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Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, November 3, 1997

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

EMPLOYMENT EQUITY ACT

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.) moved:

> That, in the opinion of this House, the Employment Equity Act should be repealed since it is costly, unnecessary, and in contravention of the merit principle with respect to hiring and promotion.

He said: Mr. Speaker, I am pleased to lead off the debate on Motion No. 104 which reads as follows:

> That, in the opinion of this House, the Employment Equity Act should be repealed since it is costly, unnecessary, and in contravention of the merit principle with respect to hiring and promotion.

As the House is aware, the Employment Equity Act applies to the public service, crown corporations and federally regulated employers that have 100 employees or more. The act's stated purpose is to achieve equality in the workplace and to correct conditions of disadvantage experienced by certain groups.

However, the assumption that conditions of disadvantage exist has not been established and in fact there is evidence to the contrary. Therefore, my first point is that the act is unnecessary and should be repealed based on the following evidence.

A study entitled New Faces in the Crowd was published by the Economic Council of Canada in 1991. The study concluded that in the Canadian workplace there is no observable tendency to discriminate against minorities.

In the summer of 1995 Stats Canada reported that minorities were just as likely to be employed as anyone in professional occupations. Stats Canada also stated that minorities enjoy rates of employment and wages similar to that of other Canadians. This flies in the face of complaints by special interest groups that minorities experience discrimination in the workplace. These special interest groups argue that statutes, such as this act, are necessary to ensure that the workplace reflects the composition of Canadian society.

However, the special interest groups are wrong because the truth is that the workplace reflects the make-up of our society. According to 1995 data, visible minorities occupy 8% of jobs covered under this act while they comprise 9% of the total workforce. Furthermore, women hold 45% of the jobs covered under this act and they constitute exactly 45% of the workforce.

Therefore, since conditions of disadvantage do not exist, as the special interest groups have attempted to lead us to believe, we must question the necessity of this act.

I would also like to point out that while we can count on the information and the statistics from Stats Canada as being accurate, the information which has been gathered under this act is not. The statistics gathered under this act are unreliable because the act relies on self-identification. People identify themselves as a member of one of four designated disadvantaged groups.

The Stentor group, while testifying before the Standing Committee on Human Rights on Bill C-64, the Employment Equity Act, stated "Employee data collected by means of the self-identification process is unreliable". Therefore, even supporters of this act cannot bring forward any reliable data that indicates what impact, if any, this act has had, is having or will have.

• (1110)

It seems that this flawed act is not about bringing equity to the workforce but rather about bringing particular interest groups into the government tent. If there is one thing that this Liberal government knows how to do, it is to pander for votes.

Unfortunately, this legacy of pandering and catering to special interest groups comes at a very significant cost to the Canadian taxpayer. The Employment Equity Act is no exception. In 1992 the Conference Board of Canada conducted a survey of companies to determine the cost of employment equity legislation.

When preparing our minority report on Bill C-64, Reformers obtained the assistance of the Library of Parliament in extrapolating the findings of the Conference Board of Canada to cover all Canadian businesses with 50 or more employees. We determined that if all these businesses were subject to the Employment Equity Act, the total annual direct costs would be $1 billion. While it is not

possible to give an exact figure, there is no doubt that a very significant cost is associated with complying with this act.

Furthermore, the government has employment equity branches in both the Department of Human Resources Development and Treasury Board. Each department writes an annual report on the progress of employment equity measures within the public service and within federally regulated firms.

Repealing the act would not only eliminate these branches of the bureaucracy but it would also eliminate a lot of costs and a lot of red tape which federally regulated companies must now face in order to comply with the act.

When I appeared before the subcommittee, there was a bit of confusion about what the process was supposed to be because its members had a guideline that was to be followed when I made my presentation, whether this should be deemed votable or not.

Because there was confusion about what kind of information they required, it was deemed not votable. I was told afterward that there was some regret about that. Considering the amount of interest that exists concerning this motion, I seek the unanimous consent of the House to have this motion deemed votable.

The Acting Speaker (Mr. McClelland): The member for Saskatoon—Humboldt has asked for the unanimous consent of the House to have his motion deemed votable. Does the House give its consent?

Some hon. members: No.

The Acting Speaker (Mr. McClelland): Resuming debate.

Mr. Jim Pankiw: Mr. Speaker, that is unfortunate. My final and most important point is that we must consider what impact this act has on the concept of the merit principle, that the best person for the job gets hired or promoted.

All Canadians support the merit principle, but the Employment Equity Act is a direct assault on that principle. The result of this act is not to promote or to hire the best person for the job but to promote or hire people based on their race or their sex. The merit principle takes a back seat.

Employment equity is about placing qualifications second and putting race and gender upfront in order to meet quotas. The government will say that there are no quotas, that there are just numerical targets but numerical targets are quotas. Let there be no mistake.

I would suggest that a majority of Canadians believe that this is wrong. Furthermore, the merit principle is not only disregarded through hiring and promotion, it is also of secondary concern when companies downsize as a result of this act.

The CBC stated in the Employment Equity Act 1996 report that it had retention strategies for designated group numbers during workforce reduction. In short, the CBC already has plans on how to lay off certain employees while keeping others based solely on their appearance. Incredible but true.

The most recent attack on the merit principle has come from the RCMP. They have announced their intention to relax the physical abilities test because too many women were failing the test. They have no choice but to change the test because the Employment Equity Act says that they must hire more women and more visible minorities.

● (1115)

The RCMP says the physical test is meant to simulate something a police officer may be called upon to do, such as chase a suspect or carry an injured victim from an accident scene. These job requirements go out the window now because of this Employment Equity Act.

It no longer matters if you can do the job. It no longer matters if public safety is threatened. It no longer matters if lives are lost because unqualified officers are on the force. All that matters now is whether you have met your quota. Government says "Give us a head count. Do not give us excuses about safety or competence or anything like that. We just want a head count". That is wrong.

There are those who would argue that repeal of this act will open the door to discriminatory practices and particular groups in Canada will be left without protection. That is simply not true.

Every Canadian has access to the Canadian Human Rights Commission if they have been discriminated against in any way. Furthermore the Public Service Employment Act states at section 12(3) that "the commission shall not discriminate in its selection process".

These effective but passive measures that offer protection from discrimination are not satisfactory to the social engineers here in Ottawa. They need active measures like quotas which have been established under the Employment Equity Act. Under this act quotas are paramount and the merit principle becomes secondary when it comes to hiring, firing and promoting. That is why it must be repealed and that is why I brought forward Motion 104.

This act sets people apart based on their appearance. The effect of this act is that based on your appearance, you must be hired, promoted or retained. Is that the way to promote equity in the workplace? I think not.

This act stigmatizes people. It categorizes them as victims and it falsely tells them government is their saviour. Nothing could be further from the truth.

Canadians support the merit principle and special treatment for none. That is why I encourage all members of this House to speak in favour of this motion.

[*Translation*]

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, I would never have dreamed that the day would come when I would have to argue on the relevance of the Employment Equity Act.

To begin with a brief historical review, the Employment Equity Act was assented to in December 1995, and became law in October 1996. It reinforced and replaced another act with the same name, passed in 1986. We can, therefore, say that we have had employment equity legislation for about 10 years. That said, I would like to point out that Canada was behind the times, even when the first legislation was passed, when it came to concrete measures in this area.

Let us recall that the purpose of the legislation was ''to achieve equality in the work place so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability''. It tends to correct the conditions of disadvantage in employment experienced by four designated groups: women, aboriginal peoples, persons with disabilities and members of visible minorities.

The act applies to private sector employers who are under federal regulation, Crown agencies with fewer than 100 employees, and the public service. The main sectors affected are banks, communications, and international and interprovincial transportation.

The tabling in 1984 of the report of the Abella commission on employment equity laid the foundations for the present equity policies. The Abella Report spoke, among other things, of the need to pass special measures to guarantee everyone equal opportunity, regardless of their sex, race, ethnic origin or handicap.

The figures available indicate that the legislation is producing results. Experts agree that the gap is beginning to close. Although the percentage increase is small, we can see a stronger representation of all the groups. Some gains cannot be denied, including those made by women and by visible minorities in the private sector. The act has not produced the same results across the board, but progress has been noted.

Obviously, the public service is not yet a totally equitable workplace for all of the four designated groups. Clearly there is quite a way to go yet. One thing is for sure, however. We will not improve things by revoking the act.

• (1120)

I would like to quote the latest annual report of the Human Rights Commission, which states, and I quote:

> The notions of employment equity and equal pay for work of equal value are not some bureaucratic add-ons to our anti-discrimination laws; they are among the most effective proofs that we mean what we say where equality and fairness are concerned.

What party in this House can boast of not defending a notion as fundamental as that of equality? I would remind you that equality does not involve only healthy white men. No way. The dictionary defines equality as the enjoyment of equal rights and equality before the law. Equality is a fundamental principle in any self-respecting society. This principle must be more than just wishful thinking; it must be accompanied by specific measures, and the Employment Equity Act is one such measure.

According to the Canadian Human Rights Commission, the combination of programs and initiatives can produce significant results. Furthermore, beyond the legislation, there are things like public awareness, vigilance and most importantly agreement by all representatives of the people on the need to ensure fair access to work.

Each and every one of us in this House represents women, aboriginal peoples, visible minorities and people with disabilities, too. This motion's sponsor seems to think that the act was designed to replace one form of discrimination by another, when it was in fact designed to correct injustices in employment at the federal level. In addition, there is no mention anywhere in this act of imposed quotas.

I would like to quote from a speech made in October 1995 by a member of the Reform Party at third reading of Bill C-64 on employment equity, a bill which his party opposed.

Speaking on the principle of the bill, the hon. member stated, and I quote:

> The foundation is that somehow or other Canadians are a mean, regressive, racist, discriminating people. Canadians are nothing of the sort. We are not like that. No such discrimination exists in the workplace.

Either this is naivety, pure and simple, or they are completely denying the problem and hiding their heads in the sand. Take your pick. If there is any member who believes that no such discrimination exists in the workplace, I suggest he take off his tie, put on a skirt and then try to get a job when an employer has a choice between him and an equally skilled guy wearing a tie. Good luck and welcome to the real world.

I wonder what gives this motion's sponsor the right to contravene as fundamental a principle as equity, and particularly to go against the advice of stakeholders and experts who agree that concrete action is necessary.

I know that the Reform Party thinks the market, not the government, should determine how things work in the workplace. It is a matter of ideology. On the other hand, he cannot be against the purpose of equal treatment, which is what this act is all about. I do hope each and every one of us is in favour of equity, and that we only differ on the means of achieving it.

Of course, this kind of motion does not come as a surprise from a party that wrote in its program that a Reform government would put an end to federal affirmative action and employment equity programs. That is outrageous. I am surprised however at their lack of imagination, since an almost identical motion was presented by the same party on May 30, 1995. What imagination!

To conclude my comments against the notion that the Employment Equity Act is costly, unnecessary and in contravention of the merit principle with respect to hiring, let me stress that the act is a protective measure against systematic discrimination. We must be proactive.

How can it be claimed that an act is unnecessary when even the Canadian Human Rights Commission says the contrary? How can it be said it is costly when it gives one of society's poorest segments fair access to employment? And how can it be claimed that it contravenes the merit principle with respect to hiring when it expressly applies to people with equal skills?

Beyond the numbers, there is the human factor. For many if not most people, work is much more than a way to earn a living. It is a way to realize their potential and improve their self-esteem. Dignity is priceless.

Hon. members should remember that to be tolerant is to respect differences.

● (1125)

[*English*]

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, it is my pleasure to address this House regarding Motion No. M-104 proposed by the hon. member for Saskatoon—Humboldt. This motion advocates that the Employment Equity Act should be repealed since it is costly, unnecessary and in contravention of the merit principle with respect to hiring and promotion. The Employment Equity Act is an act which embodies the principles of fairness, justice and equality for all, an act which is a beacon to disadvantaged groups in our society.

First I will point out that the Employment Equity Act has its foundation in the Constitution of this country. In 1982 the charter of rights and freedoms constitutionally affirmed the right to equality in employment. Canadians believe in fairness. This is why our Constitution enshrines the fundamental right to equality for all. Canadians believe in giving a helping hand to those who need it. This is why section 15(2) of the charter clearly sanctions the creation of laws, programs and activities designed to improve the condition of disadvantaged groups which is what employment equity does.

Equity means fairness and that is exactly what this legislation is all about. Fairness in employment means the removal of barriers to real equality of opportunity in the workplace. Fairness in employment means a workplace where differences are respected, valued and accommodated, not penalized. Fairness in employment means a workplace where individual talents and abilities are given the opportunity to grow, where they are utilized to their fullest. Fairness in employment means hiring based on ability to do the job, not on outmoded and false stereotypes which have been hurdles to real equality of opportunity for much too long.

The intent of this act is not to provide preferential treatment. It is designed to ensure equal access to opportunities for all qualified Canadians regardless of their race, physical attributes or gender. It is about removing, not erecting barriers to employment.

The act was not created overnight. It was a product of a comprehensive review of the Canadian workplace in 1984 by the Royal Commission on Equality in Employment headed by Judge Rosalie Abella. In the course of its review the commission looked closely at affirmative action programs in the United States. Canadian commissioners wanted to learn from the American experience in order to avoid some of the problems associated with that legislation.

Judge Abella quite correctly concluded that Canadians would resist the American approach given its overly interventionist government policies and the imposition of quotas. She recommended instead that Canadians adopt the employment equity model which focuses on the elimination of discriminatory employment barriers.

Our approach to achieve equality is far more progressive than the American model. It has led to greater partnerships among groups pursuing fair access to employment opportunities and has also led to far greater success. For example, often workers, union leaders and employers will work together in unison to establish a fair equity plan. In this way employment equity works as much to the advantage of employers as it does for the members of the designated groups. Organizations that take advantage of and capitalize upon the rich composition of Canadian society will come out ahead, way ahead.

Employment equity policies exist in this country because they are needed. I wish this were not so. I wish we could say that equality of opportunity is already a reality in our society, that nobody is denied employment opportunities or benefits for reasons unrelated to their ability, but we know that unfortunately this is not yet the case. Statistics show very clearly that certain groups in our society continue to experience significant disadvantage in employment.

• (1130)

The member for Saskatoon—Humboldt knows as well as I do that unemployment rates among aboriginal people and persons with disabilities are way beyond acceptable levels.

Women and members of visible minorities tend to be concentrated in lower paying jobs with fewer chances for advancement. About two-thirds of the women in the workforce covered by the Employment Equity Act are employed in clerical work. Members of visible minorities represent only a small proportion of upper level management positions. Aboriginal men and women earn substantially less than other employees.

Let there be no doubt, this legislation is in response to a social need.

Since 1990 two parliamentary committees have studied our employment equity legislation. It is highly significant that both committees have recommended strengthening the legislation, not discarding it.

This is not surprising. Employment equity represents a win-win solution which will benefit all Canadians, not just members of designated groups. Employment equity promotes sound human resource practices.

The record shows that employers support this legislation and realize that it is good for business. During parliamentary committee hearings on this legislation in 1995 numerous business organizations testified that employment equity means good business sense. For example, the executive vice-president for human resources of the Canadian Bankers Association told the parliamentary committee: "We think employment equity not only had a positive impact on the way our organizations manage their workforces, but also it has proven to be good for our business".

The vice-president of the Business Council of British Columbia declared:

> In our experience, successful businesses implement employment equity programs because it makes good business sense, not because of some legislative compulsion. With an increasingly global or international marketplace, smart businesses have workforces that are reflective of their marketplaces. It's no longer a moral issue; it is now a strategic issue.

The point is simply that the Employment Equity Act is very much in sync with the views and attitudes of the progressive employers in this country who do not see it as onerous or costly. Quite the contrary, these employers know very well that a diverse workforce representative of their community gives them an enormous boost in their efforts to remain competitive.

Despite the claims made by the hon. member for Saskatoon-Humboldt, fairness in employment need not be too costly. For example, a recent study done in the United States by the Job Accommodation Network revealed that when companies made adjustments in the workplace to assist persons with disabilities, the cost to the employer was less than $500 in more than 70% of the cases.

Even more compelling is the fact that the return of the company averaged more than $28 for every dollar spent on such accommodation.

All these considerations serve to bear out the premise of Robert Reich, former U.S. secretary of labour, who said social justice is not incompatible with economic growth, but essential to it.

What about the merit principle? Is employment equity indeed in conflict with merit, as the Reform Party would have us believe? This is perhaps the most baffling of the allegations made by the member. A simple reading of the legislation itself ought to clear up such misconceptions.

Two separate provisions in the act expressly protect the merit principle and clearly state that employment equity does not mean hiring or promoting unqualified persons.

Far from being in conflict with the merit principle, employment equity is in fact a commitment to merit, as echoed in the title of the 1990 report of the parliamentary committee which studied this legislation. The notion that employment equity is in—

• (1135)

The Acting Speaker (Mr. McClelland): The hon. member's time has expired. Resuming debate, the hon. member for Dartmouth.

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I would like to speak out against the motion on the floor to abolish the Employment Equity Act.

I believe it is time to strengthen the Employment Equity Act, not dismantle it. In a statement in the House a month ago I drew attention to the fact that the number of persons with disabilities working for the government today is lower than it was 10 years ago. We have over four million disabled persons in this country and over two million have no work. A shamefully small number of them work for the federal government.

Employment equity legislation needs to be strengthened. It is time shore up our employment equity legislation and not rip the guts out of it, which is being recommended in this motion today.

The reason behind employment equity legislation is simple. The legislation covers those people from groups which have been historically denied equal job opportunities of a result of discriminatory practices.

Who are these people and groups we are talking about? Let us start with black Nova Scotians, many of whom I have the privilege of representing here. It is no secret where I come from that black Nova Scotians have been excluded for centuries from educational and job opportunities. They have been segregated in coloured only schools. They have been allocated leftover land. They have had their traditional homestead of Africville bulldozed for develop-

ment. They have watched generations of their children come up against stonewalls in the workplace and school settings.

Preston and East Preston, two dynamic and fiercely proud black Nova Scotian communities, face unemployment rates of over 60%. The recent events occurring at Cole Harbour school in my riding indicate how far we still have to go in terms of living in a community where everyone feels welcome and on equal footing. These are the people who have been historically denied equal job opportunities because of discrimination.

Native people in Canada still face the highest unemployment rate, the highest suicide rate, the highest incarceration rate of any population in the country. Centuries of racial discrimination in government and church policy of assimilation have robbed native people of their language, their religion and their heritage. It is an incredible tribute to the strength of their culture and their traditions that they are still out there fighting for equity, for self-government, for the right to have a say in the way this country is shaped. These are people who have been historically denied job opportunities because of discrimination.

I think it is time to challenge those people out there who want to ditch employment equity. These are the kind of comments I hear from them: "I do not think our customers would relate to him very well, he has a bit of an accent", or "our corridors would be a bit crowed with a wheelchair and she probably hates being in people's way".

There are a thousand and one excuses for not considering, never mind hiring, members of under represented groups for jobs. Employment equity bashers usually start out with "just for the record I am not racist or sexist but—". Employment equity bashers usually say this at the outset to comfort their listeners. Yet those words are never motive free. Nor merely by being uttered do they make tirades against employment equity credible, logical or fair. Anybody can claim not to be prejudice but it takes courage to examine our deep seeded biases. Only then do we know how completely we have bought into the sterotypes and patterns that make systemic racism.

I am sure members have heard "our company needs to stay competitive and it cannot do that if employment equity promotes mediocrity by raising incompetents beyond their abilities". Any good employment equity law is based on the principles of merit first. Qualified applicants who belong to under represented groups bring an additional qualification to the job. They bring diverse skills that discrimination would prevent employers from even considering.

I am sure members have heard "designating people does not help them, it becomes reverse discrimination and stigmatises them". Let us look at that.

• (1140)

Take women, for example. I think we are averaging about 52% of the population right now, hardly a special interest group. Far from reversing discrimination, employment equity reversed long standing injustices like the fact that even though women account for two-thirds of the labour force growth in Ontario, they are still clustered in 20 of 500 occupations and 71% of the part time jobs.

Then there is the fact that racial minorities have to make three times as many applications as white people to get one interview. Aboriginal and disabled persons face unemployment rates of 60% to 80%.

Imagine the odds stacked against someone who falls into any combination of those categories. That is stigmatization.

I would like to quote from a member of the government's former ranks who has now fled these northern climes to take up a position in Boston. She addressed the other argument which is quite prevalent, the white male argument. She said that despite the fears of some of our colleagues in opposition, white males get 50% of the federal government jobs. They get 60% of the jobs nationally in the private and public sectors combined. Even more overwhelming, white males get 90% of the promotions. With figures like that I believe it would be safe to say, and I do not think anyone would argue with me, the white male is not exactly an endangered species in this economic climate.

The former member for Halifax went on to say: "I don't understand what it is people fear from legislation that is clearly put on the books to ensure fairness for people who have for generations, thousands of years, been systemically discriminated against because they are black, they are aboriginal, they are female or disabled. Why do people fear legislation that promotes fairness?"

There may be precious few things with which I find myself in agreement with the former member, but this is one of them.

We cannot afford to lose the skills and abilities of this great country's diverse population because of discrimination. Employment equity is a program which needs to be strengthened, it needs to be expanded.

In closing I would like to mention a couple living in my riding. Two years ago they immigrated to Dartmouth from Sri Lanka. Both of them are eminently qualified for work in the legal and banking professions but they cannot even get past the door in interviews. Instead they are trying to contribute to their community through coaching soccer and volunteering in their children's school. They want to be part of our community. Employment equity legislation needs to be strengthened even further to allow them to do that. If this wonderful family is to contribute fully to their new home we need stronger employment equity.

It is time to strengthen employment equity, to reaffirm our commitment to fairness and justice, not to take giant steps backwards into the darkness.

Mr. Greg Thompson (Charlotte, PC): Mr. Speaker, I want to remind the House that the member for Saskatoon—Humboldt introduced this motion today with regard to employment equity. I want to let the House know that we fundamentally disagree with some of what the member had to say, but not entirely.

Our position would be that the act does not have to be reintroduced, nor a new act created. We have to fine tune the existing legislation that we presently have. I think that would be a benefit to all sides. The process that the Reform member is suggesting is a lengthy process and could be a very expensive process, and we disagree on that.

The other point I wish to make is with respect to the charter of rights. The charter protects all of us, and that is something none of us wants to lose. But it is a very lengthy process for anyone engaged in the pay equity dispute. It is one that few of us would ever go through to its finality. It becomes very expensive.

In terms of the pay equity dispute presently ongoing between the federal government and its employees I want to put a few facts on the record. There are approximately today 190,000 public servants who would receive the pay equity allowance.

● (1145)

Most of the 190,000 public servants are women but they are not the highest paid in the public service. I wanted to point that out because if I go through the list of the six groups that dominate the issue of pay equity, they are not the highest paid public servants in the country. The principal groups involved are clerks, secretaries, typists, data processors, librarians, hospital staff, hospital service staff and educational support staff. We are not talking about employees who make $100,000 a year. We are basically talking about a group of people who want fairness in the system.

We in the Conservative Party believe in equal pay for equal value of work done. I do not think anyone would disagree with that. Fundamentally the government simply has to open up the dialogue among all major groups and come to the realization there are problems that have to be addressed. I believe it should do that.

With regard to the back pay owed to the women of Canada who are public servants and have done their jobs for the country, they could simply say "Yes, let us negotiate a settlement because it will end a lengthy laborious legal process which becomes very time consuming".

Let us take a look at some of the numbers so we will know what we are talking. The numbers really speak to the issue. The offer would mean a lump sum settlement of $27,037 for the employees involved. For the largest group, which currently makes around $30,000 a year, the lump sum would be about $15,000 and future annual adjustments would account for about another $2,184 a year.

When we get back to the issue of the union because there are union people involved in the whole issue, the best thing they could do at this point is take the issue back to the membership. The House is the place where we debate with different points of view various bills, motions, private members' bills and government bills. With regard to the union, the single best thing it could do at this point is simply refer it back to the membership. If it goes any further than what it already has, the delay could be counted not in months or weeks but in years.

This goes back to the fundamental reasons unions are there in the first place: to represent their workers. In all fairness, if they are representing their workers in the most democratic fashion, the best thing they could do today is simply settle with the government after consulting the membership. The membership should decide the issue. It should be consulted.

The treasury board president was quoted on September 10 as saying with regard to the latest offer "This is our latest offer. It is not only generous but it is a bit more than what we can afford". That also has to be considered by the union. I know some union activists to the left of me are hollering a little loudly at this point. I do not blame them. I think they at the end of the plank on this one. I do not think I would want to be walking that plank now if I were a union activist.

I will repeat my statement to the member for Dartmouth. They should take it back to the union, the membership, the people who have been paying union dues for many years.

Getting back to the motion itself, we disagree with the Reform member who introduced it because we do not think more legislation or more laws are needed.

● (1150)

Our position is simple. At present the legislation is there. We have problems with it. They are minor in terms of what other countries are saddled with. If we are to make changes to the law we should identify the specific changes. Some could be brought about by legislation, not by the introduction of a new bill.

I am pleased to have taken part in the debate today. I respect the positions of the Reform and the NDP. However, let us examine the issue a little more carefully to see if we can bring about the changes through regulation. With regard to the pay equity situation, let the unions speak.

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, just by way of comment to the previous member about letting the unions speak,

I suggest the union is representing its members. It was chosen by its members just as we were chosen by our constituents.

On a personal note, I have spoken with many union members. The member mentioned a figure of 27,000. Previous governments including the Tory government of a few years back stalled the whole process of pay equity, in spite of the fact that the human rights commission indicated the government should be paying fairly. That is indication that we need a strengthening of employment equity and pay equity. When the Government of Canada does not abide by the rules it gives businesses the option of saying that they do not have to pay fairly for equal work.

With regard to the private member's motion, it does not take a lot of thought to understand what Canadian businesses and the Canadian workforce were like over the past few decades. There were fewer women and people with disabilities in the workforce. We have made some forward movement but we have not reached the point where we are being entirely fair to all people in society.

All we need to do is look at the rules in place in the RCMP. It was suggested by the member that there should not be a need for the RCMP to relax its requirements. I ask all members to remember when one of the requirements to join the RCMP was that a person had to be six feet or six foot one. The member who presented the bill would have been so vertically challenged he would not have been able to become a member of the RCMP.

We went through great arguments in Canada over the type of hat an RCMP member should wear because, God forbid, he would not be able to do his job if he did not have the proper hat. I suggest there is more to being a member of the RCMP than being able to bench press 200 pounds. There is more involved in the job than brawn.

Throughout history different arguments have been used for discriminating against various groups. The time has come to strengthen pay equity and employment equity so that there is no discrimination.

The Acting Speaker (Mr. McClelland): Since this is Private Members' Business, the hon member for Saskatoon—Humboldt could have the opportunity, by consent of the House, to speak. He would have five minutes and this would terminate the debate. Does the hon. member have the consent of the House to speak?

Some hon. members: Agreed.

● (1155)

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, I do not know when I have heard such a load of garbage in my life. Let the record show that every party, the Conservatives, the Liberals, the Bloc and the NDP, spoke against my motion. They did not give unanimous consent to allow it to be votable because they do not want to vote on it. They do not want the record to show their prejudices and discriminatory views on matters.

Let us go through them one at a time. The hon. member for Charlotte, the Conservative, said that they fundamentally disagreed with the Reform Party. He then went on to say that the process would be too lengthy and costly.

How could it be lengthy and costly to repeal legislation? That would be the end of it. It is costly to let it continue the way it is going.

Then he went into a lengthy diatribe about pay equity. He is totally confused about the difference between the two.

Let us switch to the NDP. The member wanted to strengthen it, make it even worse, and suggested that if somebody with an accent came in the people who subscribe to the view that it should be based on merit would discriminate against him.

They are the ones who are prejudiced. They are the ones who are saying that merit or qualifications do not matter. They are saying they have quotas to be met. That comes first. That is primary. That is prejudice. That is discrimination.

Now they want to strengthen the legislation to enforce their discriminatory views and ideas even further. Then they go on to talk about merit. Talk about hypocrisy; it is complete contradiction.

The member for Churchill railed against white males. I have a friend living in Toronto who has been trying for six years to get into the fire department. He cannot because he is a white male. That is the single thing that prevents him from getting the job. He is qualified in every other way. He was told that. Finally he has given up and gone on to something else.

How fair is that to people forced to go down the road to another job instead of doing what they were more qualified to do and wanted to do but could not because of the discriminatory policies of governments like this one? It makes me sick.

The Liberal member went on to talk about the fundamental rights of equality for all. Why then do we have employment equity legislation? There are no rights to equality there. That legislation says it will look at the colour of skin, at gender and use them to judge. Is that equality? Is that fairness? They should get their head out of the sand and maybe have it examined.

I really want this to go on record with as much strength and force as possible. The Reform Party is the only party standing up for the equality of all Canadians, and Canadians ought to know that.

The Liberal member said that he was against interventionist measures of governments and quotas. Why does he support em-

ployment equity legislation? That is what it is all about. There is some degree of confusion there.

He also said that the legislation worked to the advantage of employers. How on earth could that be the case? If I have a federally regulated firm of over 100 employees and I am subject to the legislation, how is it to my advantage to say to people that I have too many with the same skin colour in the position they are applying for? Although they are the best qualified I have to give it to somebody else because of the colour of their skin. That is prejudice and discrimination. It is the kind of thing they are promoting.

Finally we move to the statements of the member from the Bloc Quebecois. She said that Canada was behind the concrete measures taken by other countries in this area, but there is no evidence to back up what she is saying. She was not listening to my speech.

I listed statistics to show there is equity already. We do not need measures that have been legislated and rammed down the throats of Canadians. They want us to stand in favour of equality for all Canadians.

The Acting Speaker (Mr. McClelland): The time provided for Private Members' Business has now expired and the order is dropped from the order paper.

GOVERNMENT ORDERS

● (1200)

[*English*]

DNA IDENTIFICATION ACT

The House resumed from October 29 consideration of the motion.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, Bill C-3 is a continuation of Bill C-104, which is now part of the Criminal Code. That bill allowed peace officers under the authority of a warrant to obtain a DNA sample from individuals suspected of committing an offence under a list of offences in the Criminal Code. Another condition in Bill C-104 is that there must be found at the scene of a crime samples of hair, blood or tissue that would connect an accused with the crime scene.

Bill C-94, the forerunner to this bill, was brought in too late to be passed at the last sitting and Bill C-3 is almost identical to that bill.

What does this bill authorize the police to do? What greater tools are they going to have? From my understanding this bill will allow the police to obtain DNA samples from those convicted of a series of offences. It does not mean there is any connection between them and a crime scene that would allow the police to get a warrant to obtain a sample. It means that after being convicted of one of a series of offences listed, the police can obtain a DNA sample from those individuals.

The Canadian Police Associated, representing the front line police officers, are very much concerned that this bill does not go far enough. They would like to see the same application of the DNA tool as we now have with fingerprints, that a fingerprint can be obtained from anyone arrested for an indictable offence.

The debate on the bill is whether a proper balance is being struck between the rights of the accused and the rights of society as represented by law enforcement agencies charged with the responsibility and duty to bring criminals to justice, investigate crimes and have a sufficiently strong record in terms of success that it would be a deterrent to those who plan and commit premeditated acts against an individual.

The bill will go to committee and we will hear witnesses on that. I am sure we will hear further from the Canadian Police Association.

Bill C-104, which is now part of the Criminal Code, allowed for the taking of three different DNA samples. One was a swab of saliva, another was a blood test and the third was a hair sample. The hair sample has been struck down by a superior court judge in Ontario as being unconstitutional. Judge Casey Hill found that forcibly removing hair is unreasonable and threatens bodily integrity. Judge Hill went to state "Since viable alternatives exist and the degree of uncertainty is so high, the procedure violates the charter of rights and freedoms' guarantee against unreasonable search and seizure".

I find this judgment confusing. If the police are allowed to take a blood sample, which is far more intrusive than taking a hair sample, then I do not know how the judge can maintain the right of the police to take a blood sample. He stated that it was unconstitutional to take a hair sample. It is confusing to me and probably to the public as well. Nevertheless it has been struck down at least at that level of the Ontario court system.

● (1205)

The government is experiencing difficulties with a number of the laws it has brought to the House. They have been challenged or struck down as being unconstitutional. Recently in Alberta a judge struck down the whole of the rape shield law, not just part of it. It followed a decision in Ontario that struck down part of that rape shield law. Why is legislation being brought to the House that the courts deem to be unconstitutional?

The constitutionality of Bill C-68 is being challenged by four provinces and two territories. The conditional sentencing portion of Bill C-41 is a real mess in the courts. Crown prosecutors across Canada are appealing the manner in which the courts are using that law. We are urging the government to deny the courts the right to use that law when it comes to violent offenders. So far the government has refused to do that yet there are hundreds of cases

where courts are allowing violent offenders, including convicted rapists, to walk free.

Why is the justice department bringing forward laws that are being struck down by our court? Why is the justice department not doing its job? Tomorrow the Feeney bill, Bill C-16, will come before the courts. The government had all summer to get that bill ready. Now we are ramming it through against a deadline that need not have been there if the justice officials had done their jobs.

Perhaps if the justice officials looked after their own business instead of interfering with the judicial independence of the courts, as Ted Thompson did with Judge Jerome, we would have better laws passed through this House. They would not be successfully challenged as being unconstitutional and creating a real problem within the justice system.

I have some concerns about the extent of this bill. Does it go far enough? Does it provide the police with reasonable tools, bearing in mind the balance between the rights of the accused and the safety of society?

Does the bill go far enough? We in the Reform Party say it ought to go further. It ought to be treated the same as the police demanding fingerprints from those who are arrested for indictable offences.

This will be explored further when it reaches committee. We will be pressing the witnesses to determine where they believe that balance should fall.

[*Translation*]

Mr. Guy Saint-Julien (Abitibi, Lib.): Mr. Speaker, the DNA Identification Act provides for the establishment of a national DNA data bank to be maintained by the RCMP.

The new act authorizes the courts to force those convicted of certain designated offences to provide biological samples for genetic analysis. The resulting genetic profiles will be stored in the convicted offenders index of the genetic data bank.

The data bank will include a crime index containing genetic information collected at the scene of solved and unsolved crimes, and a convicted offenders index containing the genetic identification profiles of adults and teenagers convicted of specific offences under the Criminal Code.

• (1210)

The approach will be twofold in the case of the convicted offenders index. Designated offences will be classified under two headings: primary offences and secondary offences. The list of primary designated offences will include serious violent offences including aggravated sexual assault, which are the types of offences for which DNA evidence can be most useful. Except under exceptional circumstances, at the time of sentencing for this type of offence, the court will order that samples of bodily substances be taken for the data bank.

The person found guilty of a secondary designated offence can be ordered by the court, at the request of the crown, to provide a sample for the data bank, if the court is satisfied that it is in the best interests of the administration of justice to do so.

How can the creation of a national DNA data bank help the police and the courts? Such a bank will help police forces to conduct their investigations and will assist the authorities in identifying and arresting more quickly individuals who commit serious offences, such as sexual offenders and violent repeat offenders.

This will help police identify and arrest repeat offenders by comparing DNA information found at the crime scene with the information in the convicted offenders index. This will also help authorities determine if a series of offences has been committed by a single person or by more than one person. It will help to establish links and to resolve cases involving several jurisdictions by giving investigators access to information which otherwise would not be available. It will also help guide investigations by eliminating suspects whose DNA profile does not match what was found at the crime scene. It will also dissuade offenders from committing other crimes by increasing their chances of being arrested.

There will, however, be restrictions on access to samples and to DNA data. Strict rules will apply to the taking of samples and to the use and storage of biological specimens and DNA profiles. The bill clearly states that all samples must be used only for DNA analysis and for forensic purposes. Access to the DNA profiles in the convicted offenders index and to the samples will be limited strictly to those directly involved in the normal maintenance of the DNA data bank. Only identifying information, such as a person's name, will be communicated to appropriate agencies, those implementing the legislation for the purpose of investigations and proceedings resulting from criminal charges. There are provisions for criminal penalties in order to prevent the misuse of samples of bodily substances or DNA profiles.

Many people, in news bulletins and in the newspapers in our region of Abitibi are asking us what DNA is. DNA stands for a molecule known as deoxyribonucleic acid—quite a mouthful— which is considered to be the basic unit of life, the body's genetic fingerprint. Humans, like animals and plants, are composed of billions of cells. Each cell has a nucleus containing 46 chromosomes divided into 23 pairs. The DNA molecule is inherited from the father and the mother and is present in these chromosomes. It is identical in all the cells of all parts of the body, except in the case of identical twins, where each has his or her own particular DNA molecule.

In the forensic context, the expression DNA analysis generally means various techniques of molecular biology that can be used for identification purposes in the direct analysis of specific sites on the DNA molecule.

DNA analysis requires very little genetic material and samples of bodily substances can be taken relatively discreetly.

• (1215)

DNA analysis is an excellent means of comparative identification. We are particularly familiar with its use in identifying the perpetrators of violent crimes by comparing biological samples taken from suspects with bodily substances left directly or indirectly at the scene of the crime by the person who committed it, or taken away from it by that person, for example blood or saliva.

Since its introduction into the legal system in Canada in 1988-89, DNA analysis has led to the conviction of hundreds of persons who have committed violent crimes, ranging from assault to homicide. As well, it has made it possible to prove the innocence of suspects and to exonerate and release individuals who were already convicted. Genetic fingerprint analysis for forensic purposes is practiced everywhere in the world. In recent years, the U.S., Great Britain, Norway and New Zealand have adopted legislative measures to create genetic data banks for forensic purposes.

What is the government's strategy with respect to DNA? Prior to July 1995, DNA evidence had been presented before Canadian courts for some time, but there was no specific legislative framework to govern recourse to such evidence. In order to clarify the situations in which genetic samples could be taken as part of a criminal investigation, legislative amendments were adopted in July 1995, with a view to allowing the police to obtain a warrant authorizing them to take biological samples before, during or after a suspect's arrest.

As part of Phase II of the government's DNA strategy, a consultation document, "Establishing a National DNA Data Bank" was published in January 1996. The groups consulted across Canada, the law enforcement community in particular, were strongly in favour of the creation of a national DNA bank. A "summary of consultations" was released on February 28, 1997.

In closing, I must say that this is a step forward and that we must move ahead in order to help our police officers to do their job.

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, the bill before us this morning truly combines science and new techniques, permitting a fairer society in which as many crimes as possible will be solved.

Why do I say it is a bill that really reflects improvements in science? It is because deoxyribonucleic acid existed all along, but either we were not aware of it or we did not know how much it could contribute to clearing up cases. It is better known as DNA.

For our viewers, DNA, to describe it very simply, involves the chromosomes found in the living cells of the human body and are like a sort of fingerprint. Everyone has their own unique DNA, and as the member who spoke before me said, even identical twins, triplets or quadruplets will have different DNAs, because of their chromosomes, just as in the case of fingerprints. In all the years they have been fingerprinting criminals, no two individuals have been found to have the same prints. According to science, it would never—or at least so it appears—be possible to find two individuals with the same DNA.

At first glance, this bill has an important function: to modernize police techniques and use this discovery to benefit justice.

At the outset, the Bloc supports this action. As it did in the 35th Parliament, it will co-operate in the 36th Parliament with the aim of producing a bill that is as effective and wide-ranging as possible while at the same time respecting the fundamental rights of Canadians and Quebeckers, who would have it no other way even in the case of DNA legislation.

• (1220)

The important thing in a bill such as this one is to achieve a balance between the fight against crime and the respect of individual rights and freedoms, particularly with procedures involving the collection of bodily substances. In terms of the principle underlying the legislation, it goes without saying that the crime rate and the number of unsolved crimes can never be too low. The work performed by the police deserves our attention and support, so we can help the police be increasingly more successful in their work.

However, there is something that absolutely must be said. The public hears all kinds of things. DNA testing is an extremely useful tool. However, given its serious nature—it is basically genetic fingerprinting—and given that it is a very specific procedure, it must not lead to abuse, and police officers must not be allowed to collect genetic samples for just about any offence.

In this respect, the bill has the merit of providing a list of designated offences for which ordinary people would agree that police officers and the judicial system should be allowed to use DNA testing and to collect samples of blood, saliva or other bodily substances from an individual.

I will just mention a few of these offences, but there is a whole list of them. They are all similar and have one thing in common: they are serious offences. They include the use of explosives, sexual touching, invitation to sexual touching, sexual exploitation, incest, murder, homicide, aggravated assault, assault with a weapon, torture, rape and arson. With this very specific list of designated offences drafted by the lawmakers, police officers will know precisely when they can collect DNA samples. They will not

be allowed to do so for just any offence or reason, but only under very specific circumstances.

That having been said, while continuing to support this kind of bill as we did in the past, we do have some concerns and hope that, in committee, witnesses or the government will be able to reassure us on a number of issues. Playing with the physical integrity of individuals and their genetic identity may lead—and I am not saying it will necessarily happen—to the possible misuse of this new technology.

In terms of confidentiality, this is very important. We do have concerns about the bill as it stands right now. For instance, a question comes to mind about the storage of bodily substances collected under the provisions of clause 10: Why keep samples after the DNA information has been obtained? The police will not be working from the sample afterwards, but from the information provided through analysis of the bodily substances.

Nevertheless, the DNA profile will be stored in one of the two data banks: one for things found at the scene of a crime or of a designated offence—saliva, a strand of hair, blood or whatever is found there goes into a specific index—and another one, the offenders index, for the DNA profiles of individuals convicted of a designated offence under the Criminal Code.

So, why in either case, and particularly in that of the offenders index, keep bodily substances when the DNA profile has been found and is in the computer? I wonder what this sample will be used for? This is not to say I am dead against it. I just want the minister or anyone who will come before the justice and human rights committee to answer this question, which I feel is extremely important, given how serious this bill is, as I mentioned earlier.

• (1225)

Another concern is the taking of samples. We should consider whether any police officer can take such samples. There is no problem in the case of fingerprints. Any officer with the proper training can fingerprint anyone. However, not all police officers can take samples of blood or saliva. I have at least three friends who are police officers and I would never allow them to take a blood sample from me. They are better with a gun than with a needle.

Perhaps it is in that area that the bill should be improved. It is a bit like the people using breathalyzers at police stations. These people have received special training. Perhaps we should specify that only specially trained officers can take samples.

Interestingly, section 17 of the bill stipulates that the person required to provide a sample can choose between blood, hair or any other bodily substance.

I have another concern for which I hope to receive a reply from the government, and it is the communication of a DNA profile to other countries. Of course, we can make regulations in Canada. However, in the case of DNA information concerning a Canadian or a Quebecker that we provide to the United States, to a European country or to any other country, I would like to know and especially to be reassured by the minister that the country who will be receiving this information will treat it in the same manner that it is treated in Canada or, in other words, that it will not be possible to do indirectly what the law in Canada prohibits. For instance, if a sample or a DNA profile is to be destroyed in Canada because the person was found not guilty or for any other reason as outlined in the bill, will the United States, for example, agree to Canada's request to also destroy that information at the same time so that it will not come back to Canada through a friendly country or any other country? I think the government should also provide greater clarification in this regard.

My last point concerns the power of the RCMP commissioner to decide how this information should be used and whether it should be made available to other police forces throughout Canada and Quebec. The bill should include a section requiring the commissioner to publish the name of all those who use this information, so that everything is clear.

That being said, and since my time has run out, I wish to add that I offer my complete cooperation to the government and to the opposition parties so that we can work on making this bill the most practical and the best possible for society.

[*English*]

Mr. Carmen Provenzano (Sault Ste. Marie, Lib.): Madam Speaker, I also rise to speak on Bill C-3, the DNA identification act. The reintroduction of this important piece of public safety legislation speaks well about this government's commitment to toughen the fight against crime and to protect Canadians from criminal activity. It also shows our government has taken the findings of our country-wide consultations on this matter very seriously.

It is my belief that if enacted, Bill C-3 will serve two very important functions in our justice system. First, it will give our law enforcement agencies a valuable tool in the investigation of certain violent crimes. Second, it will help shield the innocent from wrongful accusation and conviction.

Bill C-3 will build on legislation passed in the last Parliament which allows police to obtain DNA samples from suspects in criminal investigations by the use of warrants. It calls for the creation of a national DNA data bank which many Canadians will be happy to know includes a convicted offenders index. DNA samples could be obtained from those convicted of a specified offence or who were previously convicted as dangerous offenders and repeat sexual offenders.

• (1230)

By sharing this information, law enforcement agencies would be better equipped to track and bring repeat offenders to justice. These agencies would be in a better position to quickly identify the work of a violent criminal who, after eluding prosecution for a criminal offence in one part of the country, might seek to violate the peace of another part of the country by the commission of further criminal offences.

The DNA data bank would play an invaluable role as a warehouse of potential evidence which could be used to solve countless unsolved crimes and put Canada's most heinous criminals behind bars. This is so because extensive scientific research has shown that with the exception of twins, no two people have the same DNA. Simply put, DNA is a biological fingerprint that can be as redemptive to the innocent as it is damning to the guilty.

Take the examples of David Milgaard and Guy Paul Morin. I believe all Canadians know of the lengthy struggles these men mounted to restore their good names and reclaim their freedom. Mr. Morin last week described the horrors of prison and the heartache of being mistaken for a murderer. The case of Mr. Milgaard who spent over 20 years in prison for a murder he did not commit is equally moving. Yet if not for the introduction of DNA evidence, it is likely that both of these men would still be in prison today.

Having said this, it should also be noted that the establishment of a national DNA bank is a delicate matter which requires Parliament to balance issues of public safety and those of personal privacy. I therefore applaud the solicitor general and his predecessor for the fine work they have done in achieving this balance.

Time does not permit detailed reference to sections of the bill, but I will highlight the following aspects of the legislation.

Under this bill access to DNA profiles in the convicted offenders index will be given only to those directly involved in the operation of the data bank. These are the agencies that at present have access to the existing criminal records database maintained by the RCMP.

Accompanying revisions to the Criminal Code would ensure stiff criminal penalties are assessed for any abuse of the system. Furthermore Bill C-3 guards against abuse right at the collection stage.

In the absence of a special warrant, only those convicted of designated offences can be required to provide DNA samples for forensic analysis. The right balance has been struck between public safety and personal privacy.

Some members across the way may argue that Bill C-3 goes too far and on the other hand not far enough, as we have already heard today, but we are confident that most Canadians will agree with our reasoned approach to this delicate and extremely important matter. To all hon. members, I would ask that when deciding the merits of the legislation, they think of the irrefutable and unbiased nature of the science involved. Also think of the efficiencies that will be realized in criminal data collection and court proceedings as a result of the provisions outlined in Bill C-3.

Most of all think of how far this legislation will go toward strengthening the Criminal Code and ensuring the safety of all Canadians.

Mr. Greg Thompson (Charlotte, PC): Madam Speaker, I appreciate the opportunity to take part in the debate on Bill C-3, the DNA identification act.

DNA is basically the next generation of fingerprinting. Since 1988 trial judges have allowed DNA evidence from the accused to be introduced in several criminal prosecutions. Indeed forensic DNA analysis has been instrumental in securing convictions in hundreds of violent crimes and has resulted in the release of wrongfully convicted people.

• (1235)

During the early days of DNA evidence, there existed a vacuum in regulating the collection and use of DNA evidence. In a number of cases the judges even allowed DNA samples which were taken from accused individuals who did not consent to having their DNA collected. Organizations such as the Canadian Police Association had warned the government that legislation would be needed to ensure the proper and effective use of DNA evidence.

During a 1993 meeting with the then Minister of Justice and in 1994 with the solicitor general, representatives of the Canadian Police Association raised the urgent need of updating evidence laws to include DNA technology. Despite these warnings of the men and women on the front lines of keeping Canada safe, the Liberal government decided to wait. It dragged its heels until the Supreme Court of Canada intervened in 1994, much the same way as it dragged its heels on the Young Offenders Act.

The supreme court ruled that in the absence of federal legislation, the police did not have any lawful means to obtain a search warrant for the seizure of bodily substances for the purposes of DNA typing. This lack of legislation led the supreme court to determine that DNA evidence obtained without the consent of the accused risked being excluded at trial.

The government finally took the first step in 1995 for the legal framework of DNA. That bill gave the police the right to seek a warrant that, if approved by a provincial court judge, authorized the collection of bodily substances for DNA analysis. Bill C-104 also legislated criteria for judges to consider when reviewing DNA warrant applications. Police officers, lawyers and judges finally

had some guidelines, albeit very broad ones, to govern the collection of DNA evidence.

With Bill C-104 in place, the obvious question arose: What would the government do with DNA samples once they were collected? The logical answer was the creation of a national DNA data bank in which collected DNA samples could be stored for future reference in criminal investigations or trials.

Even the Minister of Justice at the time when not preoccupied with cracking down on law-abiding gun owners—another contentious issue obviously—or launching politically motivated witch-hunts, conceded the importance of a national DNA data bank. He felt it was so important that when Bill C-104 was approved, he promised complementary data bank legislation for the fall of 1995.

That promise as we know bit the dust when the government started consulting on the January 1996 discussion paper entitled ''Establishing a National DNA Data Bank''. Interestingly enough the cover note and news release which accompanied that discussion paper at the time stated that the government would bring in DNA data bank legislation in the coming year.

We all know what happens to promises. The coming year stretched into 16 months and obviously it died on the Order Paper, but it was included in the Liberal's red book two during the election. I will say the Liberals at least did not use the election as an excuse to delay the importance of this legislation. Obviously it is on the floor of the House now.

With the exception of some minor changes the technical language in Bill C-3 is what we are talking about today. The solicitor general has outlined many of the positive elements in this bill of which there are several.

The DNA data bank to be managed by the RCMP will consist of two main components: a crime scene index that will contain DNA profiles obtained from unresolved crime scenes; and a convicted offenders index that will contain DNA profiles of adult and young offenders convicted of designated Criminal Code offences.

Because police officers will be able to cross reference data from certain convicted offenders with unresolved crime scenes, the DNA identification act is an improvement over the vacuum which previously existed in terms of storing DNA data. But will this national data bank as established under Bill C-3 provide our police officers with an effective tool to solve crimes and keep our streets and communities safe? That is the question.

● (1240)

The police officers through the Canadian Police Association say no. In fact the police association which has been at the front of the lobbying movement to establish the data bank is so concerned about the effectiveness of Bill C-3 that it is opposed to the legislation.

The major concern of the police association is with the timing of DNA collection. According to the CPA, a national DNA data bank will only be successful if the collection of DNA from a person charged with an indictable offence is done at the time of the arrest. Why is this the case? Because the only guaranteed opportunity to obtain the DNA evidence from individuals charged with an indictable offence is when police actually have custody of the person charged.

The proposed convicted offenders index while somewhat useful would not help police identify unknown murderers and rapists. It might even encourage suspected offenders to skip bail as most people charged with offences are released pending trial. In fact if we look at it, in Canada bail is granted to 95% of all people charged with all criminal offences. According to Juristat more than 66,000 people in 1995 either broke bail or failed to appear as required. Therein lies the problem.

What would happen for example if someone was arrested for an offence related to juvenile prostitution which is a designated offence for DNA collection under this legislation but in this case the individual may have also committed an unsolved murder from which the offender's unidentified DNA was collected. It is pretty obvious the person would know that if he is convicted of the juvenile prostitution charge, the DNA analysis would be obtained and cross referenced with the crime scene index. Then that person would be up on a murder charge.

It does not take a rocket scientist to conclude that under the current bill many offenders would choose to skip bail instead of risking a murder charge. How would that help police in this case solve the mystery of an unsolved crime?

As it now stands Bill C-3 has a loophole and that loophole is big enough to drive a truck through. If there is one thing our legal system does not need at this time, it is more loopholes.

I understand the fears of individuals such as Canada's privacy commissioner, but I believe there are ways to deal with some of the privacy concerns without compromising collection of samples and the ability to solve the most serious of unsolved crimes.

When the previous minister introduced the first incarnation of the DNA identification act, he stated the importance of getting the data bank correct the first time.

Our officers do not believe that Bill C-3 is the most appropriate measure to collect and store DNA evidence. And if they do not, we should take a serious look at amending this legislation at the committee level.

I support the goals and objectives of this bill, but our police officers and courts need an effective DNA data bank as soon as

possible. If we allow for modifications of Bill C-3 at the committee level, I believe we can make an effective DNA data bank a reality.

I would therefore urge my colleagues, especially the solicitor general, and the justice committee to be flexible and consider the reasonable suggestions put forward by organizations such as the Canadian Police Association. We need to plug those loopholes such as the ones highlighted by the CPA and other organizations.

I will conclude by simply stating that if the Liberal government or any other party decides to refuse these amendments to Bill C-3 at the committee level, our caucus will be obligated to re-evaluate its position on this legislation.

● (1245)

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Ref.): Madam Speaker, I have been given only a few minutes to make some quick observations about Bill C-3, an act respecting DNA identification. The bill would make consequential amendments to the Criminal Code and other acts and has been brought forward by the solicitor general.

In the last Parliament we passed provision 487 of the Criminal Code for obtaining a search warrant to seize a bodily substance for the purpose of forensic DNA analysis. This was in respect of a limited list of offences to be used in the course of an investigation. I truly hope that this bill fully extends and complements those provisions.

The bill establishes a national databank for DNA profiles, containing a crime scene index and a convicted offenders' index, including samples derived from some who are currently serving sentences.

Technology marches on. Twenty years ago no one would have guessed that we would be capable of sending such a large amount of data through a telephone line. Today we can use e-mail and the Internet to talk. We can send information via e-mail and post data via the Internet with moving pictures. It seems now that instead of exchanging phone numbers we exchange e-mail addresses. Soon ordinary camera film and the old dedicated TV sets will also be obsolete.

I came across an article recently by Sheryl Mercer, who is a Toronto writer, which provided me with some insight into our history. She said that when it was introduced, fingerprint evidence caused as much controversy and furor as DNA is doing today. When photography was first introduced, people seriously questioned whether pictures could be used as evidence in a criminal case. Today it is commonplace to use security video camera evidence of a crime.

In 1908 an order in council sanctioned the use of fingerprints under the Identification of Criminals Act of 1898. Like the Internet and photography, fingerprinting was considered revolutionary.

The history of fingerprints is applicable to Bill C-3 and the whole issue of DNA and DNA banking.

Argentina was the first country to adopt fingerprinting. The country also was the first to solve a murder by fingerprint evidence. In 1892 Francesca Rojas murdered her two sons so that she could marry a lover. Her bloody fingerprint was left at the scene of the crime. After identifying the print as that of Rojas, she confessed to the murders.

In 1905 police inspector Edward Foster, a fingerprinting pioneer, was assigned to fingerprint prisoners at the Kingston penitentiary. The project was scrapped because of a lack of funding and political will.

It is noteworthy that Foster's revolutionary work was even scoffed at by politicians of the day. In 1910 a prisoner, Joe Chartrand, escaped from Kingston. Chartrand, a cop killer, was soon captured. When the public heard that he had never been photographed and fingerprinted they were outraged at the callous inattention. The public was ahead of the politicians.

Soon after the Kingston escape, Edward Foster was promoted by the justice minister to be in charge of the new Canadian criminal identification bureau. The police created a Canadian fingerprint repository in 1911.

In 1914 Peter Daracatch and Gregory Parachique, who broke into a Canadian Pacific Railway station, were the first to be convicted in Canada based on fingerprint evidence.

In our time, in 1985, a British scientist discovered that certain sections of the body's genetic material found in DNA differentiated individuals from one another and today we are discussing whether Canada should have a national databank, containing DNA profiles of convicted offenders and unsolved crime scenes.

Through this century Canadians have wanted governments to do whatever they could to make our streets safer. We want incorrigibles behind bars. We need safer communities. We want efficient trials and fair justice administration which we can trust. However, people preoccupied with their version of human rights are up in arms over this type of legislation. They believe that the rights of some will be violated.

That is not the case in this instance. Nevertheless, striking the right balance among competing principles is very important. Unfortunately, instead of sincerely seeking that balance, Liberals too frequently find these situations requiring a kind of legislative courage not often found in their ranks. In our ranks we are looking for the complete normalization of DNA evidence without convoluted exceptions.

In 1988 the supreme court dealt with the privacy of fingerprinting. In his ruling, Justice La Forest stated "a person who is arrested on reasonable and probable grounds that he has committed a serious crime—must expect a significant loss of personal privacy". La Forest also pointed out the purpose of setting up a fingerprint registry was to establish the identity and criminal record of the accused, to discover if there are outstanding warrants against the accused and to determine if the accused is an escapee.

● (1250)

The same can be said with DNA evidence. However, a 1994 supreme court ruling disagreed. The ruling stated that police had no lawful means to obtain a search warrant for the seizure of bodily substances for the purposes of DNA typing and that any such evidence was in jeopardy of being excluded at trial. It is hoped that Parliament's response to this problem, the new 487 clause in the Criminal Code, will endure all tests.

With a history of these references over, I want to speak specifically about Bill C-3. When we are elected as representatives, it is our duty to create legislation that is in accordance with the basic aspirations of Canadians.

I have travelled from coast to coast. I have talked to many groups, some who support the policies of the Reform Party and others who do not. Nevertheless, the general consensus is always the same. People say not to go half way against crime. People tell me that if we are going to create legislative capacity, not to tinker here and there, having only the appearance and form without operational substance. Be honest with Canadians. Do what is right rather than what seems to be convenient to the various competing voices.

Unfortunately it appears that Bill C-3 does not go the distance. The Liberals are afraid of going all the way. They are more concerned with the privacy rights of the accused and less concerned with innocent victims.

The bill does not contemplate the collection of DNA until after the accused is convicted. It is easy for the accused to skip bail and commit another crime. If further crimes are committed the chance of linking the crimes becomes a lot more difficult.

In the bill it is rightly an offence to use DNA samples for purposes other than those of the act. DNA obtained under the Criminal Code provision should not be used for medical research or other purposes not related to solving crime. Opponents of DNA banking should consider the relief it would bring to victims, such as if a rapist is convicted because of DNA based on perhaps charges of breaking and entry arising several years earlier. The improved certainty that DNA profiles can bring to the justice system is most welcomed.

Fingerprinting was once seen as intrusive on the privacy of individuals. So was taking a breath sample for impaired driving. I am certain the statistics are overwhelming of how many crimes have been solved using fingerprint evidence. There was a a long process to advance the technical and ethical context of fingerprinting. Need we go through the same things with DNA?

Simply put, a DNA sample should be collected from all persons accused of serious crimes in the same way that fingerprints are collected. Although the technical capacity is somewhat different, the ethical and legal issues are basically the same. The DNA profile should then remain on file for a indeterminate amount of time. If the accused is released from all charges, it should be his or her responsibility to appeal to have the record removed.

Why make a distinction between fingerprints and DNA profiles? Let us get on with it and have basically the same rules for DNA as there are for fingerprints. It took decades to sort out fingerprinting and taking breath samples for drunk driving. A lot of unnecessary pain and death occurred while lawyers resisted, argued, game played and ignored the public interest.

DNA not need go down the same winding road. The Reform Party supports amending the Criminal Code so that police can, on the basis of probable cause, demand DNA samples from suspects of serious crime. The government has created a very convoluted bill that will not technically work very well and all the permutations and the mistakes will eventually be revealed in the application. It is likely that Parliament will have to come back and fix the bill. The technocrats, of course, are understandably proud of their work and they will defend it. The real problem is the lack of political leadership and resolve from the Liberal cabinet.

In conclusion, we can learn from the past so that we can boldly go forward. The community expects no less. I am pleased that the government has finally addressed the topic of DNA. However, I had hoped for a much bolder approach. I have confidence that we have the legal talent in Canada to write a simple, ironclad law that works and appropriately balances individual and community concerns. I urge the government to have more resolve to respond to crime. May we work together to make Canada a safer place to live.

● (1255)

Mr. Rob Anders (Calgary West, Ref.): Madam Speaker, I speak today with regard to the DNA databank that is being proposed. Those who are innocent will applaud this legislation and this change. Those who are guilty will oppose it.

Today the Reform Party is proposing to make the bill more effective. We generally support the goals and objectives in setting up a DNA databank. The Reform Party was in favour of this before the election and even offered to fast track this bill before the

election because Reform members saw it having significant importance in being able to identify criminals.

Since the bill did not pass and is now before us today in the new session, we would like to make some amendments to it. We believe it can be more effective. I will touch on three areas to identify them. First, samples should be taken from all accused; second, samples should be required for all indictable offences; and third, samples and analyses should be retained rather than destroyed.

Some will say that the bill treads on the idea of privacy. This is not as much an issue of personal privacy as it is of victims' rights. For those who argue the issue of personal privacy, surely those persons who are innocent, whether they be proven innocent by DNA, by fingerprints or by breath samples, are encouraged and supportive of these measures because fingerprints or breath samples or DNA are able to set them free if they have not committed the crime. I repeat, the innocent will applaud these changes, the guilty will oppose them.

Obviously DNA identification will be a valuable tool for eliminating a suspect if innocent. That is where the personal privacy aspects are negated. From what we know, DNA is probably the best way of eliminating somebody as a suspect of a crime. In the case of public safety, DNA identification is the most effective way of providing persuasive evidence of guilt. We support the idea of creating a databank for this.

If these changes are made, that is taking samples from all of the accused, requiring samples in all indictable offences and retaining these samples, we ameliorate or lessen the concern about people skipping bail in cases where they know they are guilty, where they suspect they may be found to be guilty so they try to quash their being subject to a DNA analysis which would occur during the case's proceedings. For the sake of justice we do not want to see that happen. That is why we believe it is important that these samples be retained. If people are charged these records will be put on the registry, not only if they are convicted.

If the specific charge collapses then a person's links to other crimes will not be revealed by taking the DNA sample at the time the charge is laid. As a result, it is important to keep a permanent register, that this be done not only in the case of a conviction but also in the case of somebody being charged.

The question on which many people focus is how many murderers and sex offenders have been allowed to remain out on our streets because this bill was not passed when it should have been. The Reform Party wanted to pass this bill before the last election. We support the bill but we would like to see it being more meaningful. We would like to see some slight changes made to the bill so it can have broader implications, and accomplish more of what it aims to do so that it can meet a broader definition in terms of its goals and objectives.

I will summarize by going over some of the three provisions we would like to see in the bill. First, samples should be taken from all of the accused. Second, that samples be required for all indictable offences. Third, that samples and analysis be retained rather than destroyed. With these changes the Reform Party would wholeheartedly support the idea of a DNA databank.

• (1300)

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, it is my pleasure to rise also in this debate on DNA identification.

I have to point out just how long it has taken the Liberals to start providing our police officers with more of the technological tools, such as DNA evidence, required to protect Canadians from criminals.

Once again, and this is so typical of the Liberal approach to crime control, the Liberals are more interested in protecting the rights of criminals than the victims of crime.

Let me point out the sections in Bill C-3 that place handcuffs on the police when the government instead should be making it easier for our law enforcement officials to protect Canadians.

First, the taking and storing of DNA samples should be handled as simply and effectively as the RCMP now handle fingerprints. Currently police can fingerprint and photograph all persons who are charged with or convicted of an indictable offence. However, Bill C-3 will allow DNA samples to be taken only from those convicted of, not just charged, with offences.

Considering this, a person charged with robbery could also be wanted for rape but DNA samples cannot be collected with the Liberals' bill until after the person is convicted of robbery. Everyone knows what is likely going to happen. This accused could avoid being charged on the more serious crime of rape by simply skipping bail on the robbery charge.

Second, with Bill C-3 DNA can only be collected for convictions of a select number of designated criminal offences, not for all indictable offences as it is now with fingerprints. Therefore some of these designated offences, like robbery, arson, torture and causing death by criminal negligence, only allow DNA to be collected by court order when with fingerprints it is automatic.

This is not going to help the police to keep our homes safe from burglars and arsonists. This is not going to protect Canadians from assault, hostage takings, hijackings and all the other court order only DNA offences in the Liberals' never ending list. No, designating offences for court order only DNA is only going to give more jobs to the lawyers and the courts, presumably all Liberal friends at the bar.

A third way that Bill C-3 inadequately protects the rights of victims is that the bill would provide for the destruction of DNA at any time that the commissioner of the RCMP believes the sample is no longer required. The rationale of this section is to protect the privacy rights of criminals and the accused. However, Bill C-3

already makes it an offence to use DNA samples for wrongful purposes.

Will Canadians really be outraged if DNA is instead stored and then later used to convict a rapist who was convicted of robbery several years earlier? Whose privacy rights are more important to the Liberals, the privacy rights of the rapist or the privacy rights of the victim of the rape?

Continuing on, though, allow me to illustrate a fourth problem with Bill C-3. I would like to ask the Liberal government why is it that its proposed DNA identification act was not part of the first phase of its DNA legislation in 1995 at which time it allowed the police to get warrants to take DNA samples from suspects. More than two years have gone by since this first phase and in all this time I have to ask how many criminals could have been put behind bars while the Liberals were waiting on introducing a DNA bank.

What is more, how many more innocent Canadians will become victims to criminals until the Liberals' proposed DNA databank begins operating in another two years or so? Yet in an attempt to cover up these delays, the Liberals would like to refer Bill C-3 to committee before second reading.

● (1305)

This procedure no doubt is proposed because of the Liberals' reluctance to give the bill the level of debate it deserves. In other words, the Liberals do not want Reform to point out the bill's many flaws.

This is a bill that needs to be debated in the House. Referring it to committee so soon is an obvious delaying tactic to prevent Canadians from seeing just how much it panders to criminals and ignores victim rights.

Today more than ever we have evidence of the need for a national victims bill of rights that will restore a balance within the criminal justice system by placing the rights of victims above the rights of criminals. All these points about the DNA identification act and its preoccupation on the criminal's versus the victim's rights lead me to the inescapable conclusion about the Liberal government's views of criminals and ordinary Canadians. A criminal is someone to be protected, to have all the rights under the stars, sun and moon, to be set free in most cases but, if detention is necessary, to be given a nice comfortable jail cell with cable TV and all the new channels, along with conjugal visits, good home cooking and parole in a couple of months.

It is clear that Liberals do not want the bad guys in jail, but if they are forced to put them in jail they want them to enjoy their stay. A law abiding Canadian to the Liberals is simply someone whose rights become secondary to criminals in our society.

Bill C-3 reinforces this unacceptable Liberal philosophy toward crime. It does not do enough for victims of crime and it does not do enough to help the police in their job of ensuring our communities are safe places to live.

I endorse the concept of a DNA bank. It is necessary to be able to identify criminals positively and it is important for us to be able to correctly exonerate the innocent and to make certain the guilty are proven to be guilty and are punished for their crimes. This is the only way we will be able to restore true justice to our justice system.

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, the technology of DNA is available to us. It is probably the most accurate means of being able to identify one human being from another since everyone's DNA code is different. Some people have closer matches than others, but technology has advanced to the point where science can definitely differentiate every human being in the world from one another.

I do not understand the reluctance of anyone to applying the technology available to us in the enforcement of our justice system. Fingerprinting technology is used readily and is part of law enforcement today. Fingerprints can be compared to records and it often results in solving what was previously an unsolved crime.

If someone is arrested and charged with a crime, I do not see why we would not have that person submit to a DNA test and compare it to our DNA databank. If the person is not matched to the bank of a previously unsolved crime and is exonerated of the charges brought against them, their DNA fingerprint could be removed from the databank.

● (1310)

It just seems that it would be in the best interests of our entire society to take advantage of this technology and use it in that respect.

With respect to destroying samples, as I said, if a person has been exonerated and the samples are destroyed there would be no harm done to the person who was falsely accused of a crime.

I was reading through the act and section 2(1) states:

> The following persons may be fingerprinted or photographed or subjected to such other measurements, processes and operations having the object of identifying persons as are approved by order of the Governor in Council:
>
> (a) any person who is in lawful custody charged with or convicted of

(i) an indictable offence, other than an offence that is designed as a contravention under the Contraventions Act in respect of which the Attorney General, within the meaning of that Act, has made an election under section 50 of that Act, or

(ii) an offence under the Official Secrets Act;

(b) any person who has been apprehended under the Extradition Act or the Fugitive Offenders Act; or

(c) any person alleged to have committed an indictable offence, other than an offence that is designated as a contravention under the Contraventions Act in respect of which the Attorney General, within the meaning of that Act, has made an election under section 50 of that Act, who is required pursuant to subsection 501(3) or 509(5) of the Criminal Code to appear for the purposes of this Act by an appearance notice, promise to appear, recognizance or summons.

I guess it all comes back to my original point, which was that there would be no reason not to take samples upon a person's being charged with a crime, running them through the databank system, which would ultimately determine whether that person is to be convicted. We should look at the greater good to the Canadian public and the assistance it would give our law enforcement officers.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I will keep my remarks quite brief. I have always admired the Reform Party in its aspects on various legislation, including gun control, victims rights, et cetera. It should be also commended for its efforts to keep our streets safe.

However, I have a couple of concerns for which I do not yet have answers. I was hoping that I could get the answers in the debate today for our party and for our constituents.

The fear I have the most is that in some countries which are not as democratic as ours there is the assumption of guilt before innocence. Thank goodness we live in a society where a person is innocent until proven guilty either by a judge or jury of their peers.

There is one aspect I have not heard from the Reform Party. In the event that a DNA sample is collected and the individual is found to be not guilty, will the DNA sample be removed and destroyed or will it be held in the databank for ever and a day? If the presumption is that we are going to maintain these samples forever, the the next step I see is that each person born will have a DNA sample taken and locked up somewhere. If a person is proven innocent after going to trial, will the DNA sample be removed?

As well, we heard members of the Reform Party talk about criminals and the length of time they should stay in jail and the treatment they should receive while incarcerated.

● (1315)

I would have a question for them. What rehabilitation processes would they have in place while the person is incarcerated? What kind of halfway programs would they include in their summations of a prisoner once the person has served their time to rehabilitate them back into society?

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, I am pleased to speak to the bill today, an act to provide for the establishment of a national DNA databank.

The way to approach the topic is by clearly determining the obligation of the government when it comes to dealing with people charged with offences, people who commit offences and break the law.

The government has a responsibility in the area of public safety to do everything possible to ensure that families, communities and streets are safe places. While there are those who will argue the government has gone too far in its policing of our citizens, communities and neighbourhoods, a huge majority of Canadians do not believe the government has gone far enough in areas of providing policing and of giving municipal, city or regional police enough tools to fight crime. The government has not gone far enough in its commitment that victims of crime should be the number one priority of the criminal justice system. That is fact.

With regard to DNA testing no one in the country of any consequence in numbers has a problem with fingerprinting. Fingerprinting is an automatic act when one is charged with most crimes. It helps police forces to identify the person who has been arrested. It enables them to check the records to see whether the person is wanted on any outstanding warrants in another part of the country. It allows them to check the fingerprints against the record of fingerprints that may have been found at another crime scene. It serves as a very effective and useful tool in fighting crime.

The bill does not go far enough. I will speaker about that later. It is trying to take that identification tool one step further. I might add that the way science has determined the value and the accuracy of DNA is a tremendous step forward. It is not just another small step. It is a huge step forward in determining the absolute innocence or guilt of people charged with crimes. It works both ways.

Mr. Speaker, you are a person who appreciates the country and the safety of our communities. You regard the safety of communities as a number one priority. I am certain you cannot disagree, as members of the government cannot, that police forces should be given every tool they need to catch the bad guys. That is not a bad thing to do. I do not think anyone could disagree. That is what we want to do here. We want to catch the bad guys, the people who are committing crimes. We want to ensure that somebody who has been picked up on a lesser charge of robbery, for example, is identified upon arrest while awaiting trial. If the DNA identification of the person indicates that there is a DNA match in a more serious crime such as rape, assault or murder three or four years prior, the person is identified when arrested on a subsequent robbery charge, for example, if they were not caught the first time.

• (1320)

The last thing we would want to do is grant bail to a person arrested on a robbery charge, knowing that the police may be getting closer to solving a previous more serious crime and knowing the person could not identified because of no DNA testing. If the person skips out on bail it eliminates getting caught. We have to be careful of that.

I do not think it is too much to ask for the bill to become more encompassing as far as identification is concerned. I see no problem with an amendment to the bill that would include the taking of DNA samples in the same manner as we take fingerprints.

If the person were found not guilty, in answer to the NDP member, the DNA sample would be treated the same way as fingerprints when there is a request to have them destroyed. No one would deny that.

The bill provides automatic samples for a very primary list such as murder, sexual assault, et cetera. It requires application to court for a secondary list of what the writers of the bill and the Liberals could call less serious crimes.

We should amend the bill to include all people arrested for indictable offences. At the time they are arrested, DNA samples could be taken and used in the same way as fingerprints so that the cross-checking and identification can take place. We should amend the bill to cover this aspect of police work. If we do not do so we would be missing a huge opportunity. It is the time to do it. It is before the House now.

We should amend the bill to give it the teeth it deserves. It should be amended so that police forces are given the tools they need to do the job.

All of us want to see the safety of families, communities and the country as a high priority. It is our obligation as parliamentarians to ensure that community safety is foremost in the criminal justice system.

Mr. Dale Johnston (Wetaskiwin, Ref.): Mr. Speaker, it is a privilege to speak on the bill today. We should reflect back to 1995 at which time there was no process in place to collect the necessary material for a DNA sample.

I was in the House the day the member for Wild Rose challenged the Minister of Justice to bring forth a bill to allow for the collection of DNA samples. It was pertinent to an upcoming case in which the DNA samples would have a large bearing on the guilt or innocence of the person involved.

To the commendation of the government, it acted quickly. It brought in a bill. We debated it in the House. It was passed so that now there is a process in place through which DNA samples can be collected. Prior to that there was no procedure.

Certainly it is a step forward but whenever we consider this type of legislation we have to think about the balance between the rights of the individual and the rights of the accused to privacy and the rights of the public to be protected and to enjoy a law-abiding society, or at least a society that takes action when people do not abide by the law.

• (1325)

While there may be some concern that this is an intrusion into one's personal life, perhaps a check stop is also an intrusion. Someone can be motoring down the highway perfectly legally, well licensed, insured, in a safe vehicle and so forth. A policeman can pull him over simply because he is stopping everybody to check for drivers who have been drinking. I suppose a true libertarian would say that is an infringement on the rights of the driving public. We always have to weigh whether or not we have to give up some of our so-called rights to make society acceptable for all.

That is one of the main reasons the breathalyser test was brought in. It is simply a collection of exhaled air rather than a blood test. At the time when we were talking about the legality of breathalyser tests in Canada there were people who said that taking a blood sample was an intrusion into the personal rights of the accused. The breathalyser test was developed as a result of that balancing act. What we are proposing as an amendment is a balancing act between individual rights and collective rights of society.

Some concerns have been raised with regard to what will happen to the collected DNA provided the accused is acquitted. Those details certainly could be worked out. The DNA information should be kept with the local establishment, the arresting body in whatever town, city, village, or wherever the arrest takes place. If after the trial it is determined the accused is innocent or is acquitted, the evidence should be automatically destroyed. An application should not have to be made. That could be easily accommodated in the bill. It would speak volumes to people who are libertarians and who set their personal freedoms ahead of all other freedoms.

I am reminded of one of my father's quotes when he said that democracy and freedom were all about being able to do whatever it is that one wanted to do provided it did not interfere with the rights of others. That sums it up quite nicely. When one interferes with the rights of others or when one's actions causes the rights of others to be lessened or infringed upon, these kinds of consequences have to take place.

I stress the balancing aspect of the legislation. It is of utmost importance. The question of whether or not the DNA material, evidence or analysis will be widely or locally distributed can be very easily dealt with in the legislation. I am pleased to hear it being raised as a concern because of the possibility of having it included in the legislation. It is of utmost importance.

We must also not assume that DNA evidence is there only to convict. It is also there in cases where the accused would be very pleased to offer up a DNA sample and I can think of a few cases without enumerating them. We all know of cases in which people have been accused and convicted on circumstantial evidence and where DNA evidence has ultimately proven their innocence.

● (1330)

This can be viewed from both sides. We should not automatically assume this is a convicting tool. It is also a tool that will determine innocence. It is very much along the lines of the breathalyser test, a commonplace test for sobriety.

I am very pleased to see the Reform Party has put forth these amendments and that the government has at last come forth with the legislation and has allowed us to debate it here today. In my opinion this debate is excellent. My hope is that the government is willing and ready to accept the Reform amendments.

I am a little disappointed that the government is not here to share its rationale behind this legislation. I would very much like to hear how it views the privacy aspect and the public need aspect. I know the government is monitoring what is going on in here now. I would certainly like it to put forth somebody from the justice department to enlighten us a little more on their thoughts on this matter.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I would like to give credit to members of my party in the justice portfolio who have done an outstanding job to bring forth this issue not only in this Parliament but also in the last Parliament. It is something we find very difficult to disagree with because it does so much good not only in apprehending the guilty in our society but also in ensuring that false convictions do not occur. It helps the innocent and it helps society to prosecute the guilty.

It is a shame and the government should be embarrassed that in the last Parliament it did not take the initiative with this tool that can be so effective in helping the police do their job. Heaven knows they have such a difficult time already. In many cases their hands are tied behind their backs by bureaucratic entanglements and rules and regulations which prevent them from apprehending the guilty.

Bill C-3 and the amendments we put forward can help the police and can help society in building stronger and safer communities. This bill is a disappointment. The government has taken a very simple and good concept and has complicated it. It has not dealt with the issue in a meaningful way. It has once again merely nibbled around the edges.

That is why my colleagues in the Reform Party in the justice portfolio have been forced to put forth amendments to toughen up the bill. They do not come merely from us. They come from police officers and the public who are very knowledgeable about this issue. They have put forth constructive solutions to make Bill C-3 an effective tool and an effective weapon in defeating crime. There are many aspects that must be included in the bill.

The issue of how the national data bank will assist the police and the courts is very important. It has to be dealt with in a way that involves the following points. We have to ensure the data bank will be applied to individuals who will be convicted in the future and to individuals who have been convicted in the past. Individuals such as Paul Bernardo and Clifford Olson should have their DNA taken and put in this bank. It makes eminent sense.

● (1335)

I cannot think of an intelligent reason why the government would oppose that other than on purely philosophical grounds. Philosophical grounds do not make our country safe. They are important but we cannot lose sight of the fact that our objective is to make our country stronger and safer.

It does not mean that we need to trample on the rights of anybody. An innocent person would have absolutely no compunction whatsoever about having DNA extracted and put into the bank in order to be exonerated from a criminal act. That is important. If guilty of course the person would be afraid and would put up any number of roadblocks to prevent that from happening. It is very important that this bill be applied retroactively to individuals now in jail who have committed serious offences.

One thing I found very disturbing about the bill was that the government chose not to apply it to all serious and indictable offences. Why I am not sure. Perhaps only the justice minister knows the answer. What we want to do for the sake of the Canadian public is to ensure that the DNA data bank would be applied to every person convicted of a serious indictable offence in Canada. The government cannot argue this. It is irresponsible not to apply this to all serious offences.

The other point we would like talk about is to ensure that the DNA samples and data are going to be taken properly and that access is going to be only for forensic purposes. We are very sensitive to the privacy needs for all Canadians. We are also very sensitive to the needs of ensuring that we have an effective justice system and that the police have the effective tools to enable them to do their job. This data bank must be treated with that respect.

Other aspects we would like to bring up include the fact that this bill and the precursors to it have been employed in a number of countries around the world. Great Britain, many states in the United States, and a number of European countries have all brought forward their own DNA data banks and they have been very

effective. They have been effective not only in apprehending the guilty but also in exonerating the innocent.

It is also important that the samples and data be kept for a number of reasons. One is to ensure that the innocent are not convicted. Also, a person who commits a violent crime today could easily commit a violent crime at some time in the future. A convicted person who spends 10 years in jail for a serious offence and is let out unfortunately sometimes will continue to commit serious and violent offences. We must have that data because it would enable us to make a rapid intervention and a rapid apprehension. One of the amendments we are putting forward is to ask the government to please ensure that this good and valuable data is not tossed away.

I would like to talk about an important issue the government has failed to do. The Reform Party caucus has continued to try to impress upon the government the need to not only apply its funds to apprehending the guilty but also to apply funds to crime prevention. The government has had one mandate and has failed to introduce into this House any effective measures to prevent crime.

In this country, crime is on the increase. The government likes to put forth information saying it is on the decrease and some statistics do show that. But when we peer beyond those statistics, what do we find? We find that only 28% of violent offences in this country were actually reported to the police. Ninety per cent of sexual offences were not reported. Sixty-eight per cent of other violent victimizations were never reported to the police. This extends beyond violent interventions into other serious interventions too.

The Canadian public is having a crisis of conscience with respect to the justice system. It is not that they have a lack of faith in the police officers, the men and women who work very hard and put their lives on the line day in and day out, 24 hours a day, 365 days of the year. It is because the justice system impedes and impairs the police officers from doing their job.

● (1340)

We in the Reform Party have repeatedly and continually put forth constructive, pragmatic and effective legislation that this government could have adopted to try to address the serious problem of crime that we have in our country. The government has also failed to address the Young Offenders Act. We have put forth interventions on that. There is much that we have done in our party on crime prevention and the government has failed to grasp it.

We cannot simply do what we have been doing. Crime costs this country $46 billion a year. That is more than our entire education budget. It is more than twice as much as what we spend on employment insurance. We cannot continue to do it, not from human terms nor economic terms.

I implore the government to really address this problem, get to the heart of it. Engage in the punitive actions that will keep our country safe but also address in the long range measures that we can implement in a very pragmatic way to prevent crime, to address crime in its early nascent period during the first eight years of life. The government should introduce programs that are going to address and deal with those issues. If we do that it will help people not only in human terms but also in cold hard dollars and cents.

Again I implore the government to look at Bill C-3. Look at the amendments that my colleagues in the Reform Party have put forth, adopt them and I am sure we will have widespread support for this bill.

Mr. Eric Lowther (Calgary Centre, Ref.): Mr. Speaker, many of the speakers this afternoon have addressed some of the subtleties of this bill and some of the checks and balances that are inherent in the bill and the amendments on the part of the Reform Party. This afternoon I would like to speak to the heart of this bill and the original intention that was put forward and why we are actually considering this in the first place.

In the day and age we live in there are a great number of technological advances and scientific developments. It is good that there has been some recognition of the priority of using these advancements in the area of justice and protection of our society. It is a step in the right direction.

My concern is that it is a step that may not be as effective as it could be. That is why many of my colleagues have put forward the amendments we have here today. To put it in common terms, it is kind of like buying a saw without the blade, or a car without the tires, or a hammer without the nails. It has some good intent to it but it does not go far enough.

We have entrenched already in our justice system a good system with checks and balances around how we handle fingerprints, yet that is not good enough for the party across the way. No, we have to layer on a new extensive bureaucracy that is going to limit the effectiveness of this technology, limit the effectiveness that our law enforcement agencies will have in applying this technology to protect our citizens. It is a step in the wrong direction. We could use the systems already in place to administer this technology.

I would also like to speak to the importance of this House and all the members here in recognizing the very difficult job our police forces have, people who are willing to risk their lives day in and day out to protect citizens. Often they are frustrated with the bureaucratic morass they are faced with when they attempt to bring criminals to justice. To their credit they continue to do the best they

can and are constantly looking in our direction for help from this House to equip them with tools that will make them more effective in their job.

My concern is for those men and women who have chosen as their life career the protection of our society. Today we have an opportunity to give them a tool that will make them that much more effective and that much more fulfilled in their calling, yet we only go halfway. That is my concern.

• (1345)

There is another component to this as well besides those who protect our society. What about the victims? If this technology and applying it the right way can protect one life or prevent one assault that leaves that person scarred for life, that is justification enough to implement it in a way similar to the way we do fingerprints, to not only record who the criminal is but potentially stop that criminal from performing that act in the first place.

It is tragic that we only go halfway and do not give the justice agencies the ability to implement this to the full.

We have also seen in Canada recently a number of judgments that have years later proven to be incorrect. Had we had this technology at the time and the ability to apply it, those people would not have been incarcerated innocently for many years and guilty parties would not have gone free. That is justification enough. We must implement this measure fully, not the halfway measure we see here today.

We must protect the people of Canada. That is what they are looking for us to do. We must endorse legislation that would allow our law keepers and those involved in that line of work to do the job to the fullest.

It is too bad that this is only a halfway measure. I repeat as I close here today that it is no good to have half of the tool and not the whole tool to do the job. It is like a power saw without the blade. That is what we have here today.

I know that my constituents would rather have seen this legislation go to the point where our law keepers can use it effectively day in and day out to protect them and keep the criminals off the streets.

Mr. Werner Schmidt (Kelowna, Ref.): Mr. Speaker, what a great piece of legislation. Finally we have movement toward becoming a little more accurate in identifying the people who are committing criminal acts. I think that is terrific. It is about time we moved in this direction. The people of Canada have said to the Government of Canada, be just. Administer the Criminal Code righteously and above all, depend on truth.

This DNA databank is a great new technology. It is a great way of providing identification positively and clearly. It is the best we have. We should look at this and ask ourselves why it is that there is any hesitation whatsoever in applying it wherever it needs to be applied so that we can find those people who actually are the ones in question here.

There should not even be a question about something like this. Is there any doubt at all that we want to come to grips with the criminal element in our society? Let's face it. The people of Canada are looking to the government, any government, and saying that it is their job to provide for their peace, their protection, their safety and their property. That is the job. That is what the justice system is supposed to do.

We know that this technology works. In fact we have the case of Guy Paul Morin who today is free because this technology made it very clear what was really the truth.

Therefore, the question we are facing here today concerns itself with a new technology that has been proven to be more effective, that has proven to be more desirable, one that has the complete confidence of our law enforcement officers, one that has been accepted by the judges in our courts.

We have before us now a bill that goes part way in accepting such a technology. It is almost like saying that there are 26 letters in the alphabet but for now we will just use the first 13 and hope that the language will work. It will not work. Things cannot be done like that.

• (1350)

This legislation has to do with three things: responsibility, truth and trust. What is the area of responsibility we are talking about? I have already alluded to the number one responsibility, that which the government is to provide for the peace and security of its people and for the protection of their property. It should do this in a peaceful environment, an environment where people can be happy, where they can love and have relationships with other people, where they can develop friendships, where they can trust their neighbours and where they can say "I am responsible".

The same thing applies to law enforcement officers. These men and women have been charged by the government to take our laws and apply them to those who live in a way that is not consistent with our laws and say "You have broken the law". They must do this the best way they can. They are the peacekeepers and therefore responsible for we want in our society. It is the responsibility of government to give them the tools that will make it easy for them to do the job they have been charged to do.

Why would we think of tying their hands and saying they cannot use this particular technology that has been proven to be so effective? It seems shortsighted and devoid of responsibility. Surely one of our major responsibilities is to give to these officers the best possible tools with which to enforce the laws.

Is this bill responsible? It is responsible as far as it goes but it is not exercising its full responsibility. In the final analysis this should be an adult bill, a bill that realizes full responsibility and not part of it.

The second aspect this bill should deal with is the question of truth. Truth is an interesting concept. It is a construct we need to recognize as something that is absolute. The truth exists whether we believe it or not. If people choose to believe something they will act in accordance to what they believe. If they happen to believe the truth, they will act on something that is truthful. They could also believe something that is not true. That belief will still influence their actions but their actions will be false and will be based on something that takes them in directions in which they do not want to go and in which society does not want them to go.

In the case of Guy Paul Morin, the police believed this man had committed a crime. The truth was he had not but their actions were determined by what they believed. He was charged. The court looked at the situation, believed he had done this and put him in jail. They convicted him. They then discovered that the truth was elsewhere and what they had believed was in fact not the truth. A way had to be found to identify what the truth was. They did find it and this man was finally declared innocent. It is wonderful that at least part of his life has been rejuvenated and he is back in society, making a contribution both to his family and to the community in which he lives.

This bill ought to be expanded so we can find the truth that exists in all these cases. Not only should we be responsible but we also need to find the truth in the best way we possibly can.

The third area is the area of trust. I found it very interesting that one of the arguments used for not using this DNA bank is because it might be used for the wrong purposes. That has to do with trust.

I do not know of a single RCMP officer who does not have access to a gun. That gun can be used for any one of a variety of purposes. We trust that police officer to use the gun in the way it was intended to be used. That is a matter of trust. That is a matter of responsibility. That is a matter of truth. This lady or gentlemen with the gun has said "I will use it in the best interests of society. I will use it in the most powerful way I know how and in the most effective way I know how to enforce the law". We trust police officers with a gun. It is a lethal weapon that can maim and destroy lives, yet we trust them with that weapon.

● (1355)

Now we come to a DNA databank which is to be given to a very specific group of people who know exactly what the guidelines and the conditions are. Then we say that we cannot trust these people. That is an insult to the people who use their best abilities to enforce the law the way it should be enforced.

This is a very effective, precise tool. That tool should be given to them and we should trust the people to use it in the way in which it was intended. To think that we can never get around to the business of trusting, that we would say "Unless we can trust you, we are not going to give you anything." Where would it end? There would be no police officers, no one would take responsibility for anything. We have to trust them.

Surely something that is known to be this effective can be given to people and surely we can trust them to use it in a manner in which it was intended.

In conclusion, this is an instrument for people to help people and for the government to exercise its true responsibility to do what it was elected to do, look after the safety and security of Canadians and protect the property of individuals. We should expand this, not contract it.

Mr. Chuck Cadman (Surrey North, Ref.): Mr. Speaker, I would like to make a few comments and add my support to the bill, although I do it reluctantly because I feel it is something that should go a lot further. The whole concept of only being able to take a DNA sample when a person is convicted does not help in the police investigation of a case.

In my home province of British Columbia more than 300 murders are unsolved. In many of these cases the police feel that if they had been able to get DNA samples and DNA evidence they could solve a huge number of these.

Large numbers of victims of crime are wandering around B.C. knowing who the killers are, but are unable to get any conviction because lack of DNA support. The whole concept of a DNA databank has been a long time coming. However, it is a good beginning but more has to be done to give police the tools they need to do the job.

They have to be able to take DNA samples at the time of arrest to aid in the investigation. They should be treated like fingerprint evidence and destroyed only on request at the time of an acquittal in the case.

Again, I add my support. I am sure that all victims' organizations across the country support this kind of legislation. However, it something we have to take a lot further and more work has to be done. But it is a very good starting point.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And more than five members having risen:

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

And the bells having rung:

The Acting Speaker (Mr. McClelland): The vote on the motion stands deferred until the end of Government Orders tomorrow, Tuesday, November 4, 1997.

It being 2 p.m. we will now proceed to statements by members.

STATEMENTS BY MEMBERS

● (1400)

[*English*]

SICKLE CELL DISEASE

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I rise to inform the House about sickle cell disease.

Sickle cell disease is a chronic blood disorder. It is genetic. The lifespan of a person with sickle cell varies. Members of our community who are afflicted with the disease experience physical, emotional and social effects of the disease.

Extensive research and funding are limited on sickle cell. There is a need for resources to help health care professionals provide appropriate treatment. On behalf of my constituents and other Canadians who are afflicted with sickle cell, I call for greater government funding and research for this disease.

I applaud the Sickle Cell Association of Ontario, the Sick Children's Hospital and the Scarborough General Hospital for their efforts in ensuring that this disease is understood.

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JUSTICE

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Speaker, I rise on behalf of the constituents of Okanagan—Coquihalla. They are fuming at the recent sentence of convicted rapist Donald Poslowski of Princeton, B.C.

Poslowski was convicted of the brutal rape and strangulation of a 9 year old girl. The sentence? Six years with the possibility of parole in just two.

The judge had the opportunity to give him a life sentence and instead determined that six years would be sufficient. Who is worse, the rapist who commits the crime or the judge who condones it?

I applaud the community of Princeton which is fighting to appeal this absurd sentence.

Canadians want a criminal justice system that offers true justice for victims in sentencing, a system that acts as a deterrent to potential violent offenders, a system that does not allow violent offenders the opportunity for early parole.

Your honour, on the count of failing to provide safe playgrounds, homes and streets, we find this Liberal government guilty.

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YOUTH EMPLOYMENT

Mr. Dan McTeague (Pickering—Ajax—Uxbridge, Lib.): Mr. Speaker, I want to take this opportunity to recognize Canada career week 1997 and to congratulate the week's organizers for highlighting the necessity of preparing young Canadians for opportunities in the new knowledge based economy.

Choosing a career path has always been a serious decision for any generation of young people. Carving out a new career path in the information society is especially challenging and that is why the Government of Canada has made youth employment a national priority.

One key goal of our youth employment strategy is to provide young people with the information and assistance they need to be informed about their career choices.

[*Translation*]

The Government of Canada is proud to be a partner and active promoter of Canada Career Week. We are committed to seeing that young people are made aware of the challenging career opportunities in the new economy and, if necessary, to draw up the career plan that will prepare them for the world of work.

[*English*]

Career week offers an important opportunity to—

The Speaker: The hon. member for Malpeque.

* * *

LLOYD LOCKERBY

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am most pleased to offer congratulations to Mr. Lloyd Lockerby who last week was inducted into the Atlantic Agricultural Hall of Fame.

Born in Hamilton, P.E.I., Lloyd attended Prince of Wales College, graduated from MacDonald College in 1938 and received the governor general's medal for top standing.

S. O. 31

He was employed as an agricultural representative with the provincial department of agriculture and returned full time to the family farm in 1943.

Lloyd's successful prize winning beef operation consistently wins top placings at provincial, regional and national shows. His fox herd breeding stock, shipped worldwide, has become internationally known for its superior quality.

Lloyd's commitment to his community has been long and admirable. He served as leader of 4-H for 21 years, as president of Kensington Co-op, director of Amalgamated Dairies, as well as on several provincial boards.

My heartiest congratulations to Lloyd, his wife Jean and their family.

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[*Translation*]

PARISH OF SAINTE-MONIQUE-LES-SAULES

Mr. Jean-Paul Marchand (Québec East, BQ): Mr. Speaker, I wish to congratulate the organizing committee of the 50th anniversary celebrations of the parish of Sainte-Monique-les-Saules. The activities it organized were a resounding success throughout the year.

Its efforts were rewarded by the strong participation of parish residents, and its members' enthusiasm was reflected in the quantity and quality of the events organized.

I would particularly like to thank the chairman of the committee, Lucien Lemieux, the parish priest, Gervais Dallaire, and all 11 members of the organizing committee. All gave generously of their time to the community. Through their commitment, they are helping to strengthen the important ties among people in Les Saules.

Once again, thank you to all those who contributed, in whatever way they could, to the success of the 50th anniversary celebrations of the Sainte-Monique-les-Saules parish.

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● (1405)

[*English*]

KELOWNA TOY RUN

Mr. Werner Schmidt (Kelowna, Ref.): Mr. Speaker, 200 motorcycles riding through the streets of a city makes citizens wary, but in Kelowna the sound of engines revving is greeted with enthusiasm because it means every child will receive a gift this Christmas.

There has never been a formal committee struck for the Kelowna toy run but each year these riders of goodwill collect toys, raise cash for food hampers and give it all to the Salvation Army to help families in need at Christmas.

It is not just the imagine of smiling faces on Christmas morning that feels good, it is knowing that we live in a community where people help people.

On behalf of the constituents of Kelowna, I give many thanks to Tom Maxted, this year's organizer, and the many people who help the Kelowna toy run get bigger and better every year.

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VETERANS

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Mr. Speaker, veterans week is a time of national celebration and commemoration of those who served and continue to serve in our military services.

Many who will attend next Tuesday's Remembrance Day services will be the widows, the children and grandchildren of veterans who never came home from the battlefield.

As we pay tribute to those who sacrificed so much on the front lines, we must also remember that war does not affect only those who fought but also those who were left behind. On the home front it was often the women who took up the slack, who worked on the farms and in the factories, raised families and kept the home fires burning. It was the children who never saw their fathers and grandfathers who also paid dearly for the sacrifice.

So we learn the lesson that no one can escape the tragic consequences of war. The sacrifices of those who went before either on the front lines or back at home must never be forgotten. May those who have gone before us rest in peace. Lest we forget.

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KLAUS WOERNER

Mrs. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, today the governor general will be naming the national entrepreneur of the year. Mr. Klaus Woerner, the president of ATS, a firm in my riding of Kitchener Centre, has been designated as one of the finalists for this national award.

Beginning in a small shop with only two other employees in 1978, Mr. Woerner's business has expanded to employ over 2,500 employees with operations in three continents and sales in all.

Mr. Woerner's success mirrors that of many business persons in the Waterloo region, one of the most dynamic economic regions in Canada.

The award presented today also reflects the tremendous achievements of the Canadian economy in the past four years. The future promises to be even brighter yet.

[*Translation*]

ST-FRANÇOIS-DE-SALES PARISH CHURCH

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, this year we are celebrating the 150th anniversary of the building of the oldest church in Laval, the church of the parish of St-François-de-Sales.

This magnificent example of Laval's heritage is located in the riding of Laval East. Through its relics and architecture, it stands as a tribute to the talents, creativity and aesthetic sense of Quebec craftsmen and artists.

The church of St-François-de-Sales is also a symbol of the sense of belonging to a community, to values of faith, sharing, solidarity and openness to one another. It is a tangible sign of the ties woven over time by its parish community, to whom I wish to pay tribute today.

It is also, without a doubt, a reflection of our culture and history, and one of the symbols of the enduring nature of the people of Quebec.

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COMMISSION DE TOPONYMIE DU QUÉBEC

Mr. Guy Saint-Julien (Abitibi, Lib.): Mr. Speaker, controversy still rages over the naming of 101 islands in the far north of Quebec. On the one side, the Cree and Inuit communities feel that they were not consulted before the names inspired by Quebec literature were chosen, and on the other the Commission de toponymie du Québec persists in stating that, in its opinion, this was "virgin and unnamed territory".

Matthew Coon Come, Chief of the Grand Council of the Crees, and Zebedee Nungak are deeply disappointed by the geographical names commission's giving the 101 islands a name and claiming not to have known that there was already an aboriginal name for these geographical features.

This is one more example of the separatist government's preference for its own partisan agenda over consultation with its fellow citizens in northern Quebec.

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[*English*]

FOREIGN POLICY

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, the world is poised to sign a land mine treaty in December and Canada has been a leader in this success. But this is just the beginning.

● (1410)

If we are to work toward a safer world we must address the precursors to conflict and formulate responses to them. Human rights violations, militarization and the breakdown of civil structures all contribute to conflict. To address these requires multinational responses from NGOs and other institutions.

Canada can use its moral suasive power to create a critical mass of like minded nations to truly address these issues. We must move our foreign policy from an era of conflict management to an era of conflict prevention. We must seize the day for a better and safer world for all.

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LAND MINES

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, the NDP congratulates the international campaign to ban land mines and the 1,000 NGOs from 60 countries that backed the treaty process. We also congratulate Mines Action Canada with which we were pleased to work in the last Parliament helping to copy and forward the many letters of support it was generating to all cabinet ministers.

The Canadian government and other governments responded to the work of the NGOs, and that is good. Unfortunately the Americans have not seen fit to sign on. We hope they and others will yet see the light.

What we need now is a similar but even more comprehensive and successful dynamic to develop around the need to abolish nuclear weapons, which pose a threat to the entire human prospect. Let the recent success on land mines be only the latest but not the last step in banning particular evils from our midst.

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[*Translation*]

QUEBEC PREMIER

Mr. Denis Coderre (Bourassa, Lib.): Mr. Speaker, look out, look out, Lucien Bouchard is in China.

In 1994, the sovereignist leader of the Bloc Quebecois stated, in connection with the Canadian mission to China, that our Prime Minister, and I quote "has made a 180 degree turn and set a course that is guided by strictly commercial interests, thereby turning his back on protecting human rights".

Lucien Bouchard also asked whether our Prime Minister would "allude to the oppressive policies of this dictatorial regime only in very polite terms and in private, on the—advice of his Minister of Foreign Affairs".

Today, in 1907, as part of his own trade mission to China, the same sovereignist leader, but now Premier of Quebec, is planning to use courtesy and respect on this question. He does not want to see this mission turn into a big problem.

So, who then is telling the truth, Lucien Bouchard, 1994 version, or Lucien Bouchard, 1997 version? It seems as if what is sauce for

the goose is not sauce for the gander, where principles are concerned. Will the real Lucien Bouchard please stand up.

I hope that the Bloc Quebecois, 1997 version, thinks the same way as the leader of its head office in Quebec.

* * *

[*English*]

THE MINER COMPANY

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, today at noon Nobel prize recipient Jody Williams and the prime minister destroyed the last land mine in Canada's stockpile. On this momentous occasion I am disheartened by our government's lack of interest in a domestic issue occurring in Shefford, Quebec.

The Miner Company operated as an arms manufacturing plant during World War II in Shefford. In April 1996 forgotten explosive material was found at the site of the old plant. The ministers of foreign affairs, defence and the environment as well as the prime minister have all been made aware of this situation in our backyard.

To date no action has been taken to clear the area of dangerous material. I urge the government to maintain a domestic policy consistent with our international agenda and to address the dangerous situation in Shefford without further delay before a Canadian resident is injured or killed.

* * *

LAND MINES

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, today is a remarkable day in Canadian history et nous pouvons touts être fier d'être Canadiens.

Today after three years and the efforts of many individuals, including the member for Brant, Canada has eliminated its land mine stockpile. This is a critical step in the long road to ban land mines around the world.

In December governments, NGOs, citizens and activists will come together in Ottawa to sign a treaty that will unambiguously ban land mines. For all the world it will be a wonderful celebration. It will also be a time to commit energies, to work hard to ensure the treaty is ratified, implemented and monitored. The remarkable success of individual and collective efforts, the tremendous accomplishments of people like Nobel peace prize winner Jody Williams give us the energy we need to see this issue resolved.

Let us join in congratulating Ms. Williams for her relentless quest and in pledging to her our continued support to work together toward a safer society within our borders and outside them for all human beings.

IMMIGRATION

Mr. Gary Pillitteri (Niagara Falls, Lib.): Mr. Speaker, there are those in this House who link unemployment with immigration in spite of the fact that several studies have proven them wrong time and time again, but ignorance perseveres. Immigrant success stories which are the norm do not make the front page of national newspapers.

● (1415)

Recently I received a letter from a constituent, a refugee to our country and now a proud Canadian citizen. She wanted me to know that she was gainfully employed, waiting for a place to do her apprenticeship in hairdressing and earning credits toward a high school diploma.

She ended her letter with:

> I will try to make you proud and to be a good, honest and valiant citizen, a small part of a large family of Canadians.

I am sure I echo the sentiments of many Canadians when I say to her ''Thank you, Hilda, for choosing Canada as your new home''.

ORAL QUESTION PERIOD

[*English*]

ENVIRONMENT

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, normally the finance minister is one of the more talkative ministers in the House. He rarely misses a chance to be on his feet, particularly when the prime minister is away, but throughout the whole debate on the Kyoto emissions treaty he has been strangely silent. That is unacceptable in that the Kyoto deal could cost ordinary families thousands of dollars.

My question today is not for the prime minister or for the environment minister. It is for the finance minister. How much is the Kyoto deal going to cost and how are we going to pay for it?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I am delighted to respond to the leader of the Reform Party. This is the first time I have been asked a question by the Reform Party on the issue.

As the environment minister set out very clearly, she has not yet gone to Kyoto. The negotiations have not been completed. It is very difficult for one to estimate the final costs of an agreement that has been neither negotiated nor signed.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, we cannot understand first the silence of the minister and now the waffling of the minister.

Environmental interest groups are offering their speculation as to what this deal will cost. The industry interests have offered their speculation. The think-tanks have offered their calculations, but it is the finance department that will have to actually calculate the cost of positions the minister is taking in Kyoto and how we will pay for it.

I repeat my question. How much is the Kyoto deal going to cost and how are we going to pay for it?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the leader of the Reform Party has answered his own question. Industry may well speculate. The Reform Party may well speculate. The finance department does not speculate. The finance department deals with facts. It deals with a number of items that will have to be negotiated.

We are in the process of doing that, but we will not speculate, not even to please the leader of the Reform Party.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, Canadians are looking for answers on the economic implications, the job implications and the tax implications of the positions the environment minister is taking to Kyoto. The finance department has the capacity to run those numbers. It can run scenarios on all the options the minister is looking at.

Again I ask a question of the finance minister. Is it not his obligation to the House to tell us how much what the environment minister is proposing is going to cost and how we are going to pay for it?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, when the negotiations begin and when the government's position is outlined in clear detail then very clearly the costs and the ways of achieving it will be outlined.

What Canadians are really interested in is: Does the Reform Party have a position on this, or is its only position that of contradicting its own critic?

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, what Canadians are concerned about is making sure that they do not get a jump at the pump when this deal is signed, and the minister has already promised it.

The Liberal minister for Alberta has been as quiet as a little mouse on this, not even a squeak about the Kyoto deal. The entire oil patch is worried and the Liberals have not ruled out an energy tax. The minister has not done a thing to calm their fears. Albertans want to hear finally from their top Liberal.

Let me ask the justice minister this. Will the justice minister tell us her position on any energy or environmental tax?

● (1420)

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, the issue of climate change is an issue that affects our environment profoundly. It is an issue for all Canadians, for every region of the country, and every region of the country will take a part.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, it certainly is an issue for all Canadians but specifically in the Alberta oil patch. Albertans themselves are worried about an energy tax.

The countdown to Kyoto is on. We would think the top Alberta Liberal would have said something by now, but in fact she is hiding and she is hiding in the House.

Some hon. members: Order.

The Speaker: My colleagues, many times questions are addressed to specific ministers. These ministers may or may not have an administrative responsibility. I am sure the whole House is aware that a question generally is posed to the government and anyone on the government's side can answer that question at any time they want.

I am going to permit the hon. member to continue with the question.

Miss Deborah Grey: Thank you, Mr. Speaker. I am sure Canadians will be glad of that.

Albertans are wondering where is Waldo. I do not want to hear from the prime minister or the environment minister or the deputy prime minister or anyone else. I want to ask a question of the senior minister from Alberta. Will the justice minister stand up for her constituents and will she stand up—

Some hon. members: Order.

The Speaker: The hon. Minister of the Environment.

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, this issue is one that the Reform Party will not speak about from an environmental perspective.

We have yet to hear after 50 questions any view of the Reform Party with regard to this as an environmental issue. Many Albertans are doing very serious things to reduce greenhouse gases in that province. The Reform Party could learn a lot by listening to Albertans.

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[*Translation*]

COMPUTER SYSTEMS

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, my question is for the President of the Treasury Board.

Experts agree that passage to the year 2000 will constitute a challenge for business and government alike, since all computer systems will run into the same problem, which will hamper all government operations, including the issuance of cheques.

Given the serious threats posed by the arrival of the year 2000 to all computer systems, could the President of the Treasury Board assure us that the government is prepared to meet its obligations, including that of issuing cheques and pension cheques in particular?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, we are very aware of the problem the arrival of the year 2000 represents for our computer systems.

I have already provided the House with certain details on the action we have taken, the groups looking at the situation—department by department—and the sorts of problems we are facing. We are doing what we have to so we can, among other things, issue cheques and we are continuing to do what we have to do in the various departments to come to terms with this eventuality.

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, I can understand the minister's wanting to provide reassurance, but we need to know the truth.

The auditor general is very concerned. What does the President of the Treasury Board say to the auditor general, who wants departments and agencies to give very high priority to the year 2000 projects and to develop contingency plans?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, we are in contact with the auditor general on this matter. He mentioned it in his latest report.

When I made my comments on the report to the auditor general, I indicated that we would consider the matter urgent. We are ensuring that all departments do likewise. We have set up a steering committee that will ensure the proper measures are taken in time.

Mr. Odina Desrochers (Lotbinière, BQ): My question is for the President of the Treasury Board.

Should the government fail to meet the information technology challenge of the change in millennium, millions of cheques, including pension, old age and EI benefit cheques, will not be issued.

● (1425)

Since Human Resources Development Canada took a long time to develop its computer system just to end up, after investing hundreds of millions of dollars in this project, deciding that the solution would be to cast the new system aside, what assurance do we have that a solution will be found by the year 2000?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, the problems my hon. colleagues refer to are real problems that concern us too. That is why, once again, we have a group of experts at the data centre in charge of monitoring developments, who are currently following every lead received from the private sector and the public sector in other countries on how to deal with the problem created by the advent of the year 2000.

I can assure my colleague that we are taking all necessary steps to deal with this problem.

Mr. Odina Desrochers (Lotbinière, BQ): Mr. Speaker, since the year 2000 is 26 months away and that 26 months is a very short time to tackle such a computer challenge, is the President of the Treasury Board prepared to report to Parliament on a regular basis on the progress being made in this respect?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, let me read into the record part of the auditor general's report where he states his views on the matter. It reads as follows:

> The Secretariat has been actively raising awareness of Year 2000 across government. The interdepartmental working group set up and chaired by its project office has provided a forum for discussing views and exchanging experiences in Year 2000 work. Through its surveys, the working group, and other interdepartmental committees involving heads of information technology and deputy ministers, the Secretariat has played a meaningful role in co-ordinating—

The Speaker: The hon. member for Halifax.

* * *

[*English*]

GOODS AND SERVICES TAX

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, my question is for the finance minister. Last week Nova Scotia's premier visited the finance minister seeking relief for the BST burden on essentials like home heating fuel.

The federal government sent the Nova Scotia premier packing empty handed even though a GST reduction would create far more jobs than any other proposed tax break.

Why will the finance minister not agree to reduce the BST on family essentials like children's clothing, home heating fuel and school supplies and at the same time increase the GST tax credit?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I met with the premier of Nova Scotia last week. We had an extensive discussion dealing with a great number of issues, all of which are under continued consideration.

Ms. Alexa McDonough (Halifax, NDP): That is progress, Mr. Speaker.

The finance minister is considering RRSP changes that would primarily benefit those earning over $75,000. Yet it is middle and

lower income Canadians who have borne the brunt of his cuts to health, education and other vital services.

Before introducing more tax cuts for the well off, will the minister get in sync with Canadians, remove the GST now on family essentials like children's clothing, school supplies and home heating fuel, and grant GST tax relief to those who need it most?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I am not quite sure I know what planet the leader of the NDP is on.

In terms of RRSPs the changes we have brought in such as the unlimited carryback are a clear benefit to low and to medium income Canadians.

At the same time the member should take a look at other tax changes from my colleague in human resources, the child tax benefit and the changes we have brought in for students, for parents who are saving for their students' education, and the changes we have brought in for the physically disabled.

That is precisely what we have done. I do not know where the leader of the NDP has been but it is clearly not in North America.

* * *

[*Translation*]

NATIONAL DEFENCE

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, in France, in Great Britain and in the United States, there is an inspector general for the armed forces.

An inspector general was required in the case of the Somalia inquiry. Our party's electoral platform includes the appointment of an inspector general. There have been reports showing that drugs were used in a top secret military base and that there was another cover-up by the Department of National Defence.

In view of these facts, why does Canada not appoint an inspector general for the armed forces?

● (1430)

[*English*]

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, we will have all of those functions in the changes that are being made in the Canadian forces. We will have a chief of review services and an ombudsman. Just about anything that the Somalia inquiry suggested would come under the role of the inspector general comes under the role of those two people, or one of the other mechanisms, such as the grievance board and the national investigative services of the military police as well. There are all of these with civilian oversight as well to ensure that Canadians are getting the proper information about a job being done.

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, last week at the defence committee I put forward a motion to hear from the three Somalia commissioners to speak on chapter 44 of their report, ''A Need for a Vigilant Parliament''.

There were reports this weekend of drug use at a top military base and a bungled investigation. Canadians deserve a military that is proud, effective and capable. Canadians deserve a military that is accountable to the people.

I ask again, when will the inspector general be a part of Canada's defence team?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I do not agree with the preamble about bungling.

Let me talk about the fact that we are going to have very substantial civilian oversight with the ombudsman and with many of the other functions that will be performed with respect to the military. Also we will have a great increase in terms of public reporting from the chief of defence staff, the judge advocate general, the provost marshal, the military police complaints commission, the ombudsman and the independent grievance board, all of which will make annual reports which will be available to Parliament for scrutiny.

* * *

ENVIRONMENT

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, we are not satisfied with the silence of the senior minister from Alberta on an issue of concern to the—

The Speaker: My colleagues, as a general rule in question period the question is addressed to the government. As a more specific rule, if we are going to name ministers, it should be with their administrative responsibility in mind. In question period we do not know exactly where the question is going until the question is put, but the question itself should go to the administrative responsibility of a member. I would ask all hon. members in phrasing their questions to keep that in mind.

Mr. Preston Manning: Mr. Speaker, I could argue that this issue has a legal dimension and therefore might come within the purview of the minister. This issue more importantly is a balancing issue. We are trying to balance interests, an economic interest and an environmental interest. We are trying to balance the interests of different provinces. This minister is in a position to represent those interests.

My question—

The Speaker: We are going to pass to the second question. There was no question on the first pass. We ran out of time. I would ask the hon. member for Calgary Southwest to please put his question.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, let the record show that the senior minister from Alberta has nothing to say.

Some hon. members: Oh, oh.

The Speaker: The hon. member for Saint-Hyacinthe—Bagot.

* * *

[*Translation*]

DEFICIT REDUCTION

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, my question is to the Minister of Finance.

Between 1993 and 1998, this government will have taken $19 billion from the employment insurance fund, $11 billion from social transfers to the provinces and $5 billion from its employees' retirement fund. However, expenditures by departments and crown corporations will have been reduced only by a little more than $2 billion.

● (1435)

Instead of looting pension funds, the employment insurance fund and provincial social programs, when will the Minister of Finance reduce his spending by really cleaning up his departments?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the member knows very well that there was a two-year gap between our first expenditure reductions and the reductions in transfers to the provinces. The member knows very well that tax points have to be considered and that the federal cuts have been much deeper than the provincial cuts.

He knows very well also that since we took office, we have reduced employment insurance premiums every year. He knows also that we have invested a lot of money in research and development, in job creation and in young people and that we will continue to make investments for the future of Canadians.

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, that is not the issue. The issue is that the Minister of Finance has taken $35 billion from the pockets of the less privileged and that his own efforts to reduce spending in his own department amount to about $2.4 billion. That is the real issue, and I am using his own figures. He should answer the question instead of trying to evade it.

My second question is this: How can the minister say that he has done his job properly when in fact he has confiscated $35 billion from the provinces, from the unemployed and from retirement funds, when he himself has only reduced spending by $2.4 billion?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the member knows very well that these numbers are completely wrong. One thing that is clear, however, is that the province of Quebec has cut transfers to its municipalities by 6% compared to our 3% cut to provincial transfers, that is to say, Quebec has cut transfers to municipalities by twice as much as we cut transfers to the provinces.

* * *

[*English*]

GOVERNMENT SPENDING

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, in a poll released this weekend a majority of Canadians said no to new spending after the budget is balanced, but nearly half said their top priority is to pay down the debt, while a third said it was tax relief.

My question is for the Minister of Finance. Does he agree with Canadians that any future surplus should be directed to debt reduction and tax relief and not to new spending?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member is from Alberta. I would have thought that he would have taken note of the Alberta growth summit in which Albertans said that their priorities were exactly the same as the government's, that is to say health care and education.

Yes, we have made it very clear that we do intend to reduce the debt. In fact in the last six or seven months we have reduced close to $13 billion of marketable debt.

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, in the same poll a whole 7% of Albertans said they want new spending from this government which is planning to spend half of the future surplus on new spending. In fact more than half of those surveyed said they are worried that this government is going to get us back into a deficit situation again through new spending. This government promised in the throne speech 29 new spending programs and not a single tax cut.

Will the Minister of Finance admit that he has misread public opinion? Will he agree to give Canadians the tax relief they are demanding today?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, we already began to provide tax relief of over $2 billion over a three year period in the last budget.

What Canadians have made very clear is that they do not want to see tax cuts paid for by a $3 billion reduction in old age pensions which is in the Reform platform, or from a $3.5 billion cut to health care which is in the Reform platform. Canadians do not want to see the social programs of this country gutted and eviscerated by a Reform Party which has no idea of what it is that makes this country work.

[*Translation*]

FOREIGN INVESTMENTS

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, my question is to the Minister for International Trade.

Since 1995, OECD member countries, including Canada, have been negotiating a multilateral agreement on investment, aimed at clarifying the rules governing foreign investments.

Can the government assure us that the future agreement will include adequate clauses to prevent countries from lowering their environmental protection and labour standards in the hope of attracting foreign investments?

● (1440)

[*English*]

Hon. Sergio Marchi (Minister for International Trade, Lib.): Mr. Speaker, the whole goal of the negotiations for an MAI is to set clear rules, clear regulations and above all, the highest standards possible that will govern both investment into Canada as well as outward investment across the world.

What we want to avoid certainly from our country's perspective is that investment flows to the lowest standards in the developing world. That is why I have been saying that after the OECD we must transfer the whole issue of negotiating a multilateral agreement on investment to the WTO so that we can standardize business in the third world as well.

[*Translation*]

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, let me try again and see if I can get a clearer answer.

Will the government also pledge to ensure that cultural protection measures included in the agreement will be negotiated in a manner satisfactory to Quebec and Canadian cultural groups?

[*English*]

Hon. Sergio Marchi (Minister for International Trade, Lib.): Mr. Speaker, I thought I made myself crystal clear in the first answer. I hope the member was listening because we also said many times that as far as culture is concerned, Canadian culture is off the table at the MAI.

* * *

NATIONAL DEFENCE

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, access to information documents reveal the pathetic state of our helicopter fleet. In the last three years alone there have been 6 accidents, 256 separate incidents, 48 injuries and 2 deaths. The Labradors and Sea Kings need to be replaced now.

Will the minister of defence continue to delay and dance with disaster or will he show that he really does care and announce a delivery date today?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, we really do care. That is why we want to make sure that we get the proper helicopters that are going to meet the operational needs for those fine dedicated men and women who go out and conduct rescues under some very trying circumstances. We are very close to doing that.

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, the minister of defence promised that he would have an announcement before the end of September. It is now December and there has been no announcement. It has been four years. What is the hold-up? Why can the government not make up its mind on replacing the helicopters?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, one of the problems hon. members opposite have is their research. They do not even know what month they are in.

We certainly want to make that decision as quickly as possible. We want to make sure we get the best value for the taxpayers' money. We want to make sure that we provide equipment that is going to be the best operational equipment for the people in the Canadian forces who conduct 1,000 search and rescue missions a year.

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[*Translation*]

ALGERIA

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, my question is for the Minister of Foreign Affairs.

Algeria is sinking into anarchy and chaos, before the eyes of a powerless international community. But, increasingly, we hear voices saying we must not remain indifferent to this tragedy. These voices include a coalition of religious and union organizations, including Mr. Allmand's group.

Is the Canadian government prepared to follow up on that coalition's request to establish a commission of inquiry or, contrary to what it is doing in the area of land mines, is it not going to stick its neck out?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I share the hon. member's grave concern about the situation in Algeria.

I had several discussions with Algeria's foreign affairs officials to inform them of the great concern of Canadians and to develop a program. I also promised to meet with interested groups, and I hope such meeting will take place soon.

LAND MINES

Mr. Jacques Saada (Brossard—La Prairie, Lib.): Mr. Speaker, my question is for the Minister of Foreign Affairs.

We are now one month away from the Ottawa conference on the elimination of land mines. Given the extremely powerful leadership role Canada has taken in this regard, I would like to know what specific measures are being taken, both for the conference itself and in terms of post-conference follow-up?

● (1445)

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, it is very important that we work very hard to get as many countries as possible to come to Ottawa next month. More than 100 are coming now. The Prime Minister was able to recruit others last week at the Commonwealth conference. He will be at the francophone meetings next week, and I am going to the Middle East to undertake a campaign to get more countries to come.

It is also very important to enlist the entire House of Commons and the Senate in trying to ratify the treaty at the same time as we sign it. That would be a very important signal to the leadership of Canada. Clearly we must begin dedicating serious resources to the implementation of the treaty.

* * *

PASSPORTS

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, this spring two men were charged with the possession of stolen passports. This past weekend we had 25 blank passports produced by a secure printer in Ottawa.

Does the minister know about this? Does the minister care about this? What is the minister going to do about this?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I know about it because I was the one who informed the security forces that they could start investigating the matter.

I was a little ahead of the hon. member. He is only about six months late in asking the question. Not only did he not get his research right, he seems to be out of date in his questions.

It is now being investigated actively and the problem will be properly handled by the police authorities.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, the member has had six months to do something about it. Last month he assured us that passport security was going to be taken care of. Now we find passports being used as currency in the drug trade.

How many more of these kinds of scandals must we have before the minister does something about our passports?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, I think the hon. member is engaged in a little sleight of hand.

The question we faced last month was the use of forged passports. It had nothing to do with this incident. People forged Canadian passports.

On the second issue, when we found out there was a security breach, we asked for an investigation. The police have it in hand. We can do no more than make sure those who have undertaken that are properly charged.

* * *

EDUCATION

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, last week the industry minister warned that companies are leaving Canada because of a shortage of skilled workers, yet the finance minister claims to be doing more for higher education than any other government. A human resources development department study suggests tuition fees are so high they are deterring potential students.

Will the government explain why it is actuality deterring potential students and driving jobs out of the country when it claims to be doing so much for education?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, this is absolutely wrong. We are working very hard these days talking with lenders, talking with the provinces, and talking with student associations. We are well aware of the problem many students have in being able to borrow money. We are addressing the situation by talking with everyone that has a say in the matter.

We need an accurate and helpful solution, not just this kind of statement that does not make any sense.

Mr. Gordon Earle (Halifax West, NDP): Mr. Speaker, by the year 2000, 45% of new jobs will require 16 years of education, yet a government study shows that since 1980 public transfers for education have been cut in half, from $6.44 per each dollar of student fees in 1980 to less than $3 in 1995. Even then the government continued to cut.

How can the government turn its back on young Canadians by cutting the very programs that would lead them to jobs in the future?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, it is quite the opposite.

If the hon. member would care to take a look at the last budget, he will see that the government brought in substantial measures to

help parents save for their children's education through RESPs. At the same time we brought in a whole new system of tax credits to enable students to have either their parents or other people help them pay for their tuition. We doubled the grace period which students would have to begin to pay back their student loans. Not only did we do that but we brought in a whole series—

● (1450)

The Speaker: The hon. member for Pictou—Antigonish—Guysborough.

* * *

TAXATION

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, during last Parliament's debate on Bill C-92 the Parliamentary Secretary to the Minister of Finance said that the old system of deduction inclusion was not working for the benefit of Canadian children. As a result, the Income Tax Act was amended so that child support payments would no longer be deductible for the payee nor be included in the recipient's income.

In theory, these changes seem equitable but in practice it translates into smaller amounts awarded by judges. Monetary awards for children are now smaller than what used to be left in the hands of recipients. Could the minister of revenue explain to the House why taking money from poor families affected by divorce is of any benefit to Canadian children?

Hon. Harbance Singh Dhaliwal (Minister of National Revenue, Lib.): Mr. Speaker, part of our agenda has been to help children. Part of the whole program to not let deductions happen for parents is to ensure that the children get more money. This is part of the children agenda we, including the Minister of Justice, have put forward.

We will ensure that the children of Canada are protected through the child poverty program. We will also ensure that all funds go to children. Is this member saying that for those people who pay maintenance fees, after tax money or before tax money should go toward children? He should be clear on what his position is.

[*Translation*]

Ms. Diane St-Jacques (Shefford, PC): Mr. Speaker, the former Minister of Justice told the Senate committee that tax changes provide Ottawa with additional revenue. This means that the children of divorced parents have less, but the government has more.

Can the Minister of National Revenue tell the House how much money divorced families are now giving the Minister of Finance and explain to us how these changes actually help children?

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I want to assure the hon. member that the purpose of our reforms and the purpose of the reform entered into by my predecessor was to ensure that children of divorced families get more. I assure the hon. member that my department is watching very carefully the implementation and application of the guidelines. If there appear to be any problems we will be dealing with them.

* * *

ENVIRONMENT

Mr. Murray Calder (Dufferin—Peel—Wellington—Grey, Lib.): Mr. Speaker, a new federal study states that global warming will adversely affect the climate on the prairies: drier summers, thinning forests. As a farmer I would like the minister of agriculture to tell us in concrete terms what he is doing to protect Canada's soil and water systems.

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the department has been actively involved in protecting Canada's fragile environment.

Recently we announced the $10 million national soil and water conservation program. That $10 million will be distributed by adaptation councils and other similar groups across the country to conserve and enhance soil and water stability and quality, to conserve biodiversity and to deal with any adverse effects the uses of farm inputs may have.

The province of Ontario was the first to come forward with its application and I have presented it with a $625,000 cheque.

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CORRECTIONAL SERVICE CANADA

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, in the last two and a half months three violent offenders have escaped from the new minimum security aboriginal healing centre at Hobbema, Alberta. Two have been apprehended and one is still at large. Why does Correctional Service Canada refuse to alert the public when an escape occurs from this institution?

Hon. Andy Scott (Solicitor General of Canada, Lib.): Mr. Speaker, the facility in Hobbema is one of which Corrections Canada is quite proud. It introduced new ways of dealing with aboriginal offenders. I specifically remember the hon. member attended the opening with much fanfare.

We are very aware of any incident of that kind that occurs inside an institution and are taking action.

[*Translation*]

TOBACCO ACT

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, several times now I have asked the Minister of Health if he intended to take other sports and cultural events besides the Grand Prix into account in his bill to amend the Tobacco Act, and each time the minister has refused to answer.

● (1455)

Will the minister admit that a bill to amend the Tobacco Act that did not take all sports and cultural events into account would create a completely discriminatory situation?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, we have not yet introduced the amendment. I intend to do so shortly.

I would like to advise the hon. member simply to wait. I will introduce the amendment when it is ready.

* * *

[*English*]

THE ECONOMY

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, my question is for the Minister of Finance.

The government has finally learned what Canadians have known for some time. While the gross domestic product may be rising, the social health of Canadians has actually declined. The government's index on social health shows that unemployment, falling real wages and increases in child poverty continue to plague our country.

Will the Minister of Finance commit today to improving the social health of Canadians? Will he and his government set targets and timetables to reduce unemployment and pursue them with the same determination and vigour that he pursued targets for deficit reduction?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, we are concerned with all of the social indicators that apply to Canadians. The prime motivation for the clean-up of the nation's finances was to put the government in a situation where it can address those things.

I am sure the hon. member knows that Canadians suffered from the trauma of a terrible recession from 1989 to 1992 and it took a long time for us to recover from it. However, as a result of the actions taken since 1993, all of those indicators have either stabilized or they have improved substantially.

NATIONAL DEFENCE

Mr. David Price (Compton—Stanstead, PC): Mr. Speaker, the defence minister neglects to tell us that without the inspector general, he is the only link between Parliament and national defence.

I learned this weekend of allegations of drug use at one of Canada's top military bases. I also learned that the investigation made by the military was botched.

Is the government prepared to tell Canadians that it is satisfied with the results of the investigation, and if not, why was it stopped?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the investigation has been suspended but it is not closed. If additional information is brought out, the investigation will be reopened on the basis of that new information.

The investigation has been thorough. I do not subscribe to the preamble of the question in which he said it was botched. The matter has been investigated. In fact other police forces were also involved. If there is new information it will be reopened.

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IMMIGRATION

Ms. Sophia Leung (Vancouver Kingsway, Lib.): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of Citizenship and Immigration.

The minister recently announced the immigration levels for next year.

In my riding of Vancouver Kingsway we always support the immigrants' families. Is it true the new policy will reduce the family reunification program?

Ms. Maria Minna (Parliamentary Secretary to Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the government continues to be strongly committed to family reunification. I should point out that independent immigrants also bring families with them when they come into this country.

The other thing is that applications on families are on demand. We have no quota. However, the family reunification numbers have gone down primarily due to a change of classification with families as a definition over the last number of years.

A legislative review is taking place. The report will be tabled at the end of December. Perhaps the hon. member and other members of the House would like to participate in discussing how we might define family reunification in the future.

HEALTH CARE

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, on Friday the supreme court gave the power to this House to protect fetal rights. The Minister of Justice said she would do nothing.

Our jails, our detox units and our psych units are filled with the broken minds of people who have been damaged before birth.

Is this minister going to do something to protect children before birth or is she and the government going to continue to do nothing?

● (1500)

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I point out the fact that the Supreme Court of Canada did not give that power to the Parliament of Canada. In fact, the Supreme Court of Canada talked about provincial legislatures.

I remind the hon. member that what we are dealing with is a very important issue of health. Therefore I suggest that perhaps he talk to the provincial Government of Manitoba in relation to legislative responses dealing with health and child welfare.

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PRESENCE IN GALLERY

The Speaker: I draw the attention of members to the presence in the gallery of Dr. Valsta Parkanova, Minister of Justice of the Czech Republic.

Some hon. members: Hear, hear.

The Speaker: I draw the attention of members also to the presence in the gallery of Mr. Ernesto Suarez Mendes, member of the National Assembly of the People's Power of the Republic of Cuba and Secretary-General.

Some hon. members: Hear, hear.

* * *

POINTS OF ORDER

QUESTION PERIOD

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I bring this point of order to the House related to our need to ask ministers relative questions.

In a ruling from March 4, 1986 the Speaker of the House ruled:

> Hon. members may not realize it but questions are actually put to the government. The government decides who will answer.

Mr. Speaker, we were merely making suggestions to the government as to who should answer in this House today and why. On two

different occasions you ruled once in this party's favour, the second time against this party.

On May 8, 1986 the same Speaker stated:

> Of course, the Chair will allow a question to be put to a certain minister; but it cannot insist that that minister rather than another should answer it.

Again, the decision lies with the government in the House, but we are not precluded from making suggestions. We should not be muzzled from making suggestions in this House.

The government may rise in opposition of this point of order and use citation 412 which supports perhaps the Speaker's position in your second decision today. However, it was a ruling from 1968. There have been a number of changes to the way question period is conducted, including many Speaker's rulings and committee reports on this subject since then. It is outdated, much like this government.

Political ministers are an excepted reality and they should be accountable to this House. This is at the basis of our Parliamentary system. The government seeks ways to avoid accountability and this is just another attempt by the government to hide those outdated, obscure issues and points it has on issues relative to today.

● (1505)

I note a little while ago in this House a member rose and asked a question of this government about the Kyoto conference. The minister of agriculture rose to answer that question. In fact, it was very similar to the issue that we had earlier in the House and yet you allowed it.

I refer to Beauchesne's citation 410:

> In 1986 the Speaker put forth further views in light of more recent conditions and precedents. It was observed that: (6) The greatest possible freedom should be given to Members consistent with the other rules and practices.

Mr. Speaker, I ask that you revisit the issue in this House today and allow us in future and even in the next question period to question the minister from Alberta on issues relevant to this House and to that issue.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, as members know, I had also sent notice to the Speaker that I wished to address a point of order, the same one of course.

The point I want to raise is twofold. First is the whole matter of the question asked by the Leader of the Opposition and the member for Edmonton North. Second and attached to that is the issue of what I believe to be language that the Speaker might want to look at in relation to something that was said by the hon. member for Edmonton North.

Getting back to the first point that I raise, the relevant citations of Beauchesne's, it has just been said by the House leader of the official opposition that a question can be answered by any minister.

That, of course, has been ruled on consistently in the past. In other words, the questions are asked of the government and the government, if it so chooses, can then delegate any minister to answer. That is quite properly cited in citation 410.

The proper citation is in fact citation 412. The proposition is the following one. Can a member ask any question of a minister whether or not it is in his or her area of ministerial responsibility? Quite clearly the answer to that is no.

Citation 412 of Beauchesne's says:

> A question may not be asked of a Minister in another capacity, such as being responsible for a province, or part of a province, or as spokesman for a racial or religious group. *Journals*,October 16, 1968.

I had someone research *Journals* for me and I want to read to members very briefly the applicable paragraph. I read selectively here in the text for the purpose of brevity. It says a ruling was then made to the effect that a question must be addressed to a minister in relation to his administrative responsibilities.

I read further, and the House might want to pay particular attention to this portion. It says the very limited ambit of the previous ruling was to the effect that a minister may be asked questions related to a department for which he has ministerial responsibility or acting ministerial responsibility, but a minister cannot be asked nor can he answer a question in another capacity such as being responsible for a province or part of a province or as spokesman for a racial or religious group.

The point I am making here is that an opposition member or any member's asking a question to a minister knowing the minister is unable to answer, according to our rules, and then making editorial remarks to let the record show that the minister refused to answer is not only against the standing orders of this House but there is a question of political ethics the Speaker might want to look at.

On the whole issue of the language used in this House by the hon. member for Edmonton North, I invite the Chair to look at this as well.

● (1510)

The hon. member for Edmonton North in the past has complained and the House has admonished members for referring to members inappropriately or for using language which was not deemed appropriate. The hon. member for Edmonton North will remember what I am referring to and I do not intend to repeat it on the floor of the House.

To attribute to someone certain characteristics of an animal on the floor of this House is wrong. It has been said to be wrong in the House by the hon. member for Edmonton North and by the Chair.

Mr. Speaker, I invite you to examine that very closely because I believe that is similarly unparliamentary.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, I have absolutely no recollection of saying anything. I do not know what this member is talking about. If for any reason I said something about animalistic, I will apologize—

The Speaker: I want to hear the point of order we are discussing. I will hear the hon. Reform whip and then I will hear the Deputy Prime Minister.

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, you have heard two sides of the story. I believe that when you check Beauchesne's you will find that both the House leader for the government and the House leader for the official opposition have quoted that portion of Beauchesne's accurately.

Mr. Speaker, I would ask you in your ruling to consider two things. First, the ruling which was read from Beauchesne's referred to activity in 1968, times almost in another era. Nowadays when ministers are assigned responsibilities by the prime minister they are assigned extensive responsibilities, in some cases in provincial arenas.

For example, Mr. Speaker, I would ask you to consider the case of the infrastructure program where no infrastructure money, billions of dollars, can be approved without the minister in charge of a province signing off for it. In other words, it is not fair in today's reality to say to the official opposition you cannot ask questions about that person's provincial responsibilities when billions of dollars of taxpayer moneys are signed off by the appropriate provincial minister.

I have dealt in my province with the minister of fisheries, who has dealt with transit bus funding in my riding. They may be totally unrelated but I have asked questions in written form and I would hope I could ask in the House of Commons if that minister is responsible for signing off or not signing off for this kind of money.

I believe it is the privilege of an opposition party to ask questions germane to that minister's provincial responsibilities.

Mr. Speaker, I would ask that you take into account the different era we are working in today. I am not sure if the proceedings of the House were even televised in 1968. They probably were not. It is now a different era. We have a different political reality. I would ask you to consider today's reality as you read Beauchesne's.

My second point is that if the government has the right, and I think it does and should, to assign questions to different ministers, I would ask for a bit of tit for tat. I am not sure if that is in Beauchesne's. It seems to me that the government has the privilege of assigning to anyone in its cabinet the answering of any question under any jurisdiction on any issue of the day. We have seen it happen when we asked a question of the defence minister and the

defence minister did not want to answer it so the government gave it to someone else on the other end of the row. When that happens that means the jurisdiction is totally different from the main jurisdiction of that minister.

If they are allowed to just pick and choose who they want to answer a question, often for political reasons, then I think we should have the privilege on this side of the House to direct our questions to whomever we wish on that side.

They may not choose to answer. That is their privilege, but we certainly should have the privilege to direct our questions to whomever we want on that side.

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the hon. Reform member who has just spoken has totally misunderstood what happens when ministers answer questions. They answer questions with respect to their departmental responsibilities or as acting ministers, designated as such in the absence of the departmental minister. It is not just a matter of random choice by the prime minister or acting prime minister in the House.

● (1515)

If the hon. member is so interested in Beauchesne's, I direct the hon. member and, with respect, you, Sir, to citation 416 which states in part:

> —insistence on an answer is out of order, with no debate being allowed. A refusal to answer cannot be raised as a question of privilege, nor is it regular to comment upon such a refusal.

Reform members may say that is a citation going back many years and they may want to rely, as the House leader of the Reform Party has just done, on citation 410 which states:

> In 1986 the Speaker put forth further views in light of more recent conditions and precedents. It was observed that—

Then the hon. House leader read No. 6:

> The greatest possible freedom should be given to Members consistent with the other rules and practices.

If he wants to live or die by citation 410 then he had better read its sections 16 and 17:

> (16) Ministers may be questioned only in relation to current portfolios.
>
> (17) Ministers may not be questioned with respect to party responsibilities.

I submit Reform members were totally out of order, pressing the Minister of Justice to answer because she is the senior Liberal from Alberta. This is totally contrary to the very citation on which the hon. Reform House leader bases his case. If he wants to live or die by No. 6, he has to live and in fact die by the words of sections 16 and 17.

Hon. Reform members are out of order. Hon. members know what the rules are. They should be questioned as to why in order to give a misleading impression, not necessarily deliberately, they are raising the idea the hon. Minister of Justice is unwilling to answer.

I am sure she would be delighted to answer, but unlike my hon. friends she has respect for parliament and wants to live by the rules and precendents of the House.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I do not want to step into the sandbox but I thought I might try. I will be careful not to use traditional metaphors like quiet as a mouse for fear that I might become the object of simulated indignation.

I would like to offer what I hope will be a helpful comment. I watched the exchanges carefully and watched you, Mr. Speaker. While on the one hand we want to maintain that there is an ability on the part of opposition members to ask regional ministers questions about their regions, there is a case to be made that the way in which the questions were being asked today in the House of Commons left open questions as to the appropriateness of the way the questions were being put, for instance, with respect to ''senior Liberal '', et cetera, and asking the Minister of Justice what was her position as opposed to the government's position. There were a number of ways in which the question was being asked that made the questions, technically speaking, inappropriate.

I just want to put on record that I think there are appropriate ways to ask regional ministers questions about their region. Perhaps in your ruling on this, Mr. Speaker, you could advise the House on the proper way to do this so that people who are trying to do this can do it properly the next time.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, I will be brief. The issue we are getting at here is accountability of ministers. I think your initial instincts on how to handle the situation were correct.

The minister we are discussing is represented in Alberta as both the Minister of Justice and as the senior Alberta minister in cabinet. Albertans are invited to make representations to that minister on all kinds of issues and that minister is used to deliver all kinds of messages in Alberta on behalf of the government that are outside her portfolio.

● (1520)

We know that all kinds of Albertans have made representations to the government through that minister on the issue of global warming, gas taxes, energy taxes, emissions and greenhouse taxes. We believe it is therefore appropriate to hold the minister accountable in that role in the House as well as for her formal portfolio.

If the minister wanted to say in response to our questions that she has passed those representations on, that she has taken this position herself, that she has attempted to reconcile these positions in this way, or if she chose to say nothing, that is her prerogative. However, we feel we at least have the right to hold her accountable

for that other administrative position which she is purported to have in the province of Alberta.

The Speaker: Is the hon. member rising on the same point of order?

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, it is a point I would like you to consider when you are considering these other points.

The justice minister is also the Attorney General of Canada and as such is the chief legal counsel for the government. She is called upon by all ministers when it comes to enacting legislation, including any legislation on the greenhouse effect issue.

I ask, Mr. Speaker, that you consider that point as well when you take the other points under consideration.

The Speaker: Is the Deputy Prime Minister seeking the floor?

Hon. Herb Gray: Yes, Mr. Speaker. I wish to comment briefly on what was just said by the Reform member in question.

There is a clear precedent that the Minister of Justice, even in her capacity as attorney general, cannot be asked to give what amounts to a legal opinion in the House.

The questions that were put to her were not with respect to the legalities of legislation or policy on the greenhouse gas effect. They were put to her as the senior minister in Alberta. With all due respect to the hon. member who just got up, the point he raised is not consistent with the rules and practices of the House.

Even though the precedent cited by the government House leader was stated in 1968, I must say it has been upheld many, many, many times since then, including by yourself, Mr. Speaker. I ask you to take a look at the way you have added precedential weight to the precedent of 1968.

The Speaker: This is new information, I take it.

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, this is not about tradition. This is about change.

With regard to your decision, Mr. Speaker, and the timeliness of it, we have full intentions of pursuing the minister on this accountability question. We would like to do that as soon as possible, probably even tomorrow.

We would like to ask that you deliver the decision on this as soon as possible, preferably before question period tomorrow.

The Speaker: I have listened very carefully to the three sides of the argument, with the member of New Democratic Party coming in.

At question period your Speaker has the rules as they are laid out in Beauchesne's. They are the rules that we have all agreed to here in the House of Commons. Sometimes the Speaker is asked to make rulings that take us down a different path.

During the course of question period, in the preamble, notwithstanding the fact that they are short preambles these days, I am willing to give as much leeway as I can. As as matter of fact, if I could criticize myself, it is because sometimes I give a little bit too much leeway both in the questions and the answers.

• (1525)

I did not know for sure where the first questions were going and it seemed to me that it might fit in. Perhaps in hindsight, as I review all of the words said in *Hansard*, I might want to reconsider.

I would like to quote another citation which I do not think has been cited today. It is in Beauchesne's at page 123 where it states at citation 420:

> The Speaker has stated, "Of course, the Chair will allow a question to be put to a certain Minister; but it cannot insist that that Minister rather than another should answer it".

When a question is put my general guideline is that a question is put of course to the government. The government usually assigns ministers who will be in charge of a certain administrative function. In the past other Speakers have ruled, and I have ruled myself, that the question must go to the administrative responsibility of the particular minister.

The question has been opened today. Outside the administrative responsibilities it seems now that we or some members of the House would like to open the question of regional political responsibilities. I am loathe to proceed down this particular path because again in my mind I conjure up perhaps questions where every minister would be asked, for example—and I use this only as a hypothetical case to explain myself—what is their feeling on capital punishment or what is their feeling on abortion. At what point in there do I intervene or do I and did indeed intervene.

I am deciding that I will follow the paths of previous Speakers and as much as possible—again I leave myself a little bit of leeway but not too much—if a question is posed directly to a minister, as my guideline, it should deal as much as possible with the administrative responsibility of the minister in question and not with a political responsibility.

If the House in its wisdom chooses to change the rules which you would like the Speaker to operate under then I of course am the servant of the House.

The hon. member for Winnipeg—Transcona has asked that the Speaker perhaps give an indication as to how a regional minister might be approached about certain information. It is not the responsibility of the Speaker of the House of Commons to indicate to members how they should or should not put their questions nor how they should or should not answer the questions. I would leave

that to the genius of the members of Parliament, both in putting and answering their questions, so that they would be proper.

If in the decisions that I made today, perhaps in the first part, I was a little bit too lenient then I was; I accept responsibility for that. But my course action specifically will be that if a specific question is put to a specific minister it should deal with a specific administrative responsibility, and I would rule that there is no point of order.

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

● (1530)

FEDERAL PUBLIC SERVICE PENSION ACT

Mr. Gurmant Grewal (Surrey Central, Ref.) moved for leave to introduce Bill C-270, an act to provide defined contribution pensions for the public service, the Canadian forces and the Royal Canadian Mounted Police, to be managed and invested by a private sector manager, and to amend the Income Tax Act and certain other acts in consequence thereof.

He said: Mr. Speaker, I rise to introduce my private member's bill, the federal public service pension act. This bill will place the superannuation pension plans of the public service, the Canadian forces and the Royal Canadian Mounted Police on sound financial footing by placing employee contributions in private sector pension funds at arm's length from government.

It will be funded by employees' contributions at the same rate as before, with the option of contributing additional money. A pension account will be held for each employee within the fund. The private sector fund manager will be selected by a committee representing the employees.

On retirement a lump sum may be taken with remaining funds placed in an annuity for the employee. Family benefits will be prescribed by regulation. Contributions are to be deducted from taxable income. Existing and accrued superannuation benefits will remain intact and protected. The new pension scheme will come into force on January 1, 1999.

Public servants, members of the Canadian forces and the Royal Canadian Mounted Police new pension fund will be funded with their contributions and real dollars will be invested reaping pension rewards.

Parliament may opt to appropriate funds for the new pension funds but seeks no new spending by Parliament.

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

* * *

REFORM'S TERRITORIAL PROTECTION ACT

Mr. Gurmant Grewal (Surrey Central, Ref.) moved for leave to introduce Bill C-271, an act respecting the territorial integrity of Canada.

He said: Madam Speaker, I have the honour and privilege once again to rise on behalf of the people of Surrey Central to introduce my private member's bill entitled "Reform's territorial protection act".

This bill seeks to protect the territorial integrity of our country. The purpose of this enactment is to affirm Canada's sovereign indivisibility. The Constitution of Canada forms a federal state that is one and indivisible. This serves the interests of all Canadians. My bill is based on the fact that there is no provision in our Constitution for the withdrawal from the federation of a province or a territory.

The good people of Surrey Central whom I represent with honour want to accomplish three things within this bill.

First of all, we want to ensure that the Canadian federation may not be deprived of any part of Canada's territory except with Canada's consent, by due process of constitutional amendment.

Second, we want to ensure that no province or territory may unilaterally withdraw from the federation.

Finally, we want to ensure that no province or territory either unilaterally or in conjunction with any other province or territory can attempt to or declare its intention to secede from the federation and form a separate state.

My constituents and I believe that Canada is constitutionally sovereign and indivisible. We feel strongly that no province or territory shall initiate, authorize, sponsor or permit a referendum to be held on any question purporting to seek a mandate for withdrawal or indeed the intent to withdraw from our federation without the federation's consent.

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

• (1535)

CONSCIENTIOUS OBJECTION ACT

Mr. Svend J. Robinson (Burnaby—Douglas, NDP) moved for leave to introduce Bill C-272, an act respecting conscientious objection to the use of taxes for military purposes.

He said: Madam Speaker, it is an honour to introduce this private member's bill, known as the conscientious objection act.

The purpose of the bill is to permit individuals who object on conscientious grounds to paying taxes that might be used for military purposes to direct that an amount equivalent to a prescribed percentage of the income tax they pay in a year be diverted to a special account established by this bill. The bill would not constrain in any way the ability of government to spend tax dollars as it sees fit.

In introducing this bill I pay special tribute to Conscience Canada Inc., particularly Orion Smith and Kate Penner, to the Canadian Yearly Meeting of the Religious Society of Friends, or Quakers, the Mennonite Central Committee and the Conference of Mennonites, et aussi Nos impôts pour la paix.

Finally, I would note that a great deal of work and thought has been put into this bill. I hope that it will commend itself to members of the House and that it will be adopted in this Parliament.

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

* * *

PETITIONS

PAY EQUITY

Mr. Peter Adams (Peterborough, Lib.): Madam Speaker, I have a petition signed by scores of public servants and others who live and work in the Peterborough riding. These people would like to expedite the payment in full of the moneys owing for pay equity since 1983.

This is a long petition and I know that according to the rules I can only summarize it. The petitioners say that the federal government has refused to abide by its own pay equity legislation and that there should be no negotiations as the federal Supreme Court of Canada has ruled that the government legally must pay these moneys. The petitioners say that they have not had a pay increase since 1988 and that their income has declined due to inflation.

Therefore the petitioners call upon Parliament to urge the President of the Treasury Board to expedite the payment in full of all moneys owing for pay equity since 1983.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, I suggest that all questions be allowed to stand.

The Acting Speaker (Ms. Thibeault): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

THE ROYAL CANADIAN MOUNTED POLICE SUPERANNUATION ACT

Hon. Martin Cauchon (on behalf of the Solicitor General of Canada, Lib.) moved that Bill C-12, an act to amend the Royal Canadian Mounted Police Superannuation Act be read the second time and referred to a committee.

• (1540)

Mr. Nick Discepola (Parliamentary Secretary to Solicitor General of Canada, Lib.): Madam Speaker, it is a privilege for me to speak to the act to amend the Royal Canadian Mounted Police Superannuation Act.

This bill will extend the protection provided for RCMP members in the event of disease or death connected with employment, so as to cover any death, disease or injury suffered by RCMP members assigned to a special duty area.

I would like to take a few minutes to explain how this amendment meets an urgent need.

Members of the RCMP, like other Canadian employees, are entitled, under a government program, to benefits in the event of disease, disability or death attributable to their employment. A distinction is made, depending on whether or not the disease, disability or death is connected with employment.

In Canada, it is usually very easy to determine whether or not this is the case: it is connected with employment if it takes place in the work place, for example in a workshop, on a construction site or in an office. Injuries attributable to employment are those suffered during a work shift.

When a shift is over, the worker leaves his or her place of work and returns to private life.

In the case of those taking part in peacekeeping missions in dangerous zones outside Canada, however, the distinction between the periods during which they are on duty and those when they are not becomes blurred.

The bill acknowledges this fact: Canadian peacekeeping forces never really stop serving and running risks, even when their shift is over.

Under the Special Duty Area Pension Order, certain geographic areas outside Canada may be designated by the governor in council as areas where the members of Canada's armed forces are exposed to risks not generally associated with peacetime military service. These areas are known as special duty areas.

Under the terms of the present act, the onus is on the employee to prove disability is attributable to his employment or service.

When Canada started taking part in international peacekeeping missions and sending members of the armed forces to areas of armed conflict, it was acknowledged that it would be unfair to oblige these individuals or their beneficiaries to prove that injury or death was attributable to their work and occurred while the individual was on duty.

Under the Special Duty Area Pension Order, members of the Canadian armed forces injured or taken ill in special duty areas on peacekeeping missions, or their beneficiaries if they are killed, can count on the presumption that any injury or disease incurred while serving on a peacekeeping mission in a special duty area is work related. This means that military personnel are considered to be on duty around the clock where benefits relating to employment or service are concerned, since they may be in danger at any time.

However, RCMP personnel taking part in peacekeeping missions in dangerous areas, termed special duty areas, even when serving side by side with Canadian forces personnel, are eligible for benefits only if their injury or disease occurs during a normally scheduled period of service.

Whereas a member of the Canadian forces benefits from the presumption that an injury, disease or loss of life incurred while serving in a special duty area occurred while he was on duty and is attributable to his service, the onus is on a member of the RCMP to prove that this is the case.

The proposed amendments will solve the problem of the differences in treatment between members of the Canadian forces and members of the RCMP. At the present time, for instance, members of both forces are on a mission to Haiti, which has been declared a special duty area.

In accordance with the Special Duty Area Pension Order, members of the Canadian armed forces are considered to be on duty 24 hours a day with respect to the risk of injury, disease or death.

● (1545)

Members of the RCMP, however, are considered to be on duty only during their shift, and are therefore treated differently than military personnel participating in the same mission, under the same conditions, and exposed to the same dangers.

[*English*]

In addition to disability benefits, Canadian forces members injured or taken ill while serving in special duty areas on peacekeeping missions are also entitled to the benefits provided under the veterans independence program. This program funds such services as are necessary to maintain a member in his or her home as an alternative to institutional care. For example, housekeeping services or modifications to a house to accommodate wheelchair access are paid for through this program.

These special pension benefits take into account the increased risk associated with peacekeeping duties. The amendment will extend the same kind of program to disabled RCMP peacekeepers. This amendment reflects the changing role of peacekeeping and how Canada, a country respected worldwide for its commitment to peacekeeping, has provided what many countries need most to sustain peace, a respect for the rule of law and a method of fairly enforcing that law.

With the RCMP's help, a troubled country may be able to build on the traditions and expertise of the Royal Canadian Mounted Police to create a new respect for law enforcement and the law itself.

[*Translation*]

This bill is inspired by a desire for equity. It deserves to be passed. It deserves to be passed because it ensures equality of treatment for all those taking part in peacekeeping missions, whether they are military or RCMP personnel. It deserves to be passed because it clearly acknowledges that the RCMP's contribution to peacekeeping has the same value as that of the Canadian Forces.

Finally, it deserves to be passed because a member of the RCMP who serves his or her country in a peacekeeping mission ought never to have to worry about protection in the event of illness, disability or death.

Our fondest hope, of course, is that not one member of either the RCMP or the Canadian Forces taking part in a peacekeeping mission in a special duty area will be injured, disabled, or even killed. Should this happen, however, it would be no more than fair for the additional protection available under this bill to apply to RCMP personnel and their families.

I am sure that all hon. members acknowledge the importance and the fairness of the amendments proposed to the Royal Canadian Mounted Police Superannuation Act and that we can count on the support of all political parties to get this bill passed quickly. I thank them in advance.

[*English*]

Mr. John Williams (St. Albert, Ref.): Madam Speaker, I am pleased to speak on behalf of Her Majesty's loyal opposition concerning a matter of great importance.

The Royal Canadian Mounted Police Superannuation Act spells out in black and white what benefits the members are entitled to receive. The benefits pertinent to the act and thus affected by this amendment relate to the injury or death of an RCMP member. Bill C-12 addresses the issue of whether a member of the RCMP was on duty if he or she is injured or killed while serving outside of Canada's international boundaries in a peacekeeping role.

Section 32.1 of subsection 2(a) identifies how and where a foreign location becomes designated as a special duty area. ''The Governor in Council may, by order, designate as a special duty area any geographic area outside Canada where members of the force serve as part of a peacekeeping mission and may be exposed to hazardous conditions not normally associated with service in peacetime''.

● (1550)

I appreciate that the act is not the place for minute internal RCMP policy which will be written implementing this amendment. I would like to have the solicitor general and the government assure the House that the following points will be covered as this policy is written:

First, the RCMP division staff relations representative, DSRR, is part of the team writing the policy. Second, that a member of a member's estate be entitled to select as his or her representative in any claim the counsel provided by the pension commission or a lawyer of his or her choice. If a lawyer of his or her choice is selected, that the RCMP or the federal government pay the legal fees in question.

I make note of this because a former member of the RCMP and the current member of the House, the MP for Selkirk—Interlake, was represented by a pension commission counsel in Winnipeg regarding a disability suffered on duty. The commission's counsel, who is supposed to work for the member, was less than adequate to say the least. His inadequate representation resulted in the member being denied benefits. The point is that government supplied counsel is not always of the same calibre that can sometimes be obtained privately.

A member serving in a special duty area who is injured or killed has to have counsel of his or her choosing or choosing by the executor. The member of his or her estate may not be able to pay for the private counsel to defend the interests from a government body adjudicating these pension cases which is always acting on behalf of government interests, not necessarily those of the member.

Third, the question of ''may be exposed to hazardous conditions not normally associated with service in peacetime'' is one that requires spelling out. I will use the example of exposure to AIDS and other diseases that are easily transmitted via bodily fluids.

Members of the RCMP are exposed to many of these diseases in their on-duty normal workday in Canada. While serving in a special duty area it is imperative that the member have 100% coverage for any disease contracted, and for the government to not try to avoid paying benefits by relying on the fact that exposure to diseases in the special duty area is at the same risk level as exposure normally associated with service in peacetime. Conditions in some of these war zones are quite awful at times and who knows to what a member can be exposed as he does his best to try to mitigate difficult circumstances. It is only fair that the government recognize that.

Fourth, the policy must also spell out what happens if an RCMP officer is given a 48-hour rest period, for example in Haiti, and he is injured while engaged in leisure activities. I would ask the minister to clarify whether the RCMP's superannuation act would pay benefits under these circumstances. I certainly hope it would.

The members of the RCMP who go on these peacekeeping missions are volunteers. They are dedicated individuals who care deeply about the people in other lands less fortunate than most Canadians. As volunteers, it is very important that they be treated fairly and generously by the pension act, the RCMP and the government.

I am advised by the member for Selkirk—Interlake, the deputy critic responsible for the RCMP, that he supports the legislation as does the Reform Party. Until now, 24 hours on duty coverage has only been at the good graces of the solicitor general. It is good to get this protection for the RCMP in writing and in this bill.

I will take a few minutes to review the situation of the RCMP as an organization which has been asked to perform duties above and beyond its normal function. The pension act will play an important role in the future as the government asks the forces to take on new assignments.

● (1555)

I understand that there is a possibility the RCMP may be asked to send police officers to several other areas of conflict in the world. The future is unknown but it would appear that there will be other requests. As more missions are taken on, the chances of RCMP officers being killed or injured increases dramatically.

These peacekeeping duties normally entail monitoring, observing and training roles. Any member from any province can

volunteer. Unless they are in the middle of an intricate investigation that cannot be handed over to another member or for some other personal reasons, most are allowed to go on the mission.

The problem for the RCMP is they are always under establishment strength so sending these members make the vacancies at home even more difficult. There is no backfilling of positions vacated for peacekeeping duties. In many cases, investigations either sit dormant or proceed at a much slower pace, as they are assigned to the investigators left on the detachment or to the plain clothes unit.

While we all endorse the role of the Canadian RCMP in helping in these troubled areas around the world, they do have a responsibility and a job to do back home. The government should ensure that if they continue to take members of the RCMP for this important role abroad, it fills in the gaps at home to ensure that justice is properly served.

Finding members to play a monitoring or training role for the aboriginal police departments is increasingly difficult, as more and more First Nations take over policing their reserves. If the government expects the RCMP to participate in these peacekeeping missions, more budget money will have to be given the RCMP so more police officers can be hired.

I appreciate that Canada has an international responsibility but the government has an internal responsibility to keep our streets safe. The multimillions of dollars being wasted on gun control through the Firearms Act could be given to the RCMP where Canadians know it would do some good by solving RCMP staffing problems.

It is interesting to note that in Haiti, where RCMP officers are serving at the moment, the average citizen does not have a rifle or a shotgun, only the government troops have one. I wonder how abusive the Haitian government would be towards its people if they had guns and ammunition?

I have heard that it will take approximately 150 RCMP officers just to implement the regulations concerning the Firearms Act which does not include those who will be investigating non-criminal Canadians for violation of these regulations. Therefore the number will be even more than that.

I am certainly pleased that the RCMP Superannuation Act is being amended to fully protect the men and women who serve the country in foreign lands. Canada has been lucky that there have been only minor injuries to date on the missions to Namibia, Bosnia and Haiti. I would strongly urge the government and the RCMP to conduct an in depth study on the effect that these missions are having on the RCMP members, the straining of resources and what is needed to ensure that the RCMP can continue to meet its responsibilities at home and abroad.

As someone who has travelled abroad, I would like to add that the reputation of Canada and the RCMP is second to none. We are definitely filling a very major role both in peacekeeping and in training police officers to ensure that the peace, which we hopefully can create, will be to some degree a lasting peace between the forces which are fighting each other.

There are a couple of issues in the bill which gave me a little bit of concern. While the government has stated that RCMP officers who are killed or injured on duty will have their pension benefits protected, there does not seem to have been too much imagination put into the writing of the bill.

• (1600)

I think for example of the Vietnam war. We now find that many people who served in the Vietnam war suffered seriously because of a chemical called agent orange. It took many years before the government recognized its responsibilities regarding the damage caused by agent orange. We must remember that in this particular case it was the American government that dropped agent orange on its own people. Therefore it had a double liability of protecting these people and providing indemnification to these people, but it took many years before it would even recognize there was a problem.

I would not want to think we would have the same problem here, if an RCMP officer or a member of our armed forces suffered health consequences, that down the road the government would fight all the way to not compensate that person accordingly, rather than respect his dignity and his contribution to helping society.

I refer again to agent orange. Unfortunately the offspring of those service people are also suffering. There is nothing in this bill which would recognize that type of liability. With the modern chemicals that we have, who can tell when problems will show up? One would have thought that in a two-page bill amending the pension act the government could have allowed for that kind of eventuality. It does not take too much thinking to do that.

I also think of the problem known as the gulf war syndrome. Soldiers who came back after having fought that war are saying there is a serious problem which is being denied by their governments in the United States and in Britain.

The point I want to make is that the government should not fight these people all the way. They have put their life on the line for freedom and for democracy. They have willingly gone to protect the rights and values which we appreciate so much in this country. When they returned home, having suffered the consequences of that volunteerism and that commitment to fight for democracy and freedom, they found that the very government which swore to

uphold those rights was denying them the recognition of their claims.

I would hope that these types of things would not happen here in Canada. However, unfortunately, I am not so sure.

Disability shows up in many ways. I think of one RCMP officer in my riding who suffers from post-traumatic stress disorder. These are difficult things to diagnose, but I would certainly hope that when the regulations are written regarding this bill that these types of problems are recognized as befitting for compensation for those who are prepared to put their lives on the line to uphold those things we consider near and dear to our values.

Changing the subject but still on the concept of pensions for the RCMP, I would like to bring to light an issue regarding RCMP pensions which I find is rather unfortunate. It happened a little over a year ago.

Several retired RCMP officers received a letter in the mail from the pension department saying that a mistake had been made in calculating their pensions. These RCMP officers had retired between 1970 and 1974. Twenty years later they received a letter in the mail saying "We made a mistake in calculating your pension. Please find enclosed a cheque to make up the difference. We have short changed you all these years".

It amounted to approximately $10,000 each. That is a considerable windfall for someone who has been retired for 20 years or more, to receive a cheque from the government, less taxes of course, for $10,000. And it was with not so much as an apology but an admission that their pension cheques had been short changed all these years and that they would make the necessary adjustments from here on in and their pension cheques would be increased accordingly.

● (1605)

Imagine their dismay when a year or so later—and we are talking about last September, just a couple of months ago—when these same people received another letter from the government saying "Guess what? Our first letter was a mistake. Please send the money back. We are going to reduce your pension cheque back to what it was before".

This type of incompetence is something I really do not particularly like. As the chairman of the public accounts committee, I think the government should take note of the people who have done this, who thought they were on to something, did not check their work properly and wrote cheques in excess of a million dollars from taxpayers' money, sent them off to retired RCMP officers, giving them the idea that they had received some kind of windfall then asking for the money back. They even went so far as to track down the beneficiaries of deceased members to pay the cheques out to them. Now we find there was absolutely no legal basis for doing so.

Basically what had happened was that prior to 1975 when someone retired or took early retirement from the RCMP, they were entitled to a pension based on their number of complete years of service. Partial years did not count. Starting in 1975 a partial year counted as a full year for pensionable service. Therefore the deduction for that particular year was no longer considered. It made a difference of 5% because the deduction was 5% per year.

In the words of the director general of the department, a zealous employee had gone back and discovered—and if I may say discovered in quotations—this error and decided that these retired RCMP officers had been short changed all these years.

I asked the director general in charge of the department why the change of heart. The change of heart and the re-checking of the figures was because one particular retired RCMP officer said that if he had been short changed all these years was he not owed a little bit of interest along the way. When he asked for his interest they decided that perhaps he had a point but that they had better re-check the figures first. When they went back and re-checked the figures they found that because the legislation had changed in 1975 the way they calculated pensions had changed in 1975 and that the previous calculation was perfectly correct.

We have a situation where they have now gone back to 119 retired RCMP officers and their beneficiaries and said "Please send the money back". Imagine this type of situation taking place. It is time the government recognized that competency goes along with accountability, that efficiency is not the only important thing, that they have a responsibility to do their jobs properly.

Imagine the dismay of these retired RCMP officers who each now have to come up with a cheque for $10,000 on their pensions. Their pensions are going to be reduced back to what they were before, a 5% reduction now that they have become accustomed to a little bit higher standard of living. With one stroke of a pen it all disappears down the drain.

If they have gone out and purchased a new car or something else with the $10,000, what are we to do, write the money off? Perhaps. But then I ask, what about the civil servant who authorized this? Do members think that his career should continue on as if nothing had happened, that the taxpayers are out a million dollars, so what?

A million dollars is a major situation. In the private sector if someone says to their employer "Oops, I just cost you a million dollars by mistake", should he continue on in his job? What confidence do we have that he is going to perform his duties competently and effectively. Will we now have to look over his shoulder to find out whether other decisions he has made are much less than adequate and have cost the taxpayers many tens of thousands or even millions of dollars?

• (1610)

I wanted to raise that point, but at the same time I do not want to finish on a down note. I want to finish on an up note for the RCMP. I want to congratulate them as a force. I want to congratulate them as a Canadian icon around the world. Their reputation enhances the reputation of Canada anywhere I have been.

Members of the RCMP are wonderful. They have a reputation of having performed under difficult circumstances for more than 100 years. We know that as they continue to do their duty both here and abroad, in war zones as peacekeepers, that they will continue to enhance the reputation of Canada and Canadians. We are proud of them.

It is only right that we should support this legislation. It will ensure that as they stand up for democracy and for what we believe to be right, that should they be injured or killed in the performance of those duties we will stand behind them and their families and ensure they are protected.

[*Translation*]

The Acting Speaker (Ms. Thibeault): It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, deficit reduction.

The member for Berthier—Montcalm.

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Madam Speaker, I am delighted to rise to speak to this bill, which, I see, is of particular interest to the government opposite. I would like to commend the member for Huron—Bruce, who seems to have put considerable weight on the government's shoulders this afternoon in the debate of an essentially simple bill, it is true, but one that warrants some comment in order to set out the position of the Bloc Quebecois.

I realize I have 40 minutes, Madam Speaker, but I can tell you right now that I will not use all my time, because we have just found a consensus in the House in support of this bill, which is an excellent bill, because it remedies something that is unfair to the members of the RCMP who took part in peacekeeping missions around the world.

In certain countries, for example Haiti, Bosnia and Uganda, the RCMP were actively involved in peacekeeping missions. This role was all the more important because in some of these countries the RCMP helped local governments set up police forces similar to those found in democratic countries such as Canada or Quebec.

Yes, there must be encouragement for this kind of mission. Yes, there must be support for RCMP members who volunteered their services, who agreed to travel to foreign countries and share their experience by giving courses and training to the inhabitants of these countries so that they could have a good police force. They must be encouraged in various ways.

It is all very fine and well to rise in the House from time to time and make ministerial statements in support of these people as they set out for other countries, but I think it would also be good if RCMP members who are leaving Canada for a short period but an important one nonetheless also felt supported economically. Bill C-12 addresses this.

It was realized that there was a certain difference between members of the RCMP who went on a peacekeeping mission and members of the armed forces who went as peacekeepers or as part of other international organizations on similar missions.

• (1615)

It was realized that the men and women of the RCMP were at a disadvantage on their return with respect to their pensions. This bill is very straightforward in that it corrects this particular inequality between the two groups. The bill amends the Royal Canadian Mounted Police Superannuation Act by finally giving peacekeeping missions by RCMP officers the same recognition as that given those by members of the Canadian armed forces.

I would like to take this opportunity to echo the sentiments expressed by all members who have already spoken and thank RCMP members for the excellent work they are doing and for their representation of our system outside Canada and Quebec. I think they should be paid tribute and be encouraged to continue.

One way to encourage them open to us is Bill C-12, which we are studying today and which shows without a doubt the esteem in which they are held by the House of Commons.

However, as an opposition party, we are going to do our work properly. I still have a few questions on this bill. These people deserve special consideration. They should be put in the same situation as members of the RCMP who did not leave the country, but we must not, conversely, penalize those who do not leave.

As I read this bill at the moment, I do not see this. Has anyone checked? Did anyone do the calculations required to find out whether we penalize those who stay in the country when we give this advantage to those who leave Canada to work outside the country for a time? Do those who remain have to pay more for those who leave? Is the government investing more? Where exactly are they going to get the budget surplus to meet the requirements of this bill?

The answer is not obvious from reading Bill C-12. We need a clear answer. Will those members of the RCMP who, for personal or family reasons, choose not to participate in peacekeeping missions end up losing? We do indeed have to provide some advantage to those who leave, but we must also think of those who

stay behind. I will be looking for answers to this question, for my own reassurance and to reassure those involved in the situation.

I have another question as well. Will officers who remain in Canada have to pay twice for officers on peacekeeping missions who are injured while abroad, because this does happen? We need to know how premiums are affected, as well as what happens in the event of injuries, so that we can determine whether, in the end, they receive the same treatment.

Another question must be answered. How much does the Government of Canada pay when it must send these people to other countries? As you know, when people such as RCMP members travel abroad on duty, they are paid by the UN. Does the UN contribute proportionately to this pension fund? This is another thing we do not know. That will have to be looked into when the bill goes to committee.

At the beginning of my first term of office, in the 35th Parliament, I was the critic for the solicitor general and I had many opportunities to work with members of the RCMP. I know that those officers—I am not talking about senior officers—who do such things as going to Haïti or other countries to give training and assistance are very professional people and believe strongly in what they are doing. They are also very proud of their position.

I think that Bill C-12 meets many of these requirements and that is why, knowing these people as I do, I am pleased to say that we support Bill C-12 and will vote in favour.

The Bloc Quebecois is in favour of this bill, and we are going to try, when it is referred to committee, to verify certain things with RCMP officials, as well as with the Department of National Revenue or other government departments, so as to be sure that the money invested will go to the right place, and that all RCMP members, whether they travel to other countries or stay in Canada, are treated fairly.

● (1620)

[*English*]

Mr. Jim Pankiw: Madam Speaker, on a point of order, I do not believe we have a quorum.

The Acting Speaker (Ms. Thibeault): We do not have a quorum. Call in the members.

[*Translation*]

After the ringing of the bells:

The Acting Speaker (Ms. Thibeault): The Chair notes that there is a quorum. Resuming debate. The hon. member for Winnipeg Centre has the floor.

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Madam Speaker, I am pleased to rise today to speak on behalf of my party in support of Bill C-12, an act to amend the RCMP superannuation act. I will be sharing my time with my colleague, the member for Regina—Lumsden—Lake Centre.

It is our position that this legislation, which gives members of the RCMP serving abroad as peacekeepers the same benefits as their counterparts in the armed forces in the event of illness, injury and death, has been far too long in coming.

While we welcome the introduction of this bill and we urge its speedy passage, we hope that in future, when we ask our young men and women to place their lives on the line for their country, they will not have to worry about their benefits and about our commitment to them.

We must recognize that when our peacekeepers are serving abroad in war zones or areas of civil strife or natural disaster, they do not work eight hour shifts. On the contrary, they are on duty around the clock, putting their lives at risk for their country 24 hours a day. Bill C-12 recognizes the unique nature of this job and takes the necessary steps to remedy the unfairness of the current situation.

Canada is respected around the world for its commitment to peace and as a leader in peacekeeping nations. We, as representatives of the people, must ensure that every measure is taken to give full support to our peacekeepers and their families both at home and abroad.

This legislation that is intended to provide RCMP members who serve as peacekeepers the same health benefits as their counterparts in the armed forces is a step in the right direction and it is only fair. More must be done to recognize the service of our peacekeepers and the sacrifices they and their families make in the name of peace on behalf of all Canadians.

The issue of equity for all of those who serve Canada must be addressed both at home and abroad, particularly with respect to the RCMP who currently do not have the same collective bargaining rights as their brothers and sisters in other law enforcement agencies across the country.

They do not have the same opportunity to advocate on their own behalf through free collective bargaining. I hope we get an opportunity to address that issue in this House before long.

We hear stories of members of the Canadian armed forces and their families having to use food banks to sustain themselves. Why is it that men and women who put their lives on the line for their country and for peace around the world are forced to live in near poverty conditions when they return home to Canada?

There is something fundamentally wrong when long expected pay increases for service men and women have been put on hold for five, six and going on seven years when just last month the Treasury Board approved huge bonuses for an executive group of the public service, bonuses of $4,500, even reaching $12,000 per individual.

Believe me, the significance of this was not lost on the hard working public service employees. It is hard not to be jaded when they witness such a clear government bias in favour of the executive ranks while denying longstanding legally required pay settlements to the lowest paid workers.

• (1625)

RCMP members of the Canadian peacekeeping forces deserve equal pay for work of equal value, but so do all public sector employees.

We can only hope that this spirit of generosity and this new found sense of fairness on the part of the solicitor general can be extended to the Treasury Board. Public sector workers have been waiting for a decade for the federal government to make good on its obligation to pay equity and they are still waiting. They are waiting for fairness, they are waiting for equal pay for work of equal value regardless of their gender. They are a patient and long suffering group and they have come to realize that when you are waiting for a fair shake from this government you had better pack a lunch.

It is timely to address these issues, particularly as this week is veterans week, a time when all Canadians are encouraged to reflect on the great sacrifices made by all our members of the armed forces on behalf of Canada and on behalf of peace around the world.

We support the government's introduction of Bill C-12 and we hope that this is the beginning of a renewed commitment to our peacekeepers and indeed to all Canadians, for this government has a very long way to go to restore equity and fairness to Canadians. We in the New Democratic Party on behalf of working people everywhere will continue to ensure that it does.

Mr. John Solomon (Regina—Lumsden—Lake Centre, NDP): Madam Speaker, I am pleased to join with my colleague from Winnipeg in supporting Bill C-12, an act to amend the RCMP superannuation act.

Bill C-12 will amend the RCMP superannuation act to ensure that the RCMP members serving in special duty areas are automatically considered to be on duty 24 hours a day and therefore get complete benefit coverage. At present the act provides for coverage only during periods of scheduled shifts, which my colleague from Winnipeg referred to.

As all Canadians would appreciate, when a soldier or an RCMP officer serves outside Canada on peacekeeping missions they face all sorts of dangers not just during their duty period but when they are off duty as well. We have seen many horrific examples of that around the world over the last couple of decades, in particular in conflict zones or special duty zones as they are called.

A special duty area is a designation given to certain geographic areas where Canadian forces members would be exposed to hazardous conditions not normally associated with service in peacetime. Examples of special duty areas for the RCMP would be Haiti and Bosnia where RCMP members are currently serving on peacekeeping missions.

This legislation will make RCMP members who serve as peacekeepers eligible for the same health benefits as military personnel. The NDP believes it is the only fair thing to do to include RCMP who are serving in the same areas as armed forces personnel so that they are eligible for the same benefit coverage.

Madam Speaker, I represent a district called Regina—Lumsden—Lake Centre, which you are aware of. The Royal Canadian Mounted Police training centre is in the constituency, the depot as we call it in Regina. We have a number of recruits coming to be trained. We also have a number of families working at the academy, at the depot, who have served on peacekeeping missions from time to time. Many police families reside in my constituency as well. I know many of them personally and many of them are my neighbours.

I might add that the neighbourhood I live in is probably one of the safest neighbourhoods and safest constituencies in all of Canada because we have such a large force, not just RCMP members but Regina police association members as well, residing in the district. We are very confident because we feel the neighbourhood is very safe.

These RCMP officers who serve our country overseas do not just serve their country but their community with a great deal of strength, consistency and loyalty. Bill C-12 recognizes this type of service and sacrifice by members of the RCMP.

• (1630)

I have worked on a number of issues in House of Commons over the past four years that are important to the RCMP and to the Regina Police Association. As a result of my efforts on issues like gun control, the Young Offenders Act and dealing with young offenders stealing a lot of autos in Regina, we have been able to make some strides with respect to making our community much safer overall in the city of Regina and the province of Saskatchewan. I have also been very supportive over the years of the collective bargaining process which the RCMP has sometimes been quite restricted in.

The bill reminds me of an old saying. It addresses one of the issues of an old saying I heard a while back that generals who neglect their soldiers in the battlefield will find it very difficult to

find recruits when the next battle is fought. Bill C-12 is a very small step toward looking after RCMP members who serve our country in special duty areas or, as some people refer to them on occasion, in peacekeeping battlefields. It recognizes that they should be included and have the same benefits as those in the military.

I am very pleased to join with my colleagues in the NDP to support the bill. However I want to raise one issue which saw the light of day as recently as last week with respect to some of the pension issues, in particular the RCMP pension issue. The Solicitor General of Canada indicated that any additional cost which might be incurred by the change in Bill C-12 would be assumed within existing RCMP budgets.

The federal government used another $2.6 billion from its employee pension fund this year to help lower the deficit despite a storm of controversy over the legality of the manoeuvre. Last year the government took $2.4 billion, sparking outrage from not just unions but also pensioners who have banded together to take the government to court to stop the practice. The RCMP is involved with that court action.

I am very concerned about this latest action by the government. It is basically taking a pension fund and using it not for the purpose for which it was established, to provide pensions, whether disability pensions or retirement pensions, to those who contribute over their years of service whether they are in the Public Service of Canada or in specific forces like the RCMP. I think Canadians are quite outraged and unhappy with this latest government move.

My sense is if the court challenge fails—and I hope it does not; I hope they are successful—a number of politicians in the House of Commons will take the issue to the floor of the House time after time until the government deals with the deficit in a manageable, fair way.

Taking pension money from people who have not yet retired and those who are retired is an unacceptable practice in any country although in some banana republics this is the course of action. Canada has a pretty good reputation around the world but it worries me that it is becoming one of a banana republic because of some of the actions of the Liberal government opposite that were supported previously by the Mulroney government.

We have to address the issue. If the solicitor general is serious about supporting Bill C-12, maybe he could talk to his colleague, the Minister of Finance, and tell him to keep his damn fingers out of the pension till. It is about time that happened.

I want to go on record as saying that we support Bill C-12. We do not support the type of practices the Liberal government has instituted with respect to taking pension funds out of the public service pension superannuation for its own crass political purposes.

I assure the House that in the future we will be watching this issue very closely and taking it to the finance committee. We will be raising it with the Minister of Finance in the future to make sure he does not make those pensions unaffordable or jeopardize the plan. People who have contributed to these pension plans deserve them in their retirement.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I would like to ask my hon. colleague a question that has to do with the last point he touched on, the raiding of a pension plan that is healthy. It seems like it is too healthy for the government and it has to do something with it. It has certainly screwed up the Canada pension plan. It is in a terrible mess. Now it is raiding a pension that is in good shape. It has too much money in it.

● (1635)

In a case such as this one, would the hon. member recommend to the government that when a pension has an overabundance of funds those who contributed to it should benefit from it either by a reduction in future contributions or a direct payback? Would the member comment on that?

Mr. John Solomon: Mr. Speaker, I appreciate the question from the member for Crowfoot.

The Liberals cannot stand the success of other organizations or programs they are not directly involved with. It is a very dangerous precedent.

The Liberal government is interfering with a pension system established through the collective bargaining process, I might add, to provide a pension for those who work in the public service, the RCMP or other federal government agencies. It is a very bad precedent and a very bad omen that the Liberals are taking the surplus out of this pension plan.

When the actuaries established the plan through the collective bargaining process they said that x number of dollars would be deducted from the employees' salaries, matched by the federal government, and invested so that they have a secure plan. Actuaries can only predict; they cannot tell precisely what the future will hold.

Obviously there is a surplus because of what happened in the economy, with investments, with the longevity of plan members and all other inputs necessary to establish the amount of money required to pay out the pensions. The point of all of this is that similarly it could provide for a shortfall in the long run because it cannot predict how the economy will operate.

I believe very strongly as a person who has spent a lot of time studying pensions in the country that we have to look at the surplus of a pension as being the property of those who contributed to the plan. If there is a long term surplus there should be some consideration. Some decisions should be made in a collective way between employees and employers as to what the surplus should be used for, whether it should be used for a reduction of contribu-

tions or improvement of benefits. I believe that is a very important point to be considered.

The Liberal government has made the decision, not through collective bargaining, to take out the surplus. It arbitrarily did it and did not report to the population of the country until it had already done it. By then it was too late. It is like closing the barn door after the cows have left. That is a very bad omen for the country.

I see the Liberal whip is very supportive of my presentation. I hope he will take this matter to the Minister of Finance, as I am sure he is quite supportive of what I am saying, and tell him that these surpluses should not be taken out of the pension funds because they rightfully belong to the employees.

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, the member for Regina—Lumsden said that if there is a surplus in a pension fund it should be distributed back to the contributors either in the form of reduced contributions or increased benefits.

In looking at the Canada pension plan it is just the opposite. There have not been enough contributions. There is no money. In that case the Liberal government decided to put the burden of that on to the children of the country who do not have a choice in the decision.

I am wondering what the member thinks about that.

Mr. John Solomon: Mr. Speaker, the member misunderstood what I said. I said that the surplus of the public service pension plan is the property of the membership and that the surplus should be negotiated in terms of what its use and purpose will be. I did not say that they should just pay out. I said that some of the options are to reduce the contributions or to increase the benefits of the pension holders.

● (1640)

With respect to the Canada pension plan we have seen a different sort of pension plan. We have basically two types of pension plans. One is a defined contribution plan, which is a percentage type plan whereby employees over a period of time get a percentage of their salary as a pension. The other form is a defined contribution plan where the employee and the employer make contributions to a plan. It is like the purchase of an RRSP. Whatever is earned, the principal and so on, is used to purchase an annuity, either a single annuity or a joint spousal annuity.

Mr. Bill Matthews (Burin—St. George's, PC): Mr. Speaker, I am pleased to rise today to support Bill C-12. My colleagues in the Progressive Conservative caucus and I support the legislation because it expands the scope of pension benefits for many courageous Canadians who presently serve or who have served as peacekeepers throughout the world.

Specifically Bill C-12 would provide peacekeepers who are members of the RCMP with the same pension entitlement in the event of illness, injury or death as peacekeepers in the Canadian Armed Forces.

If Bill C-12 is adopted, provisions of the RCMP superannuation act would correspond with the provisions of the Pension Act regarding coverage and benefits for injuries, illnesses or deaths incurred while on peacekeeping missions. RCMP peacekeepers would therefore be on a level playing field with their Canadian forces counterparts.

Our position in the global community is unique, since for the past 40 years Canada has built a proud tradition as peacekeepers throughout the world. There are many countries in which Canadian men and women have put their lives on the line to help preserve peace.

Indeed, Canada has been at the forefront of developing and implementing modern peacekeeping operations in the world. This is due in no small part to the active involvement of thousands of members of the Canadian Armed Forces.

Following the first 30 years of participating in peacekeeping operations throughout the world, the nature of Canada's peacekeepers has changed. In 1989, RCMP officers were deployed to Namibia in the former southwest Africa as it made its transition from a South African protectorate to an independent democratic nation. No longer would peacekeeping remain the sole domain of the Canadian forces. These brave men and women would henceforth have support from their civilian colleagues in the RCMP.

Since 1989 more than 600 members of the RCMP have participated in United Nations missions to the former Yugoslavia, Haiti and Rwanda.

The RCMP has successfully complemented the Canadian Armed Forces involvement in peacekeeping. By expanding upon the earlier success of the Canadian forces in many of the world's trouble spots, RCMP members have met a demand for peacebuilders in developing countries.

What does peacebuilding mean? It is more than just a buzzword. Peacebuilding means providing developing countries with the tools to support a stable democratic government, namely an effective security force which is respectful of law and human rights.

RCMP members avail themselves to provide skill training in areas such as investigation, first aid and case management. They also provide mentoring for individual officers and monitor their development as civilian police officers.

Finally peacebuilding includes maintaining a safe and secure environment in which the developing police force can operate without fear of reprisal.

That last element of peacebuilding is probably the most dangerous for our RCMP personnel. Like their Canadian forces colleagues in traditional peacekeeping settings, RCMP peacebuilders often face violent opposition to their presence.

While the United Nations and this bill define peacekeeping locations as special duty areas, the everyday reality is much more precise. These are deeply troubled areas in which Canadians are putting themselves at grave risk of injury, illness or death for the cause of peace.

For these reasons the intent of the legislation to put Canadian forces and RCMP personnel on equal footing with respect to Pension Act benefits is a positive one which I feel should receive priority attention by the House and Senate.

• (1645)

I should note this imbalance between Canadian forces peacekeeping benefits and RCMP peacekeeping benefits was neither planned nor deliberate. It occurred under the evolution of Canada's international military and security role during this century.

At the beginning of the 20th century there was no such thing as peacekeeping. Soldiers were soldiers and peace was enforced merely by the absence of full-scale war. Such a war became a reality with the first world war in which Canada paid dearly with a generation of its young. In the wake of the the first world war's carnage, the government of the Right Hon. Sir Robert Borden introduced the Pension Act, which provided compensation for disability and death related to service in the Canadian forces. The Pension Act maintained a fundamental distinction in the eligibility for benefits between wartime or peacetime military service. That distinction remains almost 80 years later.

Put simply, if an injury, illness or death was attributable to or incurred during the first or second world war, a pension shall be awarded under section 21(1). This is around the clock coverage. Peacetime service would result in the same benefits as wartime service only if it is established that the injury, illness or death was sustained on duty and was attributable to service. The difference was clear. If there existed a state of war, 24-hour coverage was provided. Anything less and the restrictions were much tighter.

After the second world war Canada continued to be involved in international military operations during peacetime, such as in Korea and the Persian Gulf. Canada also introduced and executed the innovative notion of peacekeeping, which nonetheless placed Canadian forces personnel in hazardous conditions not normally associated with peacekeeping service.

In response to this evolution, the federal government introduced the Appropriation Act No. 10, 1964. This bill allowed cabinet through order in council to designate special duty areas outside Canada in which members of the Canadian forces would be eligible for the same pension benefits as under section 21(1) of the Pension Act; in other words, 24-hour coverage for Canadian forces personnel in special duty areas whether they be military operations such as in Korea or the Persian Gulf or peacekeeping activities such as the Middle East or the former Yugoslavia.

Various governments have issued more than two dozen such designations. Our Canadian forces personnel have therefore been eligible for pension benefits in the event of illness, injury or death incurred in these special duty areas.

The RCMP has been eligible for the same pension benefits as those listed under section 21(2) of the Pension Act. In other words, the illness, injury or death provision occurred through peacetime military service was deemed to be equivalent to illness, injury or death entitlements for members of the RCMP. The principle was confirmed under the RCMP Act in 1948 and confirmed in the first RCMP Superannuation Act in 1959. This was a logical provision for domestic RCMP service. In an area such as Canada where peace is the rule, it makes perfectly good sense to link this type of pension eligibility to duty rather than to service.

In special duty areas peace is the exception, not the rule. That is why the federal government changed the pension eligibility rules 30 years for our Canadian forces personnel. That is why the federal government must now change the pension eligibility rules for RCMP personnel who are now an integral part of Canada's international commitment to peacekeeping. That is the purpose of Bill C-12 and that is why I support the legislation.

As has been referenced by earlier speakers, this legislation was introduced in the previous Parliament in June 1996 as Bill C-52. First reading occurred and then nothing happened. Nothing happened in the fall of 1996 session and nothing in the spring of the 1997 session. It died on the Order Paper.

It is nearly a year and a half since the bill was first introduced and it has gone nowhere, thanks to the neglect of the government. This bill would affect the entitlements of hundreds of men and women who have put their lives on the line in representing Canada abroad. The Liberal government of the day did not have the respect for those brave Canadians to pass this legislation.

• (1650)

One must ask why the current government placed such a low priority on Bill C-52. Hopefully the solicitor general, as minister responsible for the men and women in the RCMP, has the answer to that very important question. There is, after all, a first time for everything. Perhaps the Minister of Foreign Affairs, who quietly allowed the Prime Minister to assign Canadians to Rwanda based

on a newscast whim, would like to explain the inexcusable delay in extending those benefits to the RCMP.

What has caused the reason for delay? By dragging its heals for a year and half did the government save huge amount of money? Why did the government delay this rather straightforward legislation? I hope someone from the government stands up and answers these questions.

The RCMP personnel who are presently putting their lives on the line in such areas as Bosnia and Haiti deserve an answer. I would like to commend those who spoke before.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, my colleagues have covered this bill very well. I have a couple of points I would like to make which are outside the gamut of what the members have so far touched on.

The legislation will amend the RCMP Superannuation Act to ensure that RCMP members serving in special duty areas while on peacekeeping missions are automatically considered to be on duty 24 hours a day and therefore get complete benefit coverage. At present that is not the case.

As parliamentarians we should take a very close look at the requests to send RCMP personnel into these kinds of situations, not only because of the danger involved, but also when we take a contingent of RCMP from Canada and send them into another country we do not replace them at home. Then we have a shortage of manpower.

If we have sent 200 members to Bosnia, or whatever the number may be, it means there are 200 less RCMP members here to do the work. The RCMP are understaffed in many areas. Some of its special squads are understaffed. A high ranking ex-officer told me that the RCMP does not have enough manpower to look at fraud cases below $200,000 in value. That is a very serious situation. In some of the western detachments a corporal is running a staff sergeant's detachment.

When the government decides to strip the RCMP of that kind of manpower to serve in an honourable way in other countries, it better take a good look at what is being done at home. The old adage is that charity begins at home. Are we going to sacrifice the role and the service which is provided by our national police force when we send RCMP members into various countries for undetermined lengths of time?

The budget of the RCMP, as well, is being chipped away. Our party is very much against that. We feel that if there is an area that should receive additional spending, it should be in the areas of law enforcement and justice. This will strengthen the justice system and provide the kind of safe streets and communities which the government likes to talk about, but is not producing very much, certainly since I have been in this House.

There is no question that the pension benefits should be amended to provide for the kind of coverage that is indicated in this bill. We will be examining the clauses of the bill carefully when it is before the committee. We would like to know if a member is off duty, perhaps surf boarding and he injures himself, what happens. Is he covered? The bill is not that specific in those areas. Therefore, we will be looking for confirmation in all of those areas to determine whether the bill is sound as it stands or whether it requires amendments.

• (1655)

I would like to again sum up by emphasizing that when we send members of the RCMP into these situations, we had better take a careful look at the hole that we are leaving at home.

The RCMP are in a very delicate situation. Can the commissioner of the RCMP or any senior officer stand up publicly and say "We are risking service to the public in this area". Some areas are very serious. We have organized crime and the bikers whom we all know about. We have areas that we should not be taking strength from but adding to.

I have spoken to members in charge of the special units in my area, in particular, in western Canada. They tell me that without question they are short-staffed and understaffed. When we send our troops abroad we are weakening our own forces here which means that we are not enhancing the possibility of greater safety in our streets and in our communities but we are doing exactly the opposite. We ought not be doing that. We should be looking at this.

I hope that the members who have an opportunity to examine the witnesses appearing before the committee on this bill will put those kinds of questions squarely before the witnesses, including, I hope, the minister who attends and perhaps the commissioner of the RCMP.

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

Some hon. members: Question.

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

Some hon. members: Agreed.

(Motion agreed to, bill read the second time and referred to a committee)

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, I believe that if you sought the consent of the House to see the clock as being 6.30 p.m. then possibly suspended to the call of the Chair to allow the member or members who might be participating in the late show, I am sure all parties will try to facilitate that as quickly as possible. I would seek consent to see the clock as being 6.30 p.m.

The Acting Speaker (Mr. McClelland): The House has heard the terms of the motion. Does the hon. chief government whip have the unanimous consent of the House to see the clock as being 6.30 p.m.?

Some hon. members: Agreed.

The Acting Speaker (Mr. McClelland): The House stands in recess to the call of the Chair.

On a point of order, the chief government whip.

[*Translation*]

Mr. Bob Kilger: Mr. Speaker, if I am not mistaken, the hon. member for Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques is now in the House and prepared to speak. I believe that we can continue with the business of the House at this point.

ADJOURNMENT PROCEEDINGS

[*Translation*]

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

DEFICIT REDUCTION

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, I am pleased to speak today on this motion to adjourn, because I asked a question of the Minister of Finance on October 21. What he was asked, in connection with the $12 billion surplus in the employment insurance fund, was how far he would go before he stopped reducing his deficit on the backs of workers and employers and the unemployed.

● (1700)

The minister replied, speaking about contributions "we will—lower them every year, but one has to look at all of the government's financial statements". In recent years, employment insurance rates have been set in November. It is expected that, around mid-November, we will know whether the Minister of Finance is following up on the representations made by various stakeholders.

In this House, every possible point of view is heard. The Conservatives want a drastic reduction in employment insurance contributions, but without compensating seasonal workers or young people entering the labour market, preferring to let them fend for themselves under unacceptable conditions. The NDP does not want to lower contributions, but to improve working conditions. As for the Bloc Quebecois, whose position is somewhere in between, it believes that with a $12 billion surplus by December 31, 1997, and possibly a $15 billion surplus by March 31, 1998, the government could carry over a yearly surplus, so as to have a cushion of $5 billion, $6 billion or $7 billion for bad economic years, while splitting in two the balance in the employment insurance fund surplus, that is by significantly lowering contributions to put money back in the pockets of those contributing to the program—employers and employees—while also improving conditions for those affected by the employment insurance reform.

The minister told us he would consider the issue. The important thing however is to not go for a very minor lowering of contributions, as the government did the last time, since it does not change things significantly for employees and employers, or for job creation. Contributions must be reduced to the point where people will receive a sizeable amount of money that they can reinvest in the economy, thus helping it in a meaningful way.

So far, the minister seems to have been deaf to these requests, and I would like to know why exactly, at a time when a zero deficit—possibly a surplus—is in sight, the federal government does not see fit to give back to those who have contributed the most to the deficit reduction effort, that is to say, to employees and employers, a substantial part of this money, mainly through the employment insurance fund. In just two years, we have gone from a $6 billion deficit to a $12 billion surplus, which will soon grow to $13 billion. This means that more than $19 billion has been pumped into the EI fund.

Obviously, this is a wonderful money collecting tool for the federal government, but since those who are paying into this fund are individuals earning $39,000 or less, why is the government not announcing right now, or at least by November 15, a significant cut in EI premiums, combined with improved terms and conditions?

[*English*]

Mr. Walt Lastewka (Parliamentary Secretary to Minister of Industry, Lib.): Madam Speaker, let me begin by saying that EI premium rates must come down and they will. They will be coming down over time. There is no question about that.

We have already made considerable progress in reducing EI premium revenues. Let me remind members that EI premium rates have declined every year since 1994, down from $3.07 in 1994 to $2.90 this year. Weekly maximum insurable earnings, MIEs, were rolled back to $750 and frozen rather than increased.

There is the new hires program. Many times people forget about the new hires program. Up to 900,000 eligible employers will pay virtually no premiums for new jobs created this year. This program has been set up to enhance employing more people.

Together these measures represent a cumulative reduction in EI revenues of some $4 billion from 1995 to 1997; $500 million in 1995, $1.8 billion in 1996 and $1.7 billion in 1997.

• (1705)

The EI premium rate for 1998 will be set later this fall by the Minister of Human Resources Development.

EI premium revenues are part of the consolidated revenues of the government. Please understand that they have been that way since 1986 at the insistence of the Auditor General of Canada. It is certainly true that they are important to achieving our fiscal objectives. A substantial reduction in EI premium revenues now would require either significant increases in other taxes, further large reductions in government programs, or an increase in the deficit.

As much as we would want to get EI premium rates down, we cannot do so prematurely. This is an important issue and must be considered together with other key priorities of the government.

[*Translation*]

The Acting Speaker (Ms. Thibeault): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 5.05 p.m.)

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