affairs regarding the associate memberships of the Standing Committees on Justice and Legal Affairs and on Health.

If the House gives its consent, I intend to move concurrence in the 34th report later this day.

● (1540)

If the House gives its consent, I move that the 34th report of the Standing Committee on Procedure and House Affairs be concurred in.

(Motion agreed to.)

\* \* \*

**PETITIONS**

## TAXATION

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I have two petition is from Sarnia, Ontario. The petitioners draw to the attention of the House that managing the family home and caring

for preschool children is an honourable profession which has not been recognized for its value to our society.

The petitioners therefore pray and call on Parliament to pursue initiatives to eliminate tax discrimination against families that provide care in the home for preschool children, the chronically ill, the aged or the disabled.

#### ALCOHOL CONSUMPTION

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, the second petition comes from Burlington, Ontario. The petitioners draw to the attention of the House that the consumption of alcoholic beverages may cause health problems or impair one's ability, and specifically that fetal alcohol syndrome and other alcohol related birth defects are 100 per cent preventable by avoiding alcohol consumption during pregnancy.

The petitioners therefore pray and call on Parliament to enact legislation to require health warning labels to be placed on the containers of all alcoholic beverages to caution expectant mothers and others of the risks associated with alcohol consumption.

#### AGE OF CONSENT

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, I have four petitions to present today on behalf of the constituents of Simcoe Centre.

**The Speaker:** Order. My colleague, four is a bit much. Maybe we could split them down to two and two or three and one. Would you consider that, rather than four today?

**Mr. Harper (Simcoe Centre):** Yes I will, Mr. Speaker.

The first petition deals with age of consent. The petitioners request age of consent laws. The petitioners ask that Parliament set the age of consent at 18 years to protect children from sexual exploitation and abuse.

#### HUMAN RIGHTS

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, the second group of petitioners request that the Government of Canada not amend federal legislation to include the phrase sexual orientation.

The petitioners fear that such an inclusion would indicate societal approval of homosexual behaviour. The petitioners believe the government should not legitimize this behaviour against the clear wishes of the majority.

#### HELMS-BURTON LEGISLATION

**Mr. Maurizio Bevilacqua (York North, Lib.):** Mr. Speaker, pursuant to Standing Order 36, I am pleased to present to this House two petitions signed by the residents of York North.

The first petition is about the Helms-Burton law. The petitioners draw to the attention of the House that the Cuban liberty and democratic solidarity act attempts to impose American domestic

#### *Routine Proceedings*

policy on other sovereign countries and therefore violates international law.

The petitioners further draw to the attention of the House that Canadian interests, rights and businesses must be defended with strength and vigour.

The petitioners therefore call on Parliament to pursue all avenues available to ensure the rights of Canadians are protected.

#### HEALTH CARE

**Mr. Maurizio Bevilacqua (York North, Lib.):** Mr. Speaker, the second petition draws to the attention of the House that Canadians of all ages view our health care system as a defining element of Canadian society.

The petitioners therefore call on Parliament to continue to uphold the fundamental principles of the Canada Health Act so that public health care remains accessible, comprehensive, portable, universal and publicly administered.

#### PORNOGRAPHY

**Mr. Ronald J. Duhamel (St. Boniface, Lib.):** Mr. Speaker, this petition was submitted by the St. Boniface Chapter of the Ukrainian Catholic Women's League of Canada.

The petitioners call for the present laws on obscenity and pornography to be strictly upheld. It is a pleasure for me to present this petition.

#### NATIONAL PARKS

**Mr. Jim Abbott (Kootenay East, Ref.):** Mr. Speaker, I have in my hand a petition signed by people from all over Canada. It is really quite interesting.

They are concerned about the increased entry fees to our national parks, that there was a lack of public consultation on the new fee structure and that they believe a standard fee of \$2 for all passenger vehicles or \$25 for a yearly pass should be set for entry to all Canadian national parks.

#### GENERIC DRUGS

**Mr. Paul DeVillers (Simcoe North, Lib.):** Mr. Speaker, I have two petitions from my constituency to present pursuant to Standing Order 36. The petitions contain 75 and 58 signatures respectively.

The petitioners request that Parliament regulate the longstanding Canadian practice of marketing generic drugs in a size, shape and colour similar to that of their brand name equivalents.

#### IMPAIRED DRIVING

**Mr. Paul Steckle (Huron—Bruce, Lib.):** Mr. Speaker, pursuant to Standing Order 36, I wish to present the attached petitions I have in my hand. These people petition the government to take notice of an issue they feel is very important. These constituents come from the riding of Huron—Bruce for the most part. They embrace the

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philosophy of zero tolerance toward individuals who drive while impaired by alcohol or drugs.

• (1545)

The petitioners therefore pray and call on Parliament to proceed immediately with amendments to the Criminal Code that will ensure that sentences given to anyone convicted of driving while impaired or causing injury or death reflects both the severity of the crime and zero tolerance by Canada toward this crime.

## PEDOPHILE REGISTRY

**Mrs. Diane Ablonczy (Calgary North, Ref.):** Mr. Speaker, I have petitions on two subjects to present to the House on behalf of citizens in my riding of Calgary North.

The first petition asks Parliament to establish a pedophile registry.

## THE SENATE

**Mrs. Diane Ablonczy (Calgary North, Ref.):** Mr. Speaker, the second petition asks Parliament to commit to a triple E Senate and to permit the selection of senators by the people of a province directly.

## GENERIC DRUGS

**Mr. Gary Pillitteri (Niagara Falls, Lib.):** Mr. Speaker, at the request of 74 senior citizens of my riding of Niagara Falls, I would like to table a petition asking that Parliament regulate the long-standing Canadian practice of marketing generic drugs in a size, shape and colour similar to its brand name equivalent.

## PROFITS FROM CRIME

**Mr. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, on behalf of 43 citizens in the national capital region I would like to present a petition.

The petitioners pray that members of Parliament enact Bill C-205, introduced by the hon. member for Scarborough West, at the earliest opportunity so as to provide in Canadian law that no criminal profits from committing a crime.

## CRIMINAL CODE

**Mr. Nelson Riis (Kamloops, NDP):** Mr. Speaker, it is my privilege to present a petition pursuant to Standing Order 36 on behalf of the constituents of Kamloops.

About 1,800 constituents have signed a petition asking for the complete removal of section 745 of the Criminal Code. They are going to get half of that so I suppose they will be half pleased, but they are calling for full abolition of section 745.

## TAX REFORM

**Mr. Nelson Riis (Kamloops, NDP):** Mr. Speaker, on another matter, the taxpayers of Kamloops make a long case for fairer tax reform. I will not go into detail as they are well known to all parliamentarians. They call for an overhaul of the tax system.

## WARTIME MERCHANT NAVY

**Mr. Nelson Riis (Kamloops, NDP):** Mr. Speaker, 219 constituents call on Parliament to consider the advisability of extending benefits or compensation to veterans of the wartime merchant navy equal to those enjoyed by veterans of Canada's second world war armed services.

## YOUNG OFFENDERS ACT

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, a third group of petitioners from Simcoe Centre request that Parliament pass legislation to strengthen the Young Offenders Act, including publishing the names of young offenders, lowering the age of application and transferring serious offenders to adult court.

## PROFITS FROM CRIME

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, the final petition is on the subject of Bill C-205, the private members' bill of the member for Scarborough West. The petitioners request that the House enact Bill C-205 to prevent criminals profiting from their crimes.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

## MOTIONS FOR PAPERS

**Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

## GOVERNMENT ORDERS

[Translation]

## THE CRIMINAL CODE

## BILL C-45—TIME ALLOCATION—MOTION

**Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.)** moved:

That, in relation to Bill C-45, An Act to amend the Criminal Code (judicial review of parole ineligibility) and another Act, not more than one further sitting day shall be allotted to the consideration of the third reading stage of the Bill, and that, fifteen minutes before the expiry of the time provided for Government Business on the day allotted to the consideration of the third reading stage of the said Bill, any proceedings

before the House shall be interrupted, if required for the purpose of this Order and, in turn, every question necessary for the disposal of the said stage of the Bill shall be put forthwith and successively, without further debate or amendment.

**Some hon. members:** Shame, Shame!

[English]

**The Speaker:** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

• (1550)

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And more than five members having risen:*

**The Speaker:** Call in the members.

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

(Division No. 133)

**YEAS**

Members

Adams	Anawak
Anderson	Arseneault
Assadourian	Augustine
Bakopanos	Barnes
Beaumier	Bélair
Bélangier	Bertrand
Bethel	Bevilacqua
Blondin-Andrew	Bodnar
Bonin	Boudria
Brushett	Bryden
Byrne	Calder
Campbell	Cannis
Catterall	Cauchon
Chamberlain	Chan
Clancy	Cohen
Collenette	Collins
Cowling	Cullen
DeVillers	Dhaliwal
Dingwall	Dion
Discepolo	Dromisky
Duhamel	Dupuy
Easter	Fewchuk
Finestone	Finlay
Flis	Fontana
Fry	Gagliano
Gagnon (Bonaventure—Îles-de-la-Madeleine)	Galloway
Gerrard	Goodale
Grose	Guarnieri
Harb	Harvard
Hopkins	Hubbard
Ianno	Iftody
Irwin	Jackson
Jordan	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint-Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Loney	MacAulay
Malhi	Maloney
Martin (LaSalle—Émard)	Massé
McGuire	McKinnon

McLellan (Edmonton Northwest/Nord-Ouest)  
 McWhinney  
 Minna  
 Murphy  
 Nault  
 O'Reilly  
 Paradis  
 Patry  
 Peric  
 Phinney  
 Pillitteri  
 Reed  
 Rideout  
 Robillard  
 Scott (Fredericton—York—Sunbury)  
 Sheridan  
 Speller  
 Steckle  
 Stewart (Northumberland)  
 Telegdi  
 Thalheimer  
 Ur  
 Verran  
 Walker  
 Whelan  
 Zed—131

McTeague  
 Milliken  
 Mitchell  
 Murray  
 O'Brien (London—Middlesex)  
 Pagtakhan  
 Parrish  
 Payne  
 Peterson  
 Pickard (Essex—Kent)  
 Proud  
 Richardson  
 Robichaud  
 Rock  
 Shepherd  
 Simmons  
 St. Denis  
 Stewart (Brant)  
 Szabo  
 Terrana  
 Torsney  
 Valeri  
 Volpe  
 Wells  
 Young

*Government Orders*

**NAYS**

Members

Abbott	Ablonczy
Bachand	Bélisle
Bellehumeur	Benoit
Bernier (Gaspé)	Blaikie
Breitkreuz (Yellowhead)	Bridgman
Brien	Canuel
Caron	Chrétien (Frontenac)
Dalphon-DGuiral	Davialt
de Savoye	Deshaies
Dubé	Duceppe
Dumas	Duncan
Epp	Fillion
Forseth	Frazier
Gagnon (Québec)	Gauthier
Godin	Grubel
Guimond	Hanger
Harper (Calgary West/Ouest)	Harper (Simcoe Centre)
Hart	Hayes
Hermanson	Hill (Prince George—Peace River)
Hoepfner	Jennings
Johnston	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Leblanc (Longueuil)
Lefebvre	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Manning	McClelland (Edmonton Southwest/Sud-Ouest)
Ménard	Mercier
Meredith	Mills (Red Deer)
Nunez	Picard (Drummond)
Ramsay	Riis
Ringma	Robinson
Rocheleau	Sauvageau
Schmidt	Silye
Solomon	Strahl
Taylor	Thompson
Tremblay (Lac-Saint-Jean)	Venne
Wayne	White (North Vancouver)
Williams—75	

**PAIRED MEMBERS**

Alcock	Asselin
Comuzzi	Crawford
Crête	Dubé
Guay	Jacob
Keyes	Lalonde
Lebel	MacDonald
Marchi	Peters
Pettigrew	Pomerleau
St-Laurent	Vanclief

*Government Orders*

• (1615)

**The Speaker:** I declare the motion carried.

I wish to inform the House that because of the ministerial statement, Government Orders will be extended by 18 minutes.

\* \* \*

**CRIMINAL CODE**

The House resumed from September 25 consideration of the motion that Bill C-45, an act to amend the Criminal Code (judicial review of parole ineligibility) and another act, be read the third time and passed.

**Mr. Peter Milliken (Kingston and the Islands, Lib.):** Madam Speaker, I am pleased to have an opportunity to speak, even if it is for a brief time, on this important bill.

During the course of the lengthy debate on this bill, when we sat and listened to Reform members go on and on about its evils, I kept asking them pointedly what were their views on caning. I know one of their colleagues is a staunch supporter of caning and I wanted to hear about their party policy on this issue. However, not one of those members had the courage to answer my questions.

I want to point out some of their inconsistent statements on this bill and on other matters and then I will come to the caning point.

I am sure the members of the Reform Party are relieved that closure has been applied on this bill because it lets them off the hook from all the inconsistent statements they have been making.

First, I have a quote on rehabilitation from the hon. member for Esquimalt—Juan de Fuca, who I thought often exhibited some sense in the House. I quote from page 3888 of *Hansard* where he said: "It is not to say that we are not concerned about rehabilitation. It is not to say that we are not concerned about prevention".

Yet the hon. member for Crowfoot, that well known expert on justice issues, said on page 3878 of *Hansard*: "A life sentence is not about rehabilitation. It is about punishment and retribution". He should speak with the hon. member for Esquimalt—Juan de Fuca to find out what he thinks.

The hon. member for Cariboo—Chilcotin said: "I am not suggesting that people who had a difficult childhood should not be given consideration. It is our intention that all Canadians should have the opportunity to come to their full potential and do what they truly choose to do".

Yet the hon. member for Wild Rose, who is well known for his liberal views, said: "To those who argue that these criminals can be rehabilitated, let them prove this after they have served their full term of 25 years and not a moment sooner".

**Some hon. members:** Hear, hear.

**Mr. Milliken:** That is their kind of thinking. Listen to the applause that rings out from the Reform.

On page 4294 of *Hansard*, the hon. member for Beaver River said: "Yes, criminals need attention, rehabilitation, love and caring". And the hon. member for Mission—Coquitlam said: "It is not about rehabilitation. It is about providing a fair and just penalty".

**Some hon. members:** More, more.

**Mr. Milliken:** They want more and they are going to get it.

Also on page 4294 of *Hansard*, the hon. member for Beaver River said: "Some murderers and violent offenders are curable. They are not all incorrigible. Some of them will be rehabilitated. Some will care and will have a genuine conversion experience in prison. They will want to make their lives better and pay back to society some of the terrible things they did by doing good work". That does not fit well with the hon. member for Wild Rose.

Then we have the hon. member for Peace River getting into it. He said: "These inmates do have the right to earn their way out of prison after a period of time. If they do try to upgrade their skills they have a chance to be rehabilitated". Yet the hon. member for Yorkton—Melville said: "I question the need for killers to have any rights when they are in jail".

Listen to the inconsistencies in those statements.

Then we have the hon. member for Calgary Centre, who is considered a moderate in the party and who was reduced to tears after his public caning at the caucus meeting of the Reform Party last summer. On page 3885 of *Hansard* He said: "We are not concerned about Olson. He is not going to get out". We do not need to scare Canadians with that. That is not what the Reform Party is saying".

• (1625)

Yet we had the hon. member for St. Albert on page 4260 saying: "Mr. Olson and others like him will be able to walk the streets of this country absolutely and totally free after 25 years, perhaps sooner". What garbage. Which one is right, Calgary Centre or St. Albert? Calgary Centre happened to be right on that occasion, but



*Government Orders*

my goodness, there are so many mistakes and inconsistencies in these statements that it is hard to imagine what is going on here.

Let us turn to the glimmer of hope clause. The hon. member for Esquimalt—Juan de Fuca says: “The Reform Party has been accused of being without sympathy, but it is simply not true. Reformers believe that sympathy and consideration must be for victims and for criminals”.

Yet the hon. member for Crowfoot said: “Murderers should not be given a glimmer of hope or any incentive to ease the burden of the severity of the punishment for what they have done”. The hon. member for Wild Rose said: “I frankly do not care if killers’ hopes are dimmed by the prospect of no early release”. That is what they said. Which one is speaking for the Reform Party, Esquimalt—Juan de Fuca or Wild Rose? Let them make up their minds.

We then have the “throwing away the key” quote by the hon. member for Calgary Northeast who said: “The feeling is that the return of capital punishment is desirable and necessary—To cater in any way other than providing the bare necessities for existence to any of these low life individuals—”. That is his opinion of these people.

The hon. member for Prince George—Bulkley Valley said: “Do not let them out. They should spend the rest of their lives behind bars”. I could go on and on, but I want to turn from these inconsistencies to the question of caning.

I have a clipping from the *Montreal Gazette* dated Thursday, February 27 of this year. In it the hon. member for Calgary Northeast is championing caning. He said: “They have a corporal punishment system”—this is in Singapore of course—“and the offenders sit up and take notice of it”. Apparently they cannot sit down afterward. “So I am going to take a look at just how effective it is,” said the Reform justice critic, the hon. member for Calgary Northeast.

The article goes on to state that corporal punishment was abolished in Canada in 1972. Said the member for Calgary Northeast: “It was part of our justice system and personally I think it should be back again”. He seems to have changed his tune because we all know he cancelled the trip. He wrote a little article for the *Calgary Herald* that I have here which was published on March 22. Shortly after that he recanted and decided that spanking, corporal punishment, caning and whipping were not things with which we really should proceed. He decided to abandon them.

The hon. member for Calgary Northeast decided that the trip to Singapore was going to create waves and cause too much trouble. In fact, one of the former Reform members said that it was extremist and got the boot. She was fired right out of the party. She went to a caucus meeting and what went on there we do not know,

but one suspects there was some caning and she got the boot. She said that it was extreme. Do members know something? She was right. I do not know if there is a Canadian here who does not think so except the hon. member for Wild Rose.

I have more. Here is the latest article in the *Globe and Mail* from the other day. The hon. member for Calgary Northeast got on to the subject of prurient literature in the prisons. Apparently somebody in some prison somewhere, I think it was in Edmonton, had received some bad magazines in the prison, was selling them and inmates were reading them. The hon. member for Calgary Northeast is quoted as saying in the *Globe and Mail*: “If he wants to entertain himself, give him a good book to read and they might want to start with the Bible”.

Mr. Speaker, of all people to talk about starting with the Bible. I know the hon. member for Calgary Northeast started with the Bible. He got to the book of Leviticus and quit. The problem is that he stopped when he read about an eye for an eye and a tooth for a tooth. He really should have read on. There is another section of the Bible called the New Testament. If he had read that he might have had some of the milk of human kindness come out in some of his speeches.

I see the member sitting with his leader. His leader’s father, as I recall, was something of a preacher and knew something about the gospel. He might do well to sit down with the leader of his party, read the New Testament and try to understand some of the intricacies of the law that was pronounced there. It might help to relieve him of some of the extremism that is exhibited in his speeches and is clearly one that is inappropriate for this kind of article.

• (1630 )

Imagine suggesting that inmates sit down and read the Bible. Perhaps he should take a break from his parliamentary duties, which perhaps the electors of Calgary Northeast will provide after the next election, and he can sit down, read the Bible and take up another convocation, another employment opportunity—convocation is the wrong word—vocation. Never mind the “con”, it is just “vo”. He could get out there and preach the gospel or read the Bible in a public way. I think it would help him with his extremism.

I know some of the newspaper articles are misleading. They suggest that he is the justice critic for his party. I understand he is in fact the solicitor general critic and he is supposed to deal with matters relating to prisons.

We have here in his speeches on this bill some of the most extraordinary statements about the virtues of imprisonment and how people have to be locked up, jailed and put away. He does not say he is going to lock them up and throw away the key. However

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one of the members the other day told us right here in the Chamber—I am sure I heard him say it and I think it was the hon. member for Vegreville, but I would not want to misquote and I do not have this one written down—that in fact anyone who is convicted of a violent offence should serve the entire sentence in prison. If a person gets a life sentence for a violent crime, they go to prison for life and they do not come out. If that is not lock them up and throw away the key, I do not know what is.

What we have here is the Reform Party trying to capitalize on this issue by saying on the one hand it believes in loving kindness and compassion. The hon. member for Beaver River in her speeches exemplifies this. Then we have on the other hand a group which says no, no, no. Which is party policy? I invite the leader to stand up and clarify the matter for us.

[*Translation*]

**The Acting Speaker (Mrs. Ringuette-Maltais):** 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—Citizenship.

**Mr. Antoine Dubé (Lévis, BQ):** Madam Speaker, I am pleased to take part in the debate on Bill C-45. Before making my speech, I must say that the way the hon. member for Kingston and the Islands expresses himself is reflective of a situation that we have to put up with in this House.

The hon. member spent a lot of time replying to Reformers to conceal the fact that, in introducing this bill, the Minister of Justice has responded to the comments made by Reformers, particularly regarding the case of Clifford Olson who, as we know, became eligible to apply for parole this spring.

Reformers took advantage of the situation, and the Minister of Justice quickly improvised because, they were speaking up in the west and they still are in this House, even though it is not their turn to do so. The Reform Party made a big fuss over this issue in western Canada.

In some way, this is relatively good for the Liberal Party. When it comes to certain political issues, the Liberals often try to say two different things, depending on whether they are out west or in Quebec. This bill is a good example of that.

So, the reformers often mention that the number of dangerous offenders roaming the streets is increasing. They scare people by referring to all sorts of terrible incidents in their comments, in their questions and in their interventions in debates such as this one. They are very interested in repression, but care little about prevention and the means to avoid a rise in crime.

• (1635)

Once, during the period for questions and comments, I reminded a Reform Party member of a figure, and I told myself that I would bring it up again. What about it? In 1993, Canada had the fourth highest rate of incarceration in the world, 130 prisoners per 100,000 population. The country with the fourth highest rate of prisoners in the world. These figures come from the Department of Justice.

The United States leads the field, with 565 persons for 100,000 population. We are talking here about the land of liberty, where several states have the death penalty. I am speaking about the United States, of course, a country whose judicial system the Reform Party members would like to copy. Let it be noted that the Liberals are very sensitive to the legal concerns of Reform voters. That is why the justice minister introduced this in the month of June.

But what about the crime rate? Canada's homicide rate compares favourably to that of the United States, with 1.98 murders, fewer than 2, for 100,000 population, against 8.5 for 100,000 population in the United States. Internationally, Canada falls within the average of 1.94 for 100,000 population.

Once again, we must look not just at the murder rate, but at who is committing these murders. In Canada, they are committed by members of the victim's immediate family in 36.1 per cent of cases; by immediate acquaintances other than family members in 46.6 per cent of cases; and by strangers—as we keep hearing from the Reform Party—by people unknown to victims, in only 15.9 per cent of cases.

I would like to hear the Reform Party, and the Liberal Party as well, express an interest—as do certain people I know on the health committee—in ways of preventing spouses and former spouses from murdering their partner or former partner, and then attacking and killing their children. I would very much like to hear the Reform Party propose solutions to family situations such as those. As the statistics show, that is the real problem in Canada.

In fact, there is a certain increase in rates, at least in Quebec, because that is where I live. Recently, we have seen many cases of people, men, in particular, it must be admitted, for it is usually men who kill their former spouses and then very often kill themselves. What difference would parole make in these cases?

Why are the Reform and Liberal Party members focusing desperately on one part of the problem, on the 15.9 per cent of crimes that are committed by strangers. And of these strangers—I do not have the figures—a certain number are gangs of criminals, motorcycle gangs. We saw this in Quebec. People were not known to each other, but had a mission. These are senseless murders. Enough of scaring people.

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In most cities in Canada, and in Quebec in any event, there are not all that many, but there are some and as long as there are any at all, it is a serious problem. But I am worried. There have been cuts in unemployment insurance, in social programs at all levels. Perhaps it does not come under federal jurisdiction, but there should be more programs so that the provinces can spend more on prevention, assistance to families, to the people going through difficult periods, in order to prevent situations like this from happening.

• (1640)

But no, that is not what they do. There is much fanfare about amending the act, but they are making it up as they go along. They are not consulting the experts in the field, and, without any consultation, they introduced this bill in the House late in June. They waited for the summer to go by and then brought it back. I am well aware that the Liberal majority will impose its point of view and that we will have to live with the result.

I invite my colleagues, those across the way and elsewhere, to take a greater interest in the real problems, the more vital problems affecting families and leading to an increase in domestic violence. That is the real problem.

[*English*]

**Mr. Preston Manning (Calgary Southwest, Ref.):** Madam Speaker, I rise to participate in the debate on Bill C-45.

Since the Liberals and the separatists apparently share the same philosophy on criminal justice, it has fallen to the Reform members of the House to object in principle to the bill as well as to its details. This they have done with great vigour and distinction. I can add little to their arguments other than to support them with my vote.

What I would like to do is to analyse the bill as a product of the Liberal approach to criminal justice as a whole. What I would like to argue is that not only is the product flawed, but the whole approach on which it is based is flawed.

What are the distinguishing characteristics of the Liberal approach to criminal justice illustrated by the bill which Reformers and growing numbers of Canadians reject? I will refer to three characteristics.

The first characteristic is a perverse set of priorities. The Liberal approach to criminal justice puts the rights of persons accused or convicted of crimes ahead of the rights of victims and law-abiding citizens. We see this perverse set of priorities in the bill, but we even see it in the Liberal inspired charter of rights and freedoms.

Under the charter section on legal rights, there is one general section affirming the right of everyone to life, liberty and security of the person, but that is followed by 16 additional provisions—rights on arrest or detention, rights of a person charged with an

offence and so forth—all pertaining to the rights of persons suspected, charged or convicted of crimes. There is one general clause affirming the rights of Canadians to public safety and protection of the person. There are no clauses at all on the rights of victims. There are 16 provisions pertaining to the rights of persons suspected, charged or convicted of crimes.

The Liberal set of priorities when it comes to public safety and criminal justice is perverse. It is perverse because the priorities of the Canadian people would put the rights of victims and law-abiding citizens ahead of the rights of persons accused and convicted of crimes.

In the bill before us we see exactly the same perverse set of priorities. What was the sole purpose of the original section 745 which the government insists on maintaining and amending rather than scrapping? It was to provide a faint hope of parole eligibility for convicted first degree murderers. It was yet another Liberal effort to affirm the rights of persons convicted of crimes, and the most heinous crimes, while the rights of victims of crimes and law-abiding citizens remain undefined or at risk.

The bill before us alters the procedure but still maintains the original purpose. The bill is the product of a perverse set of priorities and deserves to be rejected on that ground alone.

The second distinguishing characteristic of the Liberal approach to criminal justice, again illustrated by the bill, is an excessive reliance on bureaucratic compromise. If in doubt, especially on matters of principle, compromise. That is the Liberal approach. The bill is nothing but a compromise, a half measure that satisfies no one except those poor souls who believe that compromise is virtuous for its own sake.

There are some policy issues where half measures simply will not do. We cannot be half committed to national unity. We cannot be half committed to fiscal responsibility. We cannot be half committed to democracy. We cannot be half committed to public safety.

The public wants section 745 scrapped. According to the government's philosophy of criminal justice, the section should be retained as it is. But rather than do one or the other, scrap or retain, the government came up with a half baked compromise in the form of this tinkering amendment. The distinguishing characteristic of the government's approach as exemplified by the bill was bureaucratic compromise.

• (1645)

This tinkering amendment exhibits all the characteristics of bureaucratic tinkering. First degree murderers are now to be divided into different categories. Bureaucrats like to categorize. A screening measure is set up for all section 745 applications. Superior court judges, not just the chief justice of the superior court in a province, are drawn into the process, and the rules governing

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juries hearing section 745 applications are amended. What can we call all this except bureaucratic fine tuning of a compromise position?

If there is anything worse than government by the lawyers, of the lawyers, for the lawyers, it is government of the bureaucracy, by the bureaucracy, for the bureaucracy, and this bill smacks of both.

My colleagues and I have no faith in bureaucratic tinkering, particularly with the Criminal Code and indeed in the whole area of criminal rehabilitation.

Thinking of the ineffectiveness of bureaucratic action in these areas, the inability of bureaucratic measures and institutions to protect people or to rehabilitate criminals, I am reminded of a poem by the Canadian poet George Pepki, inspired by the children's nursery rhyme "Humpty-Dumpty":

Humpty-Dumpty sat on a wall  
Humpty-Dumpty had a great fall;  
All the king's horses and all the King's men  
Couldn't put Humpty together again.

And what is the moral to this little rhyme?  
A moral with meaning for men in our time?  
The moral is this, and its lesson is true:  
There are certain things that the state cannot do.

If all the King's horses and all the King's men  
Cannot put an egg together again,  
Is it not a false hope, an illusion, a sin,  
To ask civil servants to reconstruct men?

A third distinguishing characteristic of the Liberal approach to criminal justice is its growing disregard for the will of the people.

When Liberalism first emerged as a distinct political philosophy in 19th century Britain, its distinguishing characteristic was faith in the common sense of the common people. That was the essence of Gladstone's great reform bills which extended the franchise to ordinary people; the right to make important governing decisions to more and more ordinary people.

Gladstone treated the people as a great tribunal to which the greatest issue of state could be brought for discussion, not only discussion but decision.

But something happens to Liberals long in office. They begin to trust themselves and their friends and their advisers more than they trust the people, until finally in the last decade of the 20th century, mistrust of the common people has become the distinguishing characteristic of a degenerate Liberalism.

In this House a private member's bill introduced by the hon. member for York South-Weston, supported by members on both sides of the House, represented the wishes of the Canadian people with respect to section 745 of the Criminal Code. Their wish was to scrap the section, which was the effect of Bill C-234.

But what has the government done? It attempted to derail in committee the bill which represented the will of the people and has substituted for it this bureaucratic compromise we have before us representing the elitist views of the Minister of Justice and his colleagues. And to add insult to injury, the government now invokes time allocation to cut off debate and force the bill through a reluctant House.

Unless there is a display of courage by government backbenchers in the House, something we see far too infrequently, the government whip will coerce his colleagues to support this bureaucratic compromise and once again disregard the will of the Canadian people with respect to a Criminal Code provision.

In conclusion, Reform MPs reject both the bill and the whole Liberal approach to criminal justice on which it is based: this perverse set of priorities, bureaucratic compromises and blatant disregard for the will of the people. We urge other members to reject the bill and to bring back to the House and support Bill C-234, which more accurately reflects the will of Canadians on this issue.

We look forward to the day when a fresh start will be made on criminal justice in this country, one based on principle rather than bureaucratic compromise, one in which the rights of victims and law-abiding citizens take precedence over the rights of persons accused or convicted of crimes, one in which respect for the will of Canadians becomes the guiding light of the Canadian Criminal Code.

• (1650)

**Mr. Jack Ramsay (Crowfoot, Ref.):** Madam Speaker, I am honoured to follow my leader in this final debate on this bill. I rise today to speak once more in opposition to Bill C-45 because it demeans the value of a human life and it is unworthy of support.

I have repeatedly stood in this House, as have my colleagues, and asked one simple question, a question the justice minister and the Liberal government have failed to answer. What is a fair and just penalty for the taking of an innocent life?

Last week when I was in Quebec with the standing committee which is in the process of reviewing the Young Offenders Act, I had an opportunity to meet with several convicted first degree murderers.

One young man had killed his mother, father and brother. Another had stabbed his girlfriend 18 times. I asked them what they believed was a fair and just penalty for their crimes. I asked if 10 years was enough for what they had done. They said: "If we were to ask the victims if 10 years was long enough the answer would be no. If we were to ask them if 25 years was long enough, the answer would still be no". No length of time would be long enough in the eyes of their victims according to these murderers.

What then would be an appropriate penalty? We must answer this question. This unanswered question remains at the heart of today's debate.

On February 24, 1976 the Liberal government introduced Bill C-84 to abolish the death penalty and to create two new categories of murder, first and second degree murder, both of which carried a minimum sentence of life imprisonment. Those convicted of first degree murder were to serve 25 years before being eligible for parole while second degree murderers would serve between 10 and 25 years prior to release.

The 25 year minimum for first degree murder was the Liberal government's trade off for the abolition of the death penalty. Instead of the death penalty society was to be protected by the incarceration for life of those who deliberately and with premeditation killed with no consideration for parole until a minimum of 25 years had been served.

However, unbeknown to the vast majority of Canadians, the Liberal government of the day betrayed them by slipping section 745 into the Criminal Code. Section 745 nullifies the term life imprisonment and bestows on killers an unjustifiable right to early release before serving a minimum of 25 years.

An hon. member who spoke earlier is absolutely right when he quoted me as saying a life sentence is not about rehabilitation. I mention it because of the importance of this issue. It is about punishment. What is a fair and just punishment for the wilful premeditated taking of an innocent life, particularly of our children?

It is also about retribution for the most horrible crime in society, the unlawful taking of an innocent life and the devastating affect this has on society. Liberals do not believe in punishment, at least those who run the Liberal government. They do not believe in punishment or retribution, only in rehabilitation. That is what we have been getting from the bleeding hearts for the past 25 years. They tolerate the most extreme crimes in society at the expense of law-abiding Canadians. They mock and scorn the requests of all those who seek the removal of section 745 of the Criminal Code in its entirety.

The pathetic performance today by the member for Kingston and the Islands is a typical example of that mocking and scorning that goes on in this House on such a very serious matter. In the absence of capital punishment I am confident Canadians, as the Canadian Police Association and the chiefs of police believe, the minimum penalty for first degree murder should be life imprisonment with absolutely no chance of parole until at the very least 25 years have been served.

• (1655)

The government talks about the glimmer of hope. There is the glimmer of hope which all Canadians would support and that is after 25 years give that individual, if rehabilitated, an opportunity for parole.

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Bill C-45 does not meet those demands. Bill C-45 does not ensure a minimum of 25 years imprisonment. In fact, Bill C-45 is nothing more than a meagre attempt by the justice minister to sugar coat this repulsive provision of the Criminal Code for reasons of political expediency. This is not just my view. This is shared by victims' groups all across this country.

To amplify this point I would like to read to the House portions of a recent letter addressed to the justice minister by Mrs. Debbie Mahaffy on behalf of Action for Victims:

How can you skate over the glaring surety of a charter challenge regarding slapping an electronic bracelet on an innocent yet potential high risk offender but fail to deal adequately with releasing convicted first and second degree murderers? Oh right, they only lost their freedom of movement for a determined number of years but earn their rights to an early release.

Shelving C-45 and Olson's judicial review and finally giving more than a quick look at high risk offenders by actual legislation looks like, sounds like a pre-election handout to me. It is obvious that you may be able to avoid ever having to deal with Olson's judicial review or the contentious Bill C-45, as they can be put on a slow back burner until the election is over. But we will not fail to recognize that this shuffling of files on your desk is just clever politics.

We hear from a mother who lost her daughter at the hands of a murderer expressing her concern to the justice minister in as eloquent a manner I suppose as I have see yet.

Bill C-45 strips multiple or serial killers of the right to apply for early parole and creates an additional bureaucratic hurdle for single killers to jump before exercising their right to a full jury review of their parole ineligibility. Bill C-45 contains a royal recommendation which allows for the expenditure of additional funds for section 745 appeals.

When questioned in June, the justice minister said the extra money will be allocated to Correctional Service Canada for longer periods of incarceration for those killers denied a judicial review by a jury. This is misleading and an absolute joke. The justice minister via Bill C-45 has set up another level of appeal for first degree murderers and this is what will incur additional costs. Multiple killers currently incarcerated will not apply directly to a jury but must first satisfy a superior court judge that their application for a reduction in parole will have a reasonable prospect of success.

If the superior court judge denies one of these 28 multiple murderers their right for a judicial review by a jury they can appeal this decision to a higher court, of course at taxpayer expense.

As well, if the jury denies them a reduction in their parole ineligibility, provisions within section 745 allow them to apply again. The same process will be applicable to all first degree murderers. I question the necessity for extra funding in this regard, given the number of criminals, including violent criminals, who will never see the inside of a prison as a result of the Liberals'

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alternative measures as contained in Bill C-41 and the change from indictable offences to summary conviction fines as prescribed in Bill C-17.

Bill C-45 may delay but will not prevent killers from getting a judicial review and ultimately a reduction in their parole ineligibility. Bill C-45 and the review of a killer's application by a judge will do nothing but add an expensive layer of bureaucracy to our growing justice industry.

This will add to Canadians' financial strain and undermine their personal security. The minister's June 11 introduction of Bill C-45 just 10 days before the House recessed for the summer was nothing more than a half baked attempt to deflect criticism for not preventing Clifford Olson from once again making headlines despite the fact he had almost three years and ample support to bring this bill before the House.

• (1700)

The minister's efforts to limit child serial killer Clifford Olson's bid for early release failed. To the horror of all Canadians who have shared the pain of the Rosenfeldts and the other 10 families whose children were brutally ripped from their lives on August 12, 1996, Clifford Olson was eligible to apply for early release.

As revealed in the court challenge on Bill C-68 launched by the governments of Alberta, Manitoba, Saskatchewan, Ontario and Yukon, the minister did not adequately consult his provincial counterparts regarding that bill. I would respectfully suggest that the provincial attorneys general are not alone. Canadians have not been consulted with regard to Bill C-45. Canadians have not been granted by this Liberal government an opportunity to be heard on the issue of section 745, as they have not been granted an opportunity to voice their opinion on capital punishment.

I conclude by saying again that I oppose Bill C-45 because it is unworthy of my support.

**Mr. Myron Thompson (Wild Rose, Ref.):** Madam Speaker, during the first session of Parliament I served as one of the members of the Standing Committee on Justice and Legal Affairs. It is a job I took very seriously since I was one of the select few given the job to look after justice legislation on behalf of 295 members of Parliament.

The most troublesome problem I encountered as one of those members was the Liberal government's deliberate fast tracking of legislation through this House. For example, last year with only two weeks left before the House recessed for the summer, Bills C-41 and C-68 were brought before the House for report stage and third reading, although they had been reported out of committee weeks before. The minister deliberately waited until the eleventh

hour and time allocation was used to limit debate and thus exposure for both of these contentious bills.

The most recent example of this undemocratic fast tracking is this bill, Bill C-45. Since 1993 the Reform Party has been asking the justice minister to repeal section 745. The justice minister waited until there were only eight sitting days left for the House last June, knowing full well that the bill could not be properly debated in that short period of time. The most important point is that with only eight days for debate, this allowed only one day for study and review by the Standing Committee on Justice and Legal Affairs.

There is no way on earth that proper analysis could take place in just one day. This is an insult to the whole process and certainly an insult to the victims of crime who tried so desperately to have section 745 repealed. It also was very repulsive to the number of witnesses who wanted to appear before the committee.

In order to let the Canadian people hear a sample of what these witnesses had to say, I would like to take this opportunity to present the testimony of Joanne Kaplinski. She said: "I am a survivor of a murder victim and have been forced to endure a judicial review under section 745. It would also appear that because of the law of the day, I will be required to live through that ordeal yet again, as the co-convicted has advanced his application".

She tells the story of how her brother Kenneth was robbed and later shot twice in the head at point blank range. Forensic evidence revealed that he in all probability was made to kneel before his killer. His decomposed body was found two months later.

She goes on to state: "We, Kenneth's survivors, also received life sentences and became initiated into a very exclusive club, probably more exclusive than the Canadian Club, but it is a club that I assure you no one here would ever want to join. The initiation is the death of a loved one by violence. Membership dues are extracted from us each and every day of our lives as survivors of such violence.

• (1705)

"In sum it has been over 18 years coping with the aftermath of those two parolees' actions. We got on with our lives, or rather we got on with picking up the pieces of our shattered lives, but never would we be able to look at the world with the same eyes again. Evil was no longer some ethereal concept, it was real and tangible. I think our profound despair came from being forced to look into the abyss, the depth of human cruelty and suffering.

"In December 1993 we once again were forced to revisit that same abyss and relive what we had to go through in 1978. All our pain of course was resurrected by the section 745 application of one of Kenneth's murderers.

“We the public feel duped by the machinations and doublespeak of bureaucrats. By making available this section 745, however reworked, the Liberal government of the day is sending a message to Canadians across the country that murder in this society will be tolerated. I think that conveys a very sad statement about the value of our lives, yours and mine, as Canadian citizens. Fifteen years is not adequate denunciation for the wanton destruction of human life. My brother Kenneth was, by volition of those convicted, sentenced to death, and that sentence for Ken was eternal and irrevocable”.

As can be seen from this witness's comments, to have a bill of this magnitude fast tracked as it was through the justice committee is appalling. There are many more witnesses with compelling stories. Time will not allow me to convey their thoughts and certainly this Liberal government did not allow them the time to convey their thoughts through the proper channel of the justice committee. It is clear that the whole process of not studying the bill and not giving everyone an opportunity to share their information is nothing but a direct insult to the victims' families who worked so hard throughout this nation to repeal section 745.

After this mere one day analysis, the bitterness started to set in with these witnesses. They felt they were just shoved aside. One of those people was Darlene Boyd. She later sent me a copy of a letter she wrote to the justice minister about issues she had to get off her chest. Her letter is as follows:

Since being in Ottawa to testify before the justice committee, which I felt was a rushed and last minute formality, I have had the opportunity to examine Bill C-45.

My feelings, as you know, concerning section 745 are total repeal. Thousands of Canadian people have supported and continue to support total repeal, believing repeal is the only concrete measure that will keep first degree murderers where they belong, in prison for at least 25 years, this being the maximum punishment provided to us by your government for premeditated first degree murder.

I also understand Mr. Nunziata's Bill C-234 has expired in the Speaker's hands. Bill C-234 should have been voted on for the third time in the House before Bill C-45 was ever presented. Is there no priority given in matter of sequence? John's bill drew positive results for repeal from many Liberals. My question to this is what political pressure suddenly made them support amending rather than repealing section 745?

I am receiving letters every day, as I am sure Mr. Rock has been, from people demanding total repeal. These people I have never met, but truth in sentencing is what concerns them. Most feel betrayed by our justice system.

Mr. Rock has said he is listening to the Canadian people. Bill C-45 does not demonstrate this.

Mr. Rock, you have referred to us as the “victims industry”. We never classified ourselves as part of any industry. We are ordinary people who have paid a price far too great to establish such a petty organization. We never asked for this fate and we are not victims, we are survivors.

There is one thing I need advice on and that is how to tell our son, who has not yet put his life back together since his sister's murder, that the man convicted and sentenced to life in prison will be applying for and probably will be granted his day in court to tell everyone what a good person he has become in the past 15 years.

Who will take responsibility when he falls apart? Bill C-45 will be guilty of this crime.

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My family is three people. There are hundreds who will be affected if section 745 is not repealed.

Does the charter of rights not protect us, or was it written just for murderers?

I appeal to you not as politicians, but to anyone who holds family and friends dear. Because murder shows no bounds, please reconsider repeal and make it impossible for these killers to once again exploit my family and the families of others.

● (1710)

I have thousands of these letters from victims. I visit them in their homes and at rallies. I am sure the member for Kingston and the Islands has never been to a victims rally. He would not know what they are all about. However, when I spend time with these people, I for the life of me cannot understand for the slightest moment why we would adopt a bureaucratic procedure such as Bill C-45 over the good common sense of the people all across Canada who are screaming and demanding loud and clear: “Repeal section 745”.

What is the matter with a government that will not listen to the people? It is called tyranny and it is time that tyranny was crushed.

Please bring back Bill C-234 and repeal section 745 on behalf of the Canadian people.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Mr. Speaker, it is a pleasure for me this afternoon to speak again to Bill C-45. I say it is a pleasure because obviously, with the government enacting time allocation yet again on another piece of legislation, we find the unfortunate situation that a number of my colleagues and I am certain colleagues from the other parties as well would have liked to have spoken again on this bill and are being denied, I believe, their right to do just that.

It is a pleasure for me to be allowed the opportunity to once again try to get my message through to the Liberals on the opposite side of the House and the supporters of the justice minister. He continues to bring forward these weak-kneed, half-baked pieces of legislation, instead of doing, as my colleague from Wild Rose so aptly said just moments ago, what the people of Canada are demanding and expecting the Government of Canada to do.

I suppose it could be said that after quite a number of hours of debate on C-45 what more can be said that has not already been said on this issue. Reluctantly, Reform has come to understand that the only way to get through to the Liberals is to repeat our points over and over again. That is unfortunate. I am sure all of us in the Reform Party would much rather be discussing some other legislation today and be moving forward with some other constructive legislation. However, no matter how hard we try, it seems that we

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run up against a brick wall and cannot get our message through to the Liberal government.

That was clearly demonstrated at the start of the debate this afternoon. After the vote on the government's time allocation motion on this piece of legislation, the hon. member for Kingston and the Islands got up and read through transcript after transcript of things that the Reform Party had said but had nothing constructive of his own to say about the legislation. He was merely attacking us for what we were trying to say. If only, and I mean this sincerely, he had listened to what was being said. Instead he simply poked fun at what the Reform Party has been trying to say on this piece of legislation.

Obviously, as it has been said repeatedly and I will repeat it again, the thrust is that the people of Canada are demanding the repeal of section 745. It is that simple. That is the crux of the issue here.

This has been said before and I will say it again and again. The independent member for York South—Weston brought forward a private member's bill. It had the support of the majority of members of the House and moved on to committee. I expected that perhaps with a few minor amendments that piece of legislation would ultimately be passed into law. Obviously it had the support of the people of the country and it had the support of the majority of the representatives of the people of the country. That is what should have happened.

● (1715)

I believe the way the justice committee handled this particular private member's bill is an insult to the private members' process in this place. I am absolutely appalled at the way the private member's bill of the member for York South—Weston was treated. I want to draw the attention of the House and the people who are viewing the debate this afternoon to that point.

The second point which I want to make, which has been made before, is that what we should be moving toward, what Canadians are demanding, especially when it comes to multiple murderers, is a system of consecutive sentencing. It does not matter how many lives murderers take, they get one life sentence. We are debating whether they should get 15, 17, 18 or 25 years.

I believe the vast majority of the people of Canada would support consecutive sentencing. It has been implemented in some U.S. states. If a person takes one life they get 25 years; two lives, 50 years; three lives, 75 years; and it keeps on going. Individual lives must count for something.

What I hear when travelling across the country is that people are simply fed up with the weak justice system and the criminals who flaunt it.

We can all quote statistics until we are blue in the face; however, despite whatever the statistics are saying about violent crime being on the decline or whatever the case may be, the reality is that people feel threatened. People feel unsafe in their homes, on the streets and in their communities. They are telling us to do something about it.

Reform members have been endeavouring to do that. We have been trying to drive that message home. We have repeated time and time again what we are hearing from Canadians.

What Canadians are crying for is the bottom line. I can stand and say how I feel, but what are Canadians saying? What is the mood of the country out there?

I had a recent poll done in my riding of Prince George—Peace River. One of the questions that was asked was: "How do you feel the federal government is doing with respect to criminal justice issues?" This was a scientific poll. What we found was that 6 per cent of those polled said it was doing very well. Twenty-seven per cent said it was doing an adequate job. However, 56 per cent said that the government was doing a poor job. Another 11 per cent were uncertain.

Two-thirds of the people in my riding either feel that the government is doing a very poor job with respect to criminal justice issues or they are unsure what it is doing. That clearly indicates that there is a growing sentiment in the country that the government is weak on crime. That has been reinforced again and again by the justice minister, who continues to bring in these half baked schemes which do not get to the root of the problem.

A number of my colleagues have outlined where we should be going and where Canadians are demanding we go on criminal justice issues. We have to concentrate more on victim rights. That is paramount in the minds of Canadians. It is high time this government started to address the real concerns which are out there among average Canadians.

● (1720)

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, a short time ago the member for Kingston and the Islands was waxing eloquent with quotations from *Hansard*. You could ask, Mr. Speaker, why he quoted so eloquently from *Hansard* things that were said by Reformers in this House supporting the views of Canadians across the country but he never bothered to quote from the victims' families, the people who have suffered from the crimes of these people the member for Kingston and the Islands is trying to protect. He did not bother to quote from the people who suffer because of his liberal minded rules about law and order.

Since the member for Kingston and the Islands is so fond of quoting from the printed word, I would like to quote a few things that he said. I have here an article from the *British Columbia Report* of July 15 of this year in which the member for Kingston



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and the Islands, when talking about the protection of VIA Rail tickets that members in the House had, said: "I think we were hoodwinked by the people who introduced the bill". The people behind the alleged plot are members of his own Liberal government, reports the reporter in the article.

The member for Kingston and the Islands said: "I think we were hoodwinked by the people who introduced the bill". On this bill before us I would venture to say the member is being hoodwinked again: "The MP for Kingston and the Islands suspects faceless bureaucrats were negligent in their duties although he is not quite sure who is to blame for introducing the bill but he says 'I don't know anyone who reads every bill. I don't'".

No wonder he is so easily hoodwinked. He does not even read the bills. Since he does not read the bills I can tell that he also does not bother listening to his constituents or he would know that repeal of section 745 is supported by an overwhelming majority of Canadians coast to coast. We do not have to be a rocket scientist to find that out.

Just as they support the repeal of section 745, they also support a complete and effective overhaul of the Young Offenders Act. They want a referendum on the return of capital punishment. They are totally dissatisfied with the Liberal's performance on justice issues.

These Liberal trained seals on the other side of the House support a closure motion to shut down meaningful debate on an issue of great importance to the people of Canada. They stand there and call us extremists for speaking the minds of Canadians coast to coast. That is too bad. The real extremists in this place are the people who sit on the government side. They are the ones responsible for a debt that will hit \$600 billion on November 22; 600 billion of debt on the shoulders of our children and our grandchildren. They are the extremists who let murderers and sexual offenders out of prison early so they can commit more crimes.

There is ample evidence that letting these people out before they have served their sentences causes a great many more crimes. I am going to quote some bureau of justice statistics of 1989 from a study that was done in the United States between the years 1973 and 1989. In 1989 the bureau of justice statistics issued some estimates of how many crimes are prevented while criminals are locked up rather than walking the streets.

Analyst Patrick Langan concluded that higher incarceration rates between 1973 and 1989 cut the number of rapes by 66,000, robberies by 323,000, assaults by 380,000, burglaries by 3.3 million, and that imprisonment clearly contributes to major cuts in the number and cost of violent crime.

• (1725)

Those Liberals can stand there and call us extremists, but they are the extremists. Because of their policies, Canada has probably

suffered tens of thousands more rapes, tens of thousands more violent crimes, hundreds more murders and God knows how many million more burglaries; simply because of their wishy-washy justice approach.

Over the past 20 years or so our justice system has tended to concentrate on this wonderful theory of rehabilitation and treating the root cause of the crime. Everybody has had this terrible childhood. "Oh, my God, the reason I am such a bad guy is that I had this terrible childhood. Nothing ever went right for me. I did not win the Lotto 649. It is just dreadful". Some of these people have to start taking responsibility for that they do.

Everybody in Canada, except the people who sit on the other side of the House, are sick to death of this "oh, dear the poor things". It is time for some justice.

I would like to mention another experiment that took place in the United States. The police commissioner for New York, Mr. William Bratton, was quoted shortly after he was appointed security director for the subway system in 1990: "Eureka, we have discovered the root cause of crime. It is criminals".

He adopted a hard line approach in addressing the problems of graffiti, fare evasion, panhandling and assaults that were taking place in the subway system in New York. He said: "The way to get this thing under control is to take a hard line approach of zero tolerance on graffiti, spitting on the sidewalk, all of that sort of stuff". He took this hard line approach where he insisted and the security people clamp down on any incidents of panhandling, graffiti, spitting on the sidewalk.

Within one year there was an impressive improvement. Robberies were down 75 per cent; serious felonies on the subway, a drop of 64 per cent.

Mr. Bratton subsequently became the police commissioner for New York where his methods have resulted in a 31 per cent drop in murders, a 25 per cent drop in car theft and a 22 per cent drop in robberies. How much evidence do we need?

The people who were flagrantly disobeying the rules of law, when they discovered there was zero tolerance for minor crimes, realized that there would be zero, zero tolerance for the major crimes and they stopped committing them.

As long as they were getting free counselling and free rehabilitation and were told how terrible their childhood was, they just kept disobeying the law. For God's sake, we are such patsies. When are we going to get real? It is time to get tough. Not a day goes by, and I believe this applies to members on the other side as well, that I do not get phone calls and letters to my office telling me people are sick and tired of this pandering to criminals. They are sick and tired of it and it is really time we started to do something.

On May 11 this year the Ottawa *Sun* reported that during a meeting of the attorneys general, Alberta, Manitoba and Ontario pushed for the total repeal of section 745; Ontario, Manitoba and Alberta.

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**Mr. Harper (Simcoe Centre):** A great province.

**Mr. White (North Vancouver):** A great province says my colleague from Ontario. They are all great provinces. The attorneys general knew what the people wanted. They knew they needed to get rid of this section in order to return some stability to the sentencing and serving of punishment.

Members on the other side constantly get excited if we talk about punishment. For some reason we are not allowed to punish people for committing crimes. Please do not punish them. These things can be carried to extremes.

The justice minister suddenly thinks it is okay to let people out after 15 years where there is evidence that they will not commit the crime again. Let us let them out. Why keep them locked up? We can carry that argument to the extreme and say we recognize they committed murder, but why lock them up? They will never do it again. Why does it have to be 15 years? Why not 15 hours? They are so repentant and they promise to take counselling and they will learn French and do whatever is necessary. And they are let free. It has to stop

• (1730)

When the attorneys general of the provinces start pushing for the repeal of these sections, it is time the justice minister started listening. The attorneys general are telling him his gun control bill is misdirected. They told him Bill C-33 was misdirected. They have told him that section 745 is misdirected and they have told him the Young Offenders Act revisions were misdirected. When is he going to start listening?

It is a travesty of justice that closure was moved on this bill today. I urge members, please, in a last minute appeal, vote against it.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Mr. Speaker, the reason I have only five minutes to speak is that the government has moved closure again on a bill. I would like to talk for the couple of minutes I have left on why this bill is symbolic of two things that have become obvious of this Liberal government.

One thing that has become obvious is that Liberal leadership is an oxymoron. There is no such thing as a Liberal leader. There is a Liberal follower, there is a Liberal bootlicker, there is a Liberal cave in, there is a Liberal puppet, there is a Liberal wishy-washy half-baked social engineering attempt at doing something, but there is no Liberal leadership. That is what I would like to talk about.

I would like to show how this bill is symbolic. Out on the west coast there is a symptom we know of when we talk about fish, that the fish rots from the head down. What we have in this example is the fact that not only is there no Liberal leadership, there is no such

thing, there is also a rot at the top. The rot at the top has started to create a stench. It is not only something that maybe we could say is a mistake but an actual stench surrounds what is going on here today.

We should be debating the private member's bill from the member for York South—Weston. We should be debating in this House the elimination of section 745. This House passed that private member's bill. We in this House said that we approve in principle the bill of the member for York South—Weston that we will abolish—not tinker with, not play with, not jack around with—we will abolish section 745.

This House passed that bill. It was approved by all members of this House. It was sent to committee and then what happened? That Liberal leadership, the concept that is foreign to the government, said to their Liberal committee: "This bill must not ever see the light of day". What is it? Was the bill too popular, was there too widespread an appeal?

I will tell you what it is. The bill was sent to committee. The bill was then sent from committee to cyberspace. The Minister of Justice should be showing some leadership on this. If he had the guts to vote against it that is one thing, but instead he just says: "Let us hope it goes away".

People have talked about the government's half measures, that it moves half way on different things. It is not half way, it is nowhere. This bill has no support. The Canadian police chiefs will not support it. The victims of crime will not support it. The Canadian people will not support it. If the Liberals were to ask in their own ridings, there is no support for this half measure. There is none. Canadians want this section eliminated. Reform members have gone through the reasons it is not supported by anyone.

Maybe the reason the member for Kingston and the Islands wanted it is that he knows the prisoners can now vote. Maybe there is something in it for him. Maybe it will swing the riding.

What has happened here in the House is that the Liberals have told their backbenchers: "We can have a free vote on private members' bills whenever you want". It is like a drug. They say: "Oh thank you. I feel so good about this. I will vote my conscience, I will vote what I think my constituents want".

• (1735)

They did that, to give them credit. They did that on the bill from the member for York South—Weston. When they were appeased, when they felt good, when the drug and the sedative was flowing through their bodies, what happened? The bill was sent to committee to never see the light of day. I do not know where the sedative is. I do not know whether someone has to take it with a double shot of rye to make them feel good.

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The backbenchers should be angry over this. They should say to the government: "When we pass legislation in this House, when it goes to committee, we want to vote on it". They should have the right. It was wrong. There is no leadership over there. This thing stinks.

[Translation]

**The Deputy Speaker:** Hon. members, pursuant to order adopted earlier today, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the third reading stage of the bill now before the House.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And more than five members having risen:*

**The Deputy Speaker:** Call in the members.

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

(Division No. 134)

**YEAS**

Members

Adams	Anderson
Assadourian	Augustine
Axworthy (Saskatoon—Clark's Crossing)	Bakopanos
Beaumier	Bélair
Bertrand	Bevilacqua
Blaikie	Bodnar
Bonin	Boudria
Brushett	Bryden
Byrne	Calder
Campbell	Cannis
Catterall	Cauchon
Chamberlain	Chan
Clancy	Cohen
Collenette	Collins
Cullen	DeVillers
Dhaliwal	Dion
Discepola	Dromisky
Duhamel	Dupuy
Easter	Fewchuk
Finestone	Finlay
Flis	Fontana

Fry	Gagliano
Gagnon (Bonaventure—Îles-de-la-Madeleine)	Galloway
Gerrard	Goodale
Guamieri	Harb
Harvard	Hickey
Ianno	Irwin
Jackson	Jordan
Kilger (Stormont—Dundas)	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint-Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Loney	MacAulay
Malhi	Maloney
Manley	Marleau
Massé	McGuire
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
McWhinney	Minna
Mitchell	Murphy
Murray	Nault
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Parrish
Patry	Payne
Peric	Pettigrew
Phinney	Pickard (Essex—Kent)
Pillitteri	Proud
Reed	Richardson
Rideout	Robichaud
Robillard	Rock
Scott (Fredericton—York—Sunbury)	Shepherd
Sheridan	Simmons
Solomon	Steckle
Stewart (Brant)	Stewart (Northumberland)
Szabo	Taylor
Telegdi	Terrana
Thalheimer	Torsney
Ur	Valeri
Verran	Volpe
Walker	Wappel
Wells	Whelan
Young	Zed—122

**NAYS**

Members

Abbott	Ablonczy
Bachand	Bélisle
Bellehumeur	Bernier (Gaspé)
Breitkreuz (Yellowhead)	Bridgman
Brien	Canuel
Caron	Chrétien (Frontenac)
Dalphonde-Guiral	Daviault
Duceppe	Dumas
Duncan	Epp
Fillion	Frazer
Gagnon (Québec)	Gauthier
Godin	Grubel
Hanger	Harper (Calgary West/Ouest)
Harper (Simcoe Centre)	Hart
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Hoepfner	Jennings
Johnston	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Leblanc (Longueuil)
Lefebvre	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Manning
Martin (Esquimalt—Juan de Fuca)	McClelland (Edmonton Southwest/Sud-Ouest)
Ménard	Mercier
Meredith	Miliken
Mills (Red Deer)	Nunez
Penson	Picard (Drummond)
Plamondon	Ramsay
Ringma	Robinson
Sauvageau	Schmidt
Speaker	Strahl
Thompson	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Wayne
White (North Vancouver)—67	

*Private Members' Business*

## PAIRED MEMBERS

Alcock  
Barnes  
Bethel  
Crawford  
de Savoye  
Dubé  
Guay  
Hopkins  
Jacob  
Lalonde  
Loubier  
Marchi  
Paré  
Pettigrew  
Rocheleau  
St. Denis

Asselin  
Bergeron  
Comuzzi  
Crête  
Debien  
Grose  
Guimond  
Hubbard  
Keyes  
Lebel  
MacDonald  
Paradis  
Peters  
Pomerleau  
St-Laurent  
Vanclief

• (1805)

**The Deputy Speaker:** I declare the motion carried.

(Bill read the third time and passed.)

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**PRIVATE MEMBERS' BUSINESS**

[*Translation*]

**CANADA LABOUR CODE**

**Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ)** moved:

That, in the opinion of this House, the government should give RCMP officers the right to unionize and to bargain collectively under the Canada Labour Code.

He said: Mr. Speaker, is it not somewhat of a paradox, although it is not perceived as such, that today I should stand up in this House and defend what is undoubtedly one of Canada's best known symbols? This is proof that nobody in this House will be able to say, either in the future or in reference to the past, that the official opposition has not lived up to its responsibilities.

I expect the parliamentary secretary to generously mention it in his reply; as you know, if there is someone who is often critical of the official opposition, it is my colleague, the member for Vaudreuil.

On a more serious note, I believe that as parliamentarians we must realize that discrimination of a peculiar kind has been going on for years within the RCMP. Around 16,000 officers are finding themselves in a legal vacuum the likes of which is unheard of, a very unhealthy situation indeed.

People listening to us must realize that the RCMP officers are protected neither by the Labour Code nor the Public Service of Canada Act. Therefore, the situation is that some clearly essential workers are discriminated against and cannot exercise their rights to collective bargaining.

It is quite paradoxical, because members of Parliament are certainly already aware of the situation.

• (1810)

At least three commissions of inquiry have stated that labour relations were among the difficulties pointed out to the legislator. We cannot rise today and plead innocence saying that we did not know about the situation, that we do not know what it is all about. On the contrary, the situation was brought to the attention of the cabinet and of the parliamentarians. But there has always been some reluctance to act on this issue.

Closer to home, the labour minister, also a member for Montreal, asked for a task force, which reviewed and reported on part I of the Labour Code, which we want to update, and rightly so. Among the recommendations in the report Sims, named for the commission's chairman, there was obviously a finding to the effect it was unacceptable that all police officers in Canada, except RCMP members, had the right to collective bargaining.

It was recommended to take action to see how this group could be unionized. We will come back to what this right to unionize means concretely. Believe it or not, Mr. Speaker, and knowing how sensitive you are, I am sure you will have great difficulty admitting it, but it remains that, despite the information available, despite three inquiry commissions, despite the recent tabling of a report, the minister responsible for this issue has still taken no action.

Let it be clearly understood: currently in Canada eight provinces and 200 municipalities use the RCMP as their police. We have to remind Canadians and the people who are watching us how flagrant this discrimination is since two categories of employees who do the same kind of work do not have the same rights. That is the situation we want to correct.

When I tabled my motion, I had clearly in mind what this means in the workplace, how unhealthy it can be when employees cannot collectively determine, influence and work to ensure they have a voice on the working conditions they will be subject to. That is why, periodically, there have been labour relations problems in the RCMP.

In order to restore a healthy labour relations climate in the RCMP, I think that a certain number of requirements must be met. First of all, employees must have the right to collectively negotiate their working conditions. This is not a meaningless statement. What is a collective agreement if not a consensus expressed on paper setting out the rules, procedures and avenues of appeal available if the parties cannot come to an agreement?

Not only are RCMP officers prohibited from making representations on collective bargaining, but they are in a practically unprecedented situation. Anyone who is familiar with labour relations knows how unhealthy this situation is, since, as a manager, the RCMP Commissioner must implement directives and make deci-

sions, acting as both judge and jury. One does not need a law degree to realize how unhealthy this is.

Again, this government—with its cow-like disposition—refuses to step in and take the measures needed to correct the situation.

As I said earlier, for healthy work conditions to prevail within the RCMP, officers must have the right to bargain collectively. They must, of course, have the right to form an association, to have democratically elected representatives recognized as such, and to submit grievances to an outside organization that is independent and neutral.

• (1815)

I trust that the parliamentary secretary will, when he rises in a few minutes, admit that when there are disputes in the Public Service there is an outside third party to judge grievances and reach a decision, as well as appeal mechanisms of which both the employer and the workers are aware. That third party is the Public Service Commission, or in certain specific cases Treasury Board, or the Public Service Staff Relations Board. These are known bodies and have a precise role. Their independence of action is acknowledged, because they are accredited by both management and labour.

This is the crux of the debate. It is all the more admirable because these are not workers who have shirked their responsibilities. They are all very aware of their responsibilities which, moreover, have a special nature in the RCMP relating to national security and protecting the public interest.

This is why the representations they are making to us as parliamentarians are not for the right to strike. That is not what is involved when RCMP employees, through a national association, are calling for recognition of a certain number of rights. What is involved is the right to compulsory arbitration, outside the RCMP of course, but they are not calling for the commissioner to be bound by the decision, and therefore not for a final and binding arbitration such as there is in place today. There are already clauses within part I of the Labour Code which permit this.

The employees of the RCMP have even facilitated the work of the legislator. So much so that they proposed a bill containing a certain number of stipulations. If we wanted to go ahead and be serious about the attention we give employees of the RCMP, any member in this House, but especially the government majority whose responsibility it is, could well introduce a bill giving those employees the right to collective bargaining and the right to group together into an association.

I hope that people who are listening tonight understand that this is what this debate is about, something harmless, the basis of work relations.

### *Private Members' Business*

Believe it or not, RCMP employees—officers, I am not talking about civilian employees, I am talking about officers—have been waiting for this decision for at least ten years. How is it that nothing has been done? Since 1993, we have seen a total lack of understanding of what is going on in the RCMP.

Let us take the following example: there is currently a divisional representative process. However, this process is more like a small shop union than like what exists elsewhere in the public service. As an MP, I suggest that we give a legislative framework to the RCMP so that those people can form an association and collectively decide, collectively negotiate their collective agreement.

If ever there is no majority, I am quite convinced, and I would even dare to bet on a large beer, Mr. Speaker, that the Parliamentary Secretary will tell us in a few minutes, when he stands up: “Yes, but there is already a negotiation process.”

**Mr. Discepola:** Did you read my speech?

**Mr. Ménard:** I know the Parliamentary Secretary. He is awfully predictable.

In a while, he will stand up and tell us: “Yes, but there is already a process for representational purposes and nothing indicates that they want this process expanded.”

I am telling this to put off the Parliamentary Secretary: let us give the RCMP and its employees a legislative framework and leave it to them to take advantage of it. I hope the government will not go on doing nothing, that it will listen attentively and will act to help workers who are victims of discrimination even when faced with a problem.

• (1820)

Let us take a concrete example. Let us look at what happened. As we know, the government is proud to have promoted bilingualism in the public service through all sorts of measures, and the parliamentary secretary believes in this principle.

The commissioner—and this is nothing personal—became an institution through an act of Parliament and was both judge and judged regarding bilingual bonuses. Under this program, when a public servant passes a written and oral test, he is eligible to a bonus of \$800. This is not a huge amount, but it is better than nothing.

These workers suffered a prejudice because it was claimed they were not entitled to the bonus, even though the courts ruled in their favour. What did the government do to correct the situation? Rarely does one witness such a lack of sensitivity. The government introduced a bill in which it took a malicious pleasure in legislating

*Private Members' Business*

that these workers were clearly not covered by the Public Service of Canada Act or the Canada Labour Code, in spite of the fact that some, mostly Quebecers living in Quebec, are bilingual and were deprived of this bilingual bonus. Such an anomaly would not exist if things were more clear.

Let us talk about the right to unionize. In a democracy, what is the point of having a charter of rights and freedoms? What is the point of boasting about freedom of association and pay equity for all, if this type of discrimination is being perpetuated? If RCMP officers were covered by part I of the Canada Labour Code, the employer would face reprisals if it objected to its employees forming a union. Indeed, the employer cannot interfere if the conditions regarding the application for union certification and the related process are met.

We must keep this in mind when we discuss issues such as this one.

How does the parliamentary secretary intend to restore good working relations in such a sensitive milieu as the RCMP if we deny these workers the fundamental right that all the other public servants in Canada enjoy?

If we were holding a meeting here tonight, not with members of Parliament, but with RCMP employees, can you imagine what would happen? How could one of us explain to these workers who pay taxes, get up every morning, take an oath and serve their fellow citizens, that they do not have the right to sit at the bargaining table and negotiate their working conditions, that they do not have the right to have their grievances heard by a third party, unlike the rest of the public servants? How can we explain that and how can we remain so stubborn when inquiry after inquiry comes to the same conclusion as the most recent report. That report does not date back to the year 1992 before Christ, it is the Sims Report that was tabled last January. The Sims Report, which I have the pleasure to quote quite often in this House, recognizes that these workers are being wronged.

So, I hope that my colleagues both from the government side and from the Reform Party as well as the Bloc members will try to put an end to this type of discrimination.

The one thing we should keep in mind at a time like this is that there are still eight Canadian provinces who retain the services of RCMP officers for policing purposes.

If the government could come up with some examples or if the parliamentary secretary were to rise in this House and say: "Yes, but I would like to tell the hon. member about a police force in Canada that is excluded from the rights that some are asking for", I would really be shaken. I will say that there is something wrong in my rationale, that my arguments were not convincing enough, that there is a lack of information. But it is not the case. Through you, Mr. Speaker, I challenge the parliamentary secretary, who I know is always looking for new challenges. I challenge him, before the Canadian people, to give us an example of a similar police force.

• (1825)

The parliamentary secretary will have to do his homework well, but if he can give us an example of another police force that is denied the right to collective bargaining and that does not belong to a union, I will be contrite. I will rise on a point of order and admit that I was wrong.

But I know perfectly well that the parliamentary secretary will not find one such example because it is well known that this is a case of discrimination, that the RCMP is in a unique situation.

In conclusion, you know that the government will embark on a review of part I of the Labour Code, that there will be a parliamentary committee on which I will sit, and I think we must use this debate to get the government to say that it is willing to give the RCMP the right to unionize and to bargain collectively to finally put an end to a flagrant and unacceptable case of discrimination.

**Mr. Nick Discepola (Parliamentary Secretary to Solicitor General of Canada, Lib.):** Mr. Speaker, I rise today to speak to the motion put before the House by the hon. member for Hochelaga—Maisonneuve.

I am sure that the hon. member's motion is prompted by concern for the welfare and well-being of the membership of the RCMP—a concern that I can assure him I and our government share.

We are only too aware of the RCMP's crucial role as Canada's national police service and of the need to support RCMP members in their professional duties and to ensure their personal welfare.

For example, the government recently introduced Bill C-52 in this House. This amendment to the RCMP Superannuation Act will ensure that RCMP members serving outside Canada in "special duty areas" are automatically considered to be on duty 24 hours a day, and therefore will receive complete benefit coverage.

The government introduced this bill because it realizes that RCMP members serving their country in a peacekeeping mission, in hazardous areas, should not have to worry about their own or their families' well-being. This is an example of the kind of practical and meaningful action this government is taking on behalf of the women and men of the RCMP.

Through various initiatives, our government is committed to improving the safety and security of Canadians, and, at the same time, to helping the police, including the RCMP, do a better job. We want to ensure that the police have the tools they need to carry out their professional duties.

Let me give you a few examples. We have instituted tougher measures for sex offenders who victimize children. We have created a national system for screening applicants for paid or volunteer positions where, once again, work with children is involved. We have amended the Young Offenders Act to provide for tougher sentences. We have reformed the sentencing process to

ensure more consistency and to give greater emphasis to public safety and the needs of victims.

[English]

The safety and security of Canadians has been a priority of the government since it took office. I have given but a very few examples of its initiatives. However some people, such as the hon. member ask the question: Why has the government not made the unionization of the RCMP a priority? It is a fair question.

The RCMP is our national police service and as such it operates national programs that are used by other law enforcement agencies and police forces in every part of the country. These are special services that no other police service in Canada can provide.

I will give some examples as the member for Hochelaga—Maisonneuve asked me to do. The RCMP maintains the national crime computers, including the Canadian Police Information Centre that feeds into most other police forces and patrol cars in Canada. The RCMP runs the national forensic crime laboratories and provides forensic services, again to police jurisdictions throughout the country.

The RCMP also operates the source witness protection program which can assist other police jurisdictions with the relocation of witnesses and sources throughout Canada. As we all know, Canada is a signatory to a number of international agreements and conventions and our international reputation depends on the RCMP providing never ending protection to embassies and diplomats across Canada.

• (1830)

The RCMP provides protection for prominent people while visiting Canada, visiting heads of state and governments, the Governor General, supreme court justices and even the Parliament Hill area.

The RCMP given its respected international reputation, has also been called on by the United Nations to provide civilian peacekeeping in various locations around the globe including the former Yugoslavia and Haiti.

[Translation]

Clearly, the RCMP is not just any police force. No other agency could provide all the services that I have just mentioned. Without exaggeration, a work action by the RCMP could become a matter of life or death.

We place great importance on the safety of Canadians who rely on the services of the RCMP. That is not to say that the government ignores the rights of the RCMP membership. Far from it. The government realizes that, where a union does not exist to represent federal employees, then there is a special obligation to listen to

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those employees and to ensure that there is an effective system for addressing workplace issues.

That is why the RCMP has a system of employee representation. This very progressive system is known as the Division Staff Relations Program. The backbone of the Div-Rep program, as it is known, are the 29 representatives elected by regular and civilian members of the RCMP. The Div-Reps regularly meet with division Commanding Officers and also, on a national basis, with the RCMP Commissioner to represent the membership.

The informal nature of the Div-Rep program promotes access to the top management of the RCMP and even to the Solicitor General. If relations were dominated by a formal and legally binding collective agreement, I wonder if this kind of access could still continue.

Many members strongly believe that the co-operative approach which the Div-Rep program offers has been highly effective in advancing the interests of the membership and in finding workable and practical solutions to the members' concerns. For example, the Div-Reps played a key role in securing new regulations which provide better occupational health and safety protection for members.

The Div-Reps can also take credit for the successful constable reclassification initiative which was of particular importance in addressing pay level concerns of newer members. The initiative was successful, in part, because Div-Reps could take advantage of the present flexible system.

The Div-Rep system allows the RCMP and the government to quickly manage resources to meet new pressures and needs. This type of timely response would be more difficult under a locked-in collective agreement. In short, the Div-Rep program works, and has worked for many years, efficiently and effectively.

The motion put before this House by the hon. member is well-intentioned but it does not take into account the fact that the RCMP, in the Div-Rep program, has a proven system of representation. It is not clear why there is a need to tamper with a system that is already working well.

The government will continue, as in the past, to support the RCMP in their duties and work with them to resolve workplace issues and, where possible, to improve working conditions.

But we will bear in mind the unique nature of the Force and their crucial role in maintaining the safety and security of Canadians. It is for these reasons that we cannot support the motion before us.

[English]

**Mr. Dale Johnston (Wetaskiwin, Ref.):** Mr. Speaker, the hon. member for Hochelaga—Maisonneuve has put forth a motion that calls for the government to give RCMP officers the right to

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unionize and to bargain collectively under an act other than the Canada Labour Code.

Of course, he claims to have the best interests of the members of the RCMP at heart, and perhaps we should accept that at face value.

• (1835)

However, we would have to wonder if it is not just a small group of people with personal agendas who he is really out to represent today.

We also have to wonder what the hon. member thinks the RCMP stands to gain from what he has proposed here today. He contends that his motion was a follow up to the Sims report. However, let me read what the recommendation actually states on page 50 of the report:

The government should undertake a process to determine the appropriateness of RCMP officers having the right to organize and to engage in collective bargaining under a statute separate from the Canada Labour Code. Such a process should consider the interests of the members of the RCMP, existing associations of members, management and the public.

Let me say that the Reform Party supports the traditional role of the RCMP as a police force representative of and responsive to the population it serves in Canada's regions. The Reform Party also recognizes the right of workers to organize democratically, bargain collectively and to strike peacefully. However, there is an important distinction to be made between private and public sector collective bargaining.

Strikes in the private sector of course may cause some inconvenience to the public but they are primarily a contest between the employer and the employees. The employer loses profits, the employees lose wages and both sides know that either a prolonged strike or a bad agreement could put the enterprise out of business and could put the employees out of jobs. Incentives exist for both sides to seek a settlement in good faith.

The situation in the public sector is quite different. Because of the monopolistic nature of most public services like the RCMP, alternatives are not readily available in the marketplace.

Is the hon. member, through his motion, proposing that the RCMP should be given the right to strike? He knows all too well that the aim of a public sector is to inconvenience or even endanger the public in the hope that citizens will persuade or pressure the public employer to give into the union's demands. He knows that governments usually do not lose money in a strike. In fact, they save money by not having to pay their employees' wages during the duration of the strike.

Moreover, the member knows that the government plays two conflicting roles. It is not only a player in the collective bargaining process, it is also the supreme rule maker.

As we have witnessed time and again in this House, the government ends public sector strikes by legislating workers back to work. Is that what the member would like to see happen? I rather doubt it.

Members have heard me say repeatedly in the House that the Reform Party supports the final offer selection arbitration process when management impasses jeopardize health, safety or the national economy.

Finally, often arbitration gives labour and management the tools to resolve their differences. Final offer selection does not favour one side over the other and it eliminates the need for government interference in the negotiations. It puts the onus on both sides to reach an agreement and it can be used equally by labour or management to provide a permanent, just and effective settlement.

In preparation for this debate, I contacted members of the RCMP stationed in detachments throughout my constituency to find out what they thought about unions and the bargaining process. I found that there was zero support or enthusiasm for the creation of unions from within the ranks of the RCMP. I think that is a very important element to be considered in debating a bill of this type.

Last year, when RCMP officers appeared before the subcommittee on government operations, they testified that out of the over 1,000 members in Manitoba, only 15 wanted to unionize. In British Columbia, 156 RCMP officers, out of a possible 4,600, attended a meeting organized by union proponents to discuss organizing and half of those 156 left the meeting before it ended.

• (1840)

There is a mechanism within the RCMP to deal with labour-management issues that is part of the RCMP Act regulations. The division staff relations representative program, or DSRR program, has been in place for 20 years and it enjoys the support of the vast majority of members of the force. The officers in each division across the country elect at least one full time representative and two part time representatives.

The RCMP members serving in detachments throughout my constituency indicated to me that they are satisfied with this current arrangement.

Since there is virtually no support in the RCMP for a union, the hon. member's motion seems to me somewhat unnecessary. His efforts and energies might be directed to other areas deserving of his immediate attention. He should be suggesting ways for the government to reduce the debt, eliminate the deficit, balance the budget, give taxpayers like those hard working members of the RCMP a tax break that they most certainly deserve.

If the hon. member is concerned with the plight of the RCMP he would be willing to call for a tougher Young Offenders Act. I believe it would be very frustrating for an RCMP officer to



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continually collar these people who are given a rap on the knuckles and then turned loose.

The hon. member would be advocating a get tough on crime agenda like the zero tolerance policies the Reform Party is proposing. He would be calling for a referendum on capital punishment for first degree murder for those who kill police officers and find out if there is support, and I suggest there is, in Canada for exactly that, capital punishment for first degree murder.

If the hon. member for Hochelaga—Maisonneuve were really interested in the well-being of RCMP officers, he would focus on issues that are of concern to the members of the force, concerns that we hear when talking to the members of the force on a daily basis.

[*Translation*]

**Mr. François Langlois (Bellechasse, BQ):** Mr. Speaker, I welcome this opportunity to speak to the motion of the hon. member for Hochelaga—Maisonneuve.

The issue of giving RCMP officers the right to unionize is not a new one. In fact, more recently, since my hon. friend went much further back in history, it goes back to the Gingras decision handed down in March 1994 which established that RCMP officers were entitled to the bilingualism bonus. To reach this conclusion, the Federal Court of Canada had to establish that RCMP officers were part of the public service.

It is immediately clear what the consequences are of the ruling in the Gingras case: if RCMP officers are part of the public service, they are also subject to other legislation that governs members of the public service, and more specifically, the Canada Labour Code and part I of the Canada Labour Code, which confers the right to unionize.

Of course the Gingras decision was not about the right to unionize, so the Federal Court of Canada did not have to rule specifically on that right. By inference, one can at least argue, since that is what is being argued today before the Quebec Court of Appeal, that RCMP officers have the right to unionize. An additional ground is based on the Canadian Charter of 1982, namely that the right of association includes the right to unionize. But we should let the courts rule on that issue.

Meanwhile, what did the government do following the Gingras case? It could have very conveniently taken the case to the Supreme Court, something this government seems very fond of doing. But no, it did not. It tabled a bill in the House. This was Bill C-58, at the time, which, after the House was prorogued, was tabled again as Bill C-30.

This bill is a declaratory bill. In other words, the government is acting like a court. It did not go to the Supreme Court to ask

whether RCMP officers are really part of the public service and subject to the Canada Labour Code.

• (1845)

No. The government is handing down the decision the Supreme Court might have handed down or the decision the government would have liked the Supreme Court to hand down.

In the declaratory provision included in Bill C-58, which has become Bill C-30, the government is saying that, for greater certainty, RCMP officers are not part of the public service and therefore that the Canada Labour Code does not apply to them. Nice way to exclude them.

What the member for Hochelaga—Maisonneuve said earlier is characteristic of what is going on in Canada. The RCMP operates and does a tremendous job at the federal level and in eight provinces.

As a member of the government operations committee which reviewed Bill C-58, I can tell you however that there is a deep malaise within the RCMP. It seems to me that the present system of representation by divisional representatives is not working or working poorly. There appear to be at least two diverging views. On one hand, we have the RCMP command telling us that everything is working fine, and on the other, we have members and members' representatives telling us that it is not working. There are two sides to the coin.

For my part, I have reasonable doubt that the system is not working; the RCMP commissioner who, to all intents and purposes, is a separate employer can send a dispute to arbitration and chose to abide or not by the adjudicator's decision.

Listen, if I prosecute you in a civil court and win, you will have no choice, I will have the decision enforced. Willy nilly, you will have to abide by it. This is one element that is missing. If, in our society, one party in any civil suit could escape the application of a ruling against it, we would have a pretty strange judicial system.

That is exactly the kind of system that members of the RCMP have to deal with. We do not want to force them into unionization. We want them to have the legal framework required so they may chose freely whether they want a union or not.

Earlier, I heard my colleague, the member for Wetaskiwin, say that in his region, several officers told him they did not want to be unionized, that very few had attended the briefing meeting. This reminds me of Quebec, a long time ago, when unions were not very popular and when, if people were present at information sessions on unionization, a trustee or some other official would take down their names to be sure their contract would not be extended or they would be made to change schools if they were too vocal.

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Clearly, there is no legislative framework which governs these things; no one can impose sanctions if an employer hampers the fair and usual process of requesting union certification. It is quite easy to understand why the officers will not go to the meetings.

But the best way to find out is to give them their legal framework, to apply to them Part I of the Canada Labour Code, with one major exception. Contrary to what was said earlier, contrary to what my good friend, the hon. member for Vaudreuil, was saying earlier, the right to strike was never requested in any way for officers of the Royal Canadian Mounted Police; they are not asking it themselves.

In a properly working society, with the exemplary work that RCMP officers do, this right, I believe, must not be recognized. But should we go for mandatory arbitration, a final offer? This is a system that can be discussed for a long time. But the right to strike must not be granted at that level, and neither for the Sûreté du Québec or the OPP in Ontario.

They must have the right to free bargaining, to confronting ideas, to negotiating, to making compromises, to improving a climate. The climate must be improved, otherwise the pressure will build up and things will get out of hand in the RCMP. We will end up with a service in which things are as bad as with CSIS, where just about everything is rotten. We cannot get information, whether it is from the director of the service, or from the Security Intelligence Review Committee, which is supposed to monitor CSIS but rarely reports to us, particularly to the sub-committee on national security, on which I have the honour of sitting, along with the hon. member for Vaudreuil, whose riding may soon be called Vaudreuil—Soulanges. These are the reasons.

• (1850)

The best way to solve the issue is to provide a legislative framework in which officers will be allowed to vote. Let them decide, through a vote, whether they want to unionize or not, whether they want to form an association.

If the vote is negative but takes place within an appropriate legislative framework, it will be respected, just like the no vote was respected in Quebec, on October 30, 1995. If the vote is affirmative, it will be respected because the Canada Labour Code will apply. We do not want to force anyone to join a union, but the reverse should also be true, in that we should not prevent people who want to form a union from doing so.

The best way to proceed—and that is what the hon. member for Vaudreuil is indicating and he would probably like to have another chance to speak to correct a few statements he made earlier, because I think the hon. member for Hochelaga—Maisonnette has seriously shaken him, and when he gets an opportunity to do so he might change his mind. As for me I would be willing to let him change what he said if he wants to—but the best way to proceed would be to let people vote.

As it will be for us in the next elections in the riding of Vaudreuil and in the riding of Hochelaga—Maisonnette, and probably in your riding too, Mr. Speaker, there will be several candidates, people will put an X beside a name and we will count up the votes. Everything is organized. Election officers, returning officers and clerks, are appointed, the system is there and working.

People are not told in advance that they have to select this or that person to represent them. People make their decision. Fundamentally, let us apply to unionizing the electoral system that is applied in Canada.

Let us ask the members of the RCMP if they want the Canada Labour Code applied or not. If they say no, the problem will be resolved to everyone's satisfaction. Some members claim that they do not want to form a trade union. If they say yes, then the Canada Labour Code will of course apply, but without the right to strike. I will not fight for the right to strike for policemen in Canada.

One thing seemed strange to me. When I asked at RCMP headquarters, during consideration of Bill C-58 in committee, the only reason given to me for the opposition there to unionization was that RCMP officers do work not done by any other police force in Canada.

I asked for examples. They said the protection of ambassadors. It is true. For example, here in Ottawa, the RCMP is responsible for the protection of ambassadors. I was told that it is also responsible, or is supposed to be responsible, for the safety of the Prime Minister's residence.

It is also true that, in Toronto and Quebec City, two provincial capitals, the OPP and the Sûreté du Québec are responsible for the protection of the consular corps. The activities of the consulates are exactly the same as those of the embassies. So, if that is the only distinction, let the members of the RCMP be treated just like their colleagues of the Sûreté du Québec, the police of the Montreal Urban Community and the OPP. Let them enjoy the same benefits as their counterparts in the provinces and cities.

I would even go farther. On the government operations committee, my colleague from Surrey—White Rock—South Langley put forward an amendment to Bill C-58 whereby part II of the Canada Labour Code would apply to the RCMP and give its members occupational health and safety protection. I was the only one to support her proposal, which was rejected by the three members of the government on the committee. Why should we refuse to give occupational health and safety protection to the members of the RCMP?

That said, I will take my seat to allow my colleague who moved the motion to make a nice conclusion.

[English]

**Mr. Art Hanger (Calgary Northeast, Ref.):** Mr. Speaker, I really do not get the picture when it comes to the motion put forward by the member for Hochelaga—Maisonnette or the support that the member for Bellechasse has given on his behalf

and on behalf of the handful of RCMP members who would like to see a union. For the most part, I believe it is only Quebec members who seek a union for RCMP officers.

● (1855)

I have a letter which was written to me a short time ago on request from RCMP representatives. I would like to read that letter because it explains the viewpoint of the approximately 16,000 RCMP officers, apart from those the member Hochelaga—Maison-neuve is referring to who seek unionization.

The letter represents the thinking of a group of representatives from 22 different divisions and districts within the RCMP across the country. It states:

“I cannot emphasize enough that the members supporting unionization and/or associating with the Royal Canadian Mounted Police are few in number when compared to the overall numbers of members serving in the force today. The spokespeople for these individuals reside primarily in Quebec and Ontario—”. Those seeking the unionization fall basically within those two provinces. “—with a small following in the lower mainland of British Columbia. They boast approximately 2,000 members of our some 17,000 members nationally”. It is very small representation according to the member who has put the motion forward.

“There is also some debate as to the accuracy of that figure, as some would argue that there are fewer than 2,000 presently paying dues to the various fledgling associations in Quebec, Ontario, British Columbia and the national capital region. Other attempts at starting up associations which support collective bargaining have failed in other provinces. In fact, member surveys conducted by our representatives in both Manitoba and New Brunswick have revealed only a relative few who support such a notion”. I believe that is supportive of what the member for Wetaskiwin pointed out earlier.

“Our present system of employee representation is the division staff relations representative system (DSRR). The foundation of this process can be found at section 96 of the Royal Canadian Mounted Police Act regulations”. I am sure the member knows that.

“Presently there are 28 representatives duly elected by the members from across Canada and one represented who we have elected internally to represent our interests in the area of compensation”.

This letter is signed by some of those divisional representatives, but there are names of others who support the contents of the letter which appear here. They number 22 out of 28.

“You will note on pages following this document that it bears the signatures of the representatives and a number of members represented by each representative”. Some have signed on behalf of those who actually do the representations. “The overwhelming majority of those are opposed to the notions put forward by the

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member for Hochelaga—Maisonneuve. None of these gentlemen have been consulted in any way concerning this motion and notwithstanding any claim the member for Hochelaga—Maison-neuve may advance, there has been no consultative process conducted by the individual members who approached the member for Hochelaga—Maisonneuve to the rank and file membership of the force”.

The member is dancing a jig and there is no music. Very few people within the rank and file are supporting the motion put forward.

“You will hear from the member for Hochelaga—Maisonneuve that some of the individuals who have contacted him are also duly elected representatives”. The writers of the document acknowledge that. “That is true. What is also true is that those duly elected representatives have likely failed themselves to consult with the majority of the very members whom they represent to obtain the mandate necessary for the actions they are taking. These are the very same representatives who have chosen to closely align themselves with the Canadian Police Association, CPA, who as you know is a lobby group who represent most unionized police departments in the country, which does not include the RCMP”. Their support comes from the CPA to continue this push.

● (1900)

“Even if unionization were to be appropriate for the RCMP, open dialogue and input from all members would have to occur before any such action could be considered”. It is not coming from the membership at large but a handful of individuals out of the provinces of Quebec and Ontario, and some out of British Columbia who have approached this member.

“We take great offence not only at the action of these individuals but also any motion made in the House of Commons that may affect the Royal Canadian Mounted Police would be made by a member of Parliament who supports breaking up the very country for whose citizens we work so hard keeping safe in their homes and communities”.

Those are the comments from the following representatives: Sergeant Bruce Morrison, E division, B.C.; Staff Sergeant Hugh Stewart, E division, B.C.; Staff Sergeant Doug Howarth, E division, B.C.; Corporal Tim Kennedy, E division, B.C.; Corporal Peter McLaren, E division, B.C.; Sergeant Rick Dinwoodie, E division, B.C.; Sergeant Rick Neville, K division, Alta.; Corporal Joe Mitchell, K division, Alta.; Sergeant Don Taylor, F division, Sask.; Staff Sergeant Randy Thompson, F division, Sask.; Staff Sergeant Reg Trowell, D division, Man.; Staff Sergeant Pat Dauk, D division, Man.; Sergeant Bernie Bengevin, J division, N.B.; Staff Sergeant Brian Flannagan, H division, N.S.; Staff Sergeant Murray Brown, H division, N.S.; Staff Sergeant Roy Hill, B division, Nfld.; Staff Sergeant Dave MacDonald, HQ Ottawa, Ont.; Staff Sergeant Ron Lewis, HQ Ottawa, Ont.; Staff Sergeant Brian Cook, Depot division; Sergeant Glen Morash, G division, N.W.T.; Sergeant

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Graham Marrion, M division, YT and Staff Sergeant Kevin Mac-Dougall, RCMP Pay Counsel.

That is the representation that seeks not to support this member's action or his bill.

I believe the member is taking advantage of a situation and has not clearly researched it by those who have approached him and do not represent the membership at large of the—

[*Translation*]

**Mr. Ménard:** Mr. Speaker, I was courteous in this debate and I never questioned anybody's intentions. I will not permit my colleague to question the quality of my research and my work, and I ask him to apologize for the unkind remarks he made about me.

**The Deputy Speaker:** I think this is clearly a matter of debate between the member who is proposing the motion and the member who just spoke.

The member who just spoke has one minute left to conclude his remarks, then the other member will have three minutes to respond.

[*English*]

**Mr. Hanger:** Mr. Speaker, it is clear that union organizers have attempted to take over the RCMP. Their elections have failed to win the support of rank and file officers. Then without consulting rank and file officers in the field, these organizers came to this member to try to unionize through a motion put forward in Parliament. It is obvious there is not the support.

This motion is ill conceived and there is very little support by rank and file officers for unionization in any form. I would say to the member for Hochelaga—Maisonneuve to leave well enough alone.

• (1905)

**The Deputy Speaker:** There are approximately three minutes left. If the member for Hochelaga—Maisonneuve wishes to summarize and close the debate, there being no other speakers standing, he is entitled to do that.

[*Translation*]

**Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ):** Mr. Speaker, it is unfortunate that the Reform Party was unable to speak on the essence of the motion but spoke only on the form of it, as is its detestable habit.

I do not claim—and I want my Reform colleagues to be clear on this—that all RCMP workers supported this motion. What I say to my Reform friend, and I challenge him to prove me wrong on this, is that there is a group of some 3,000 people who want a different representation system.

One would have to be extremely obtuse and dull-witted to claim, as does the Reform member, that the people who want unionization and collective bargaining right do not represent anyone. Reform members should be a little more open and better informed. There is something structural there that has to do with their capacity for greater generosity. I have no illusion that all this will change.

But essentially, I think we have the right as parliamentarians to speak up in this House without being falsely accused and say there is a labour relations problem, that there may be a number of solutions to this problem and that one of them might be the right to unionize without the right to strike.

This must be very clear. None of the workers we are talking about here tonight has asked for the right to strike. These workers are well aware of the fact that, considering the nature of their functions, it would not be in the best interest of Canadians that they have the right to strike. What must be recognized is that peace in the work place will be achieved with a negotiated and debated document, approved by everyone and called a collective agreement.

What is clear also is that the workers have the right to associate in a system other than the one that prevails. I am annoyed that this debate has given the Reform members the opportunity to make such detestable accusations.

**The Deputy Speaker:** The time provided for the consideration of Private Members' Business has now expired and the order is dropped from the Order Paper.

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## ADJOURNMENT PROCEEDINGS

[*Translation*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

### CITIZENSHIP

**Mr. Osvaldo Nunez (Bourassa, BQ):** Mr. Speaker, before I continue my speech, I shall, if I may, pay tribute to ex-Premier of Quebec Robert Bourassa, who died today.

I arrived from Chile in Montreal with my family in 1974, when he headed the Quebec government. I had fled a dictatorship and immediately realized he was a great democrat, who showed a great deal of respect for dissenting opinions. He was also very open to ethnic communities. I want to pay tribute to his courage in politics and in dealing with his terrible illness. I also want to extend my condolences to the Bourassa family.

*Adjournment Debate*

On June 4 this year, I put a question to the Minister of Citizenship and Immigration about the government's plans to eliminate the citizenship rights of children born in Canada of parents who are not citizens. I said that a measure of this kind would be a direct attack on the children of claimants of refugee status or persons already recognized as refugees by Canada.

In an interview published in the *Toronto Star* last May, the minister suggested that Canada might remove the automatic right to citizenship of children born on Canadian territory. This statement aroused a great deal of criticism, especially from the Canadian Council of Refugees. One hundred and eight organizations wrote to the minister to express their objections.

These organizations included the Public Service Alliance of Canada, the Bureau de la Communauté chrétienne des Haïtiens de Montréal, the TCA, the Collectif des femmes immigrantes du Québec, the Canadian Action Committee on the Status of Women, the Canadian Labour Congress, the Canadian Jewish Congress, the Canadian Hispanic Congress, the Canadian Ethnocultural Council, the Canadian Arab Federation, the Jesuit Refugee Service, the Table de concertation de Montréal des organismes au service des réfugiés, the Vancouver Refugee Council, the Vigil Toronto Refugee Assistance Organization, and so forth.

Under current legislation, except for the children of foreign diplomats, anyone born on Canadian soil automatically becomes a Canadian citizen. Most nations adhere to the *jus soli* or law of the soil principle and grant citizenship to anyone born within their borders. Most countries, including Canada, also recognize they have an obligation to reduce the number of stateless people.

Until now, Canada has granted citizenship to the Canadian-born children of refugee claimants. The *jus soli* or law of the soil therefore represents a basic principle in the definition of citizenship in Canada and reflects the values of Canada and Quebec in this area.

During the consultations carried out in 1994 by the Standing Committee on Citizenship and Immigration, of which I am a vice-chairman, I asked departmental officials to provide us with statistics on the number of children born to persons who were not Canadian citizens. They were unable to give us exact figures. All they could say was that approximately 400 children were in this situation. The problem therefore is really not of such a magnitude as to require a legislative amendment and changes to a basic principle—

**The Deputy Speaker:** Unfortunately, the hon. member's time has run out.

The hon. parliamentary secretary to the Minister of Citizenship and Immigration has the floor. 1910-3

[*English*]

**Ms. Maria Minna (Parliamentary Secretary to Minister of Citizenship and Immigration Lib.):** Mr. Speaker, I must admit the question of the member for Bourassa is a bit puzzling. He knows full well we are examining all aspects of the citizenship issue. This includes citizenship for children born in Canada.

Furthermore, the hon. member knows this because he is on the Standing Committee on Citizenship and Immigration, as he has just stated, and the committee recommended that children born in Canada should be Canadian citizens only if one or both of their parents is a permanent resident or Canadian citizen.

I am particularly surprised that the hon. member is showing such concern over recommendation number 12 of the standing committee report, especially since there was no dissenting opinion on this particular recommendation from the Bloc Québécois member of the committee when the report was submitted.

It should be of no surprise to anyone, in particular a member of that committee, that the Minister of Citizenship and Immigration takes the standing committee's advice and opinions very seriously.

The government, however, has made no final decisions regarding proposed amendments to current citizenship legislation. We are still in the process of reconciling issues brought forward from the Standing Committee on Citizenship and Immigration and by the Canadian public. It is important that a consensus be reached on a number of issues.

Let me assure all members of the House that when decisions are taken on these important issues they will be informed.

Next year is the 50th anniversary of our citizenship. This will be a welcomed opportunity for everyone in this House and for Canadians across the country to celebrate the common bonds which unite us all. I know we are all eagerly anticipating this very special milestone in the life of our country.

[*Translation*]

**The Deputy Speaker:** Colleagues, the motion to adjourn the House is deemed to have been adopted. The House stands adjourned until 10 a.m. tomorrow.

(The House adjourned at 7.12 p.m.)





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Wednesday, October 2, 1996

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**Publié en conformité de l'autorité du Président de la Chambre des communes**

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