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OFFICIAL REPORT
(HANSARD)

Monday, March 22, 1999

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, March 22, 1999

The House met at 11 a.m.

Prayers

● (1105)

BUSINESS OF THE HOUSE

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, later today it is the intention of the government to introduce a bill regarding the labour disruption and PSAC.

I seek the unanimous consent of the House to do the introduction now to allow an extra four hours for members to actually see the content of the bill and of course to make it in the public domain as well.

Perhaps there would be consent to go to Routine Proceedings now for only that purpose, and this would not affect Routine Proceedings later today which would be held in the customary way.

The Acting Speaker (Mr. McClelland): Is there unanimous consent to proceed now to Routine Proceedings?

Some hon. members: Agreed.

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT SERVICES ACT, 1999

Hon. Don Boudria (for the President of the Treasury Board and Minister responsible for Infrastructure, Lib.) moved for leave to introduce Bill C-76, an act to provide for the resumption and continuation of government services.

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

GOVERNMENT ORDERS

● (1110)

[*English*]

YOUTH CRIMINAL JUSTICE ACT

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.) moved that Bill C-68, an act in respect of criminal justice for young persons and to amend and repeal other acts, be read the second time and referred to a committee.

She said: Mr. Speaker, it is a pleasure this morning to speak on second reading of the youth criminal justice act.

[*Translation*]

Canadians realize that several important aspects of the youth justice system are not working as well as they ought to, and that the system needs to be re-examined and reworked.

[*English*]

We know that it will take a sustained effort involving all levels of government and many other partners to tackle the complex problems of youth crime and to build the fair and effective youth justice system Canadians want and deserve.

That process is underway. Last June the solicitor general and I launched the government's national crime prevention program. Since then millions of dollars have been invested in community based crime prevention initiatives across our country dealing at the front end with the root causes of crime, with a special focus on youth at risk.

On March 11, 1999, I introduced the youth criminal justice act and I am now pleased to participate in the second reading debate. Repealing and replacing the Young Offenders Act with the youth criminal justice act is the next key step in the process of youth justice renewal.

The new legislation will signal to Canadians that a new youth justice regime is in place.

The new legislation reflects the message Canadians want from their youth justice system, that it is there first and foremost to

protect society, that it foster values such as respect for others and their property, that it insist on accountability and that it provide both violent and non violent young offenders with consequences that are meaningful and proportionate to the seriousness of the offence, that it be a youth justice system that is inclusive, that engages Canadians in the response to youth crime and that it does a better job of responding to the needs of victims.

We on this side of the House are not prepared to criminalize 10 and 11 year olds. That is not the way to best address their needs, a point I have made clear in the House on many occasions. We believe that in those circumstances where a formal approach is required, child welfare and the mental health systems are the preferred approaches.

The federal government is committed to working jointly with the provinces and territories to develop a co-operative approach. We also want to ensure that we have a system of youth justice that offers hope to young people, that gives young people who get in trouble with the law a chance to turn their lives around for their sake and for the sake of their families and their communities.

The youth criminal justice act includes provisions for more meaningful consequences for the most serious violent young offenders. It expands the list of offences and lowers the age at which youth would presumptively receive adult sentences.

When the legislation is passed youth 14 years and older who are convicted of murder, attempted murder, manslaughter or aggravated sexual assault will receive an adult sentence unless a judge can be persuaded otherwise. The judge would need to be persuaded by the youth that a youth sentence would be adequate to hold the young person accountable given the seriousness and the circumstances of the offence and the degree of responsibility, age and maturity of the young person involved.

In addition, we are creating a fifth presumptive category for repeat violent offenders where young offenders 14 and older who demonstrate a pattern of violent behaviour would receive an adult sentence unless a judge can similarly be persuaded otherwise.

● (1115)

The bill contains an important change to what may be the most controversial aspect of our youth justice legislation, the publication of names. The debate on this issue essentially involves two legitimate and competing values, the need to encourage rehabilitation by avoiding the negative effect of publicity on youth versus the need for greater openness and transparency in the justice system.

The proposed legislation now before the House strikes an appropriate balance between those competing views and values. It would permit the publication of names upon conviction of all young offenders who qualify for an adult sentence. The names of 14 to 17 year olds given a youth sentence for murder, attempted murder, manslaughter, aggravated sexual assault or repeat violent offences could also be published in certain circumstances.

The youth criminal justice act would also replace the current procedure for transfer to adult court by empowering all trial courts to grant adult sentences so that the youth retains age-appropriate procedural protections and so that justice can be provided quickly, placing less of a burden on victims and families. This will also ensure that the offender, the victim or the victim's family and the community see a clear and timely connection between the offence and its consequences.

The bill contains other important reforms to the youth justice system. In response to concerns by the law enforcement community, judges would be given more discretion to admit voluntary statements by youth as evidence at their trials. In response to the concerns of victims, victim impact statements would be introduced in youth court and victims' access to information regarding proceedings would be improved.

The bill provides for an increased sentence for adults who undertake to the court to respect bail conditions involving supervision of a young person who would otherwise remain in custody and who wilfully failed to comply with those conditions.

The bill provides that provinces may recover the costs of court appointed counsel from parents and young people who are fully capable of paying. As well, the record keeping system for youth records would be simplified and would allow for greater access by authorized people in the interests of the administration of justice and research.

The majority of young people who get into trouble with the law are non-violent and only commit one offence. Unfortunately there are too many examples in our current youth justice system of young people serving time in jail for minor offences. We incarcerate youth at a rate four times that of adults and twice that of many U.S. states. We incarcerate youth despite the fact that we knowingly run the risk that they will come out more hardened criminals and we incarcerate them knowing that alternatives to custody can do a better job of ensuring that youth learn from their mistakes.

This bill includes criteria on the use of custody so that it is used appropriately. Further, the bill includes provisions for dealing with less serious offending outside of the formal court process. Police would be asked to consider all options, including informal alternatives to the court process before laying charges. The police, key partners in this strategy, would be given more authority to use verbal warnings or cautions, to direct youth to informal police diversion programs such as family group conferences, or more formal programs requiring community service or repairing the harm done to the victim.

While every effort would be made to reduce the overreliance on incarceration, some youth will be sentenced to custody. The youth criminal justice act includes provisions that respect an obligation to ensure that all young people, particularly the most serious offenders, receive effective treatment and rehabilitation. Successfully rehabilitated youth means fewer victims, restored families, safer schools and stronger communities.

To this end, the bill includes an intensive custodial sentence for the most high risk young offenders who are repeat violent offenders or who have committed murder, attempted murder, manslaughter or aggravated sexual assault. These sentences are intended for offenders with serious psychological, mental or emotional illness or disturbances. The sentence will require a plan for intensive treatment and supervision of these offenders and will require a court to make all decisions to release them under controlled reintegration programs.

● (1120)

The proposed legislation also makes an important reform to youth justice sentencing to foster the safe and effective reintegration of youth into their communities.

Under the new law judges would be required to impose a period of supervision in the community following custody. This would allow authorities to closely monitor and control the young offender and to ensure that he or she receives the necessary treatment and programs to return successfully to the community. The period of supervision administered by the provinces will include mandatory and optional conditions tailored to the individual youth.

The bill proposes a comprehensive, balanced and flexible legislative framework for youth justice. It was developed after extensive consultations with the provinces, the police, the bar, youth justice workers, youth themselves, victims and others.

The next important phase of the renewal of youth justice is directed at the implementation of the new youth justice legislation. Youth justice professionals, community members and others will need information about the new system and will need training.

We all know that the best answers to the complex problems of youth crime lie in integrated approaches. Effective youth justice involves educators, child welfare and mental health systems, voluntary organizations, victims, families, youth employers and neighbourhood groups; just about anyone who works with or cares about our children, our young people, our communities and our country.

Additional federal resources in the amount of some $206 million over the next three years have been made available to support the important challenge of renewing our system of youth justice.

[*Translation*]

The government's youth justice strategy opens the door to greater involvement by the general public and by professionals in youth crime, and I encourage Canadians to get involved.

[*English*]

I would ask members to support the youth criminal justice act so that we can put in place the kind of youth justice system that Canadians are seeking; one that protects society and instils the values of accountability, responsibility and respect. We owe it to Canadians, but we owe it especially to Canadian youth.

Mr. Chuck Cadman (Surrey North, Ref.): Mr. Speaker, on a summer evening a number of years ago I was sitting in our living room when I heard the sound of sirens. Now, that is not an uncommon occurrence on a Saturday night in the town where I live. However, later on I heard that there had been a drive-by shooting in which a teenager had died. The car in which he was a passenger was stopped at a red light when another car pulled up alongside. A teenage passenger in the second car leaned out the window and fired point blank.

The next day I mentioned the incident to one of my children who had spent that night at a friend's house not too far from the shooting. He told me that he had heard the fatal gun shot. I remember thinking ''Just what is our community coming to?'' I also remember thinking about the parents of the victim. A few days later the suspected killer was himself killed in an act of revenge. Again, I remember thinking about the safety of our streets.

A couple of months later on another Saturday night a family friend was visiting from the Queen Charlotte Islands. After dinner, as I was sitting in my living room, our son Jesse sauntered down the hall, paused at the top of the stairs, said goodbye to his mother and our friend in the kitchen, glanced toward me, and with a ''See you later, dad'' bounded down the stairs and out.

Jesse was a drummer and his rock band had been asked to play at a house party. He was excited. It was their first gig. Our daughter, who is three years older, left shortly afterwards, leaving us to a quiet evening of conversation.

At 11.15, shortly after our friend had left, Jesse phoned telling me that he and his two buddies were on their way home. They were waiting for a bus. An hour later the phone rang again. My wife answered the phone. She swore. It was the hospital. They wanted us there right away. Jesse had been stabbed.

A panicked five minute drive, hospital staff avoiding eye contact as we ran through the doors, and then the words no parent should ever have to hear: ''We're sorry, we tried, but there was too much damage''.

● (1125)

A single stab wound to the back had pierced his heart. He was 16. That was October 18, 1992, on my father's 81st birthday. Jesse would have been 23 years old tomorrow.

Jesse was the victim of a random, unprovoked attack on himself and his two friends by complete strangers. He died in the arms of his best friend at the side of the same road, about a quarter mile from the spot where the earlier shooting, the one which he had heard, had occurred a couple of months previous. His attackers were part of the same loose-knit group of thieves and thugs involved in that shooting. In fact, it later came out that his killer, also 16, idolized the shooter and saw him as a martyr.

There was an arrest within days. The police informed us that the accused, because of his age, and unless the crown could successfully argue that he be tried as an adult, would be facing three years in secure custody followed by two years in open, most likely community supervision and then free with no criminal record.

Mr. Speaker, you have no idea just how devastating the knowledge is to a family that is still reeling from the murder of a loved one that there is a philosophy in this country which holds that three years of incarceration is an appropriate sanction for intentionally taking the life of an innocent stranger in a random, unprovoked attack on the street.

Two days after we buried Jesse a six year old girl was raped and murdered in Courtenay, British Columbia. Eventually her 16 year old neighbour was charged. He also faced a mere three years of secure custody and two in open.

That was my introduction to the Canadian criminal justice system and the Young Offenders Act. I am neither a lawyer nor an academic, but after 20 months in the courts ourselves, six and half years of involvement with other families and individuals who, in the words of a dear close friend, now belong to a club that none of us wanted to join, and the same amount of time listening to Canadians at shopping malls and soccer fields, not conference rooms and lecture theatres, I think that I am reasonably qualified to speak to this issue.

In fact, it was the refusal of the justice committee to allow me to appear in open session when it was in Vancouver in 1996 which pushed me over the edge and prompted me to seek election to this place.

Last Friday in this place the member for South Surrey—White Rock—Langley said that following my appearance before the justice committee a number of years ago a government member commented to the effect that victims bring nothing to this debate other than sentiment. I make no apology for that. For far too long our legislators and our courts have chosen to ignore the real human impact and human cost of crime, especially youth crime and violent crime.

I once heard that a Vancouver lawyer wanted families of homicide victims barred from courtrooms because they cried too much and might influence a jury.

Mr. Speaker, as you may guess, I have looked forward to an opportunity like this for some time now. The Young Offenders Act will hopefully be assigned to the garbage heap of history before too long. It has been a failure and Canadians have had to suffer its consequences for far too long. It was never a priority of various governments over the years. Obviously it was not a priority of the present government. The minister, upon taking the job, claimed that introducing new young offender legislation was to be one of her major priorities, but how much of a priority was it when it has taken almost two years for the legislation to come before us? What do we have? We have a new name. We have new spin-doctoring from the government. We have new claims of being tougher on crime, but we really have the same old thing wrapped up in a nice new package.

For every step forward there is a step backward. Ineffective legislation does Canadians a disservice. It does our youth an even bigger disservice as they are most often the victims of youth crime. Of course youth involved in crime are dealt a very questionable hand when the citizenry become so disenchanted with the law that they take it out on the offenders by ostracizing them or refusing to help in rehabilitation.

What has the minister been doing for the past two years? In the fall of 1997 she promised Canadians that changes would be made to the Young Offenders Act in a timely fashion. She was working on it. Over the winter of 1997 and early 1998 she claimed that she was not going to deal with the legislation in a simplistic manner, but was going to deal with a complicated issue in the proper manner. Then, under great fanfare, with all the splash of press conferences, fancy overheads and colourful brochures, the minister came out with her youth justice strategy; not legislation, just proposals. She was going to get tough on young criminals and promised legislation by the fall of 1998. Of course we did not get it. The minister claimed that she needed more consultation with the provinces.

It soon became apparent that what she really had to do was to shake loose some federal dollars to pay for her proposals. One would have thought she would have had this in place upfront.

● (1130)

Instead of getting long overdue changes to address youth crime, Canadians had to wait for the government to pony up the bucks. This was done to some extent with the February budget. We now have legislation. I suppose the government is hoping that Canadians are so worn out from pushing and pressuring for something

they will be happy with anything. I assure them that we are quite prepared to flesh out the legislation. We are quite prepared to see what can be done to finally give Canadians what they have been seeking for years, but we will not be holding our breath.

The government has shown on numerous occasions its unwillingness to listen to reason. I only need to mention the funding for hepatitis C, debt reduction, breaks for overtaxed Canadians, conditional sentencing and two tier justice whereby the government is trying to promote one form of justice for aboriginals and another for the rest of Canadians.

The youth criminal justice act fails to deliver what Canadians expect. We will propose amendments. We are in this for the long haul and we will not let the issue slide as the government would like it to do.

The minister claimed that she would deal with this complicated issue and would take the time to deal with it in a proper manner. While we can certainly agree that she has taken her time, we have to question her claim that it was complicated.

When going through the proposed legislation clause by clause we found for the most part that it was the old Young Offenders Act rewritten and presented in a different format. When particular provisions appear to have been tightened up there is almost always a corresponding opportunity for the provinces or the courts to provide exceptions and to maintain the status quo.

What actually makes it complicated for the minister is her attempt to appease all the different philosophies within her government. Some want tougher legislation. Others think everything is just fine the way it is. Still others want it to become even more lenient. Some actually believe that society is to blame for all our crime and criminals are merely those that society has failed. No wonder we have problems in the criminal justice system.

Then we have the minister claiming that she needed time to consult with the provinces. She had to understand what the various regions of Canada were seeking in the overhaul of our youth laws. Obviously the minister has little faith in the Standing Committee on Justice and Human Rights.

The committee spent many months conducting hearings from coast to coast. The committee listened to the provinces. It spent almost half a million dollars to provide a comprehensive report with a number of recommendations toward significant changes to the laws. I guess that was not enough so I will accept that the minister wanted more consultation.

Was it reasonable consultation or was it merely a stall because the government was having trouble satisfying its caucus? I suspect that there was not adequate consultation. I cite comments by the Minister of Justice for Alberta. He wrote to the federal minister to complain about this very issue. He states:

> Despite your assertion to the contrary, there has not been sufficient consultation with respect to the proposed replacement legislation for the Young Offenders Act.

The government failed to include the major concerns of at least some of the provinces. Alberta, Manitoba, Prince Edward Island and Ontario are on record as agreeing to a number of significant changes. First on their list was the reduction in age of criminal accountability in selected cases to address the serious offences committed by children under 12 and for those in this group who exhibit a pattern of offending.

Calgary Chief of Police Christine Silverberg criticized the government's changes as not going far enough with violent children under age 12. The Winnipeg police inspector in charge of youth crime, Ken Biener, stated:

> —she missed the boat completely in failing to adopt the recommendation to allow 10 and 11 year olds to be arrested and face the courts.

It should be of no surprise that this was not included. Not only did the government ignore their partners in the youth justice process. It also ignored the justice committee and its reports which included a very similar recommendation.

The minister attacks the Reform Party for wanting to include 10 and 11 year olds within the youth justice process. She characterizes the proposal as barbaric. She refuses to accept that our present system is failing to properly address and help these younger members of our society. She refuses to permit these young offenders to obtain all the benefits of rehabilitation and reintegration.

Instead, she leaves them in this vacuum where they do not get the help and the support they need. She refuses to acknowledge that the provinces want reforms in this area and the police need support in their effort to deal with violent 10 and 11 year olds. She refuses to even acknowledge that members of her caucus have publicly supported the inclusion of 10 and 11 years olds in the youth justice system. She refuses to acknowledge that the Liberal majority on the justice committee of the last parliament, chaired by our late colleague Shaughnessy Cohen, supported the inclusion of 10 and 11 year olds within the legislation.

We have all seen what happens to those few Liberals who challenge the views of the party management. Fortunately for all of us Shaughnessy did not suffer that fate.

There is another example of failing to consult. These provinces had demanded an amendment to apply the victim fine surcharge to young offenders.

• (1135)

Like the justice committee that recommended the same thing in a victims rights report, these provinces saw the benefit of having

young offenders supply some of the financing of assistance to victims of crime. However the legislation does not include automatic victim fine surcharges. It merely provides the opportunity for the provinces to bring in their own legislation.

I also note that a number of provinces were seeking a mandatory custody disposition for youths convicted of offences involving the use of weapons. Once again the government has chosen to ignore those on the frontlines of the youth justice process. There is no provision for mandatory custody for crimes involving the use of weapons. It makes me wonder whether the government just has a justice committee to use when its reports correspond to the government's own political position.

As for consultation with interested participants, the government meets with the provinces to say it has consulted but there appears to be little intention of meaningful dialogue unless those provinces share the political position of the federal government.

I have mentioned a number of failings just in getting the legislation before the House. The government does not listen to its partners in the administration of youth justice. It does not participate in adequate consultation. It does not even follow its own committee when valid recommendations are made after extensive input.

Instead the government merely goes on and does what it wants to do for purely political reasons. It ignores the priority to do what is right for Canadians, including those youth that find themselves on the wrong side of the law and those youth that are most often the victims of youth crime.

I will now move on to discuss a number of the specific issues covered by the legislation. I will deal with a few positive developments first and then move on to some of the negative aspects that raise concerns.

The minister has decided to formalize the whole matter of police discretion. This will enable the frontline troops, so to speak, to deal with minor youth indiscretions quickly and easily. The occasional scuffle over a street hockey game can be resolved through police caution or warning. It is the same with most childhood pranks. The theft of a chocolate bar from a corner store need not go to a community based committee or even to court.

The minister likes to characterize members of my party as being one dimensional and interested only in locking up offenders. She is wrong. The hon. member for Crowfoot recommended this very initiative in his minority report to the justice committee in April 1997. He included it within his private member's Bill C-210. He understood the necessity to support the police. Many officers were already doing this without legislative authority. Others were afraid to use their discretion. They were concerned that they could be subjected to criticism as they did not have the proper authority.

The government has also made quite a big thing about their interest and the need to deal with non-violent offenders differently from violent offenders. It is regrettable that many in the media have been sold on this idea as being solely a Liberal initiative. It is really nothing new. In many parts of Canada there are already programs known as diversion, restorative justice, alternative measures, community based youth justice committees, healing circles, and the list goes on. All the government has done is to create an all-encompassing term, extrajudicial measures, to cover them all.

Again the hon. member for Crowfoot proposed his two prong form of justice whereby first time non-violent offenders could proceed through a more informal process. They would simply take responsibility for their actions and obey the requirements set out by any community based committee or organization. This was proposed both in his minority report to the justice committee and in his private member's bill.

The government cannot claim credit for this proposal. Reform was not interested in claiming credit. We were only interested in doing what was needed for a proper system of justice. We have had to bring this matter to public attention merely because of government attempts to characterize the Reform Party as one dimensional.

I have been personally involved with dozens of young offenders in a diversion program in my home province for some four years now. I want to publicly acknowledge Lola Chapman for the work she has done in this area. Lola and I have worked closely with the B.C. attorney general to expand the use of these programs. I am in full support of them in the limited circumstances of first time non-violent situations.

Some have expressed surprise, given my personal experience, that I would even be interested in working with wayward youth. We all know that as youth we made mistakes and some, I dare say, may have broken some laws. All most of us needed was to be taken to task for these indiscretions. If we failed to pay attention and moved on to additional crimes or more serious offences then we deserved to be treated in a more formal process. This is the same for today's youth. This is all we are looking for from legislation.

The final area I would like to discuss from a positive aspect is the incorporation of my private member's Bill C-260 in its entirety. Once again there was a massive leak of information about the legislation before it was actually introduced. Part of the leaks had to do with my private member's proposal. However, most of the media reports have misinterpreted this part of the legislation as something new in Canadian law.

● (1140)

These reports indicate that parents will be held criminally responsible for the crimes of their children. Nothing could be further from the truth in both respects. What has me concerned is whether the sources of the government leaks have deliberately

misinterpreted this proposal. Furthermore, the government has shown little interest in correcting these misinterpretations. After all, it is now part of its legislation.

I have had to cover the issue on a number of different types of media. I have written a number of letters to the editor to attempt to correct the record. The law has been around for a number of years. My proposal merely enhances the potential punishment. It has nothing to do with the crimes of the young person. It has solely to do with the written agreement or contract whereby the young person is released from custody while awaiting trial.

The young person is essentially released on a form of bail when a responsible adult, usually a parent, signs a legal undertaking to supervise that young person to ensure court imposed conditions are respected. Both the young person and the adult sign the agreement. Both are liable to be charged with an offence if they each wilfully fail to fulfil the agreement: the parent for wilfully failing to supervise as agreed and the young person for wilfully failing to obey the conditions. The offence has to do with the court agreement. It has nothing to do with the ordinary responsibilities of the parent.

There is only the obligation to supervise. When the person who signed the undertaking becomes aware of a breach of conditions there is an obligation to notify the authorities. There is a high threshold to meet before a case may be made that an adult has wilfully failed to supervise as required.

It should be said that the initiative for this came from my own personal experience whereby my son's killer was in breach of a court imposed curfew that night. He had also failed to appear in court some three weeks earlier; another breach of conditions. His father had signed an undertaking to supervise some months earlier.

Obviously I support the legislation in respect of judicial undertakings by responsible persons. I will be interested in seeing how this portion of the bill develops. I will be interested in seeing whether members of the government attempt to claim this initiative as their own, and I do not really care as long as it gets done.

Impressing upon both the parent and the young person the serious repercussions for violating the agreement will protect members of our communities. Hopefully the parent will think twice about signing such an agreement if there is little expectation for the young person to mend his or her ways. Hopefully the young person will think twice before breaking the conditions of release and endangering the position of the parent who wilfully fails to supervise.

I will now discuss some of the inadequacies of the legislation, and there are a number. Even though I have been provided with a significant amount of time, it will take a number of opportunities to address all of them. Fortunately we have a committee process to go through. We have amendments to propose. At some time we will be back here to make comments at third reading.

Earlier I mentioned the concern with the government's scheme of extrajudicial measures. It has taken a valuable and progressive means of addressing minor crime and once again opened it up to massive abuse. It did the same thing with adult conditional sentencing.

Conditional sentencing involves serving a sentence in the community under some form of supervision. It may involve some type of house arrest. It may involve some form of restitution to the community through providing service with charitable organizations.

There are many uses for conditional sentencing. What did the government use it for? It used it to reduce the cost of incarceration. It said the jails and the prisons were too full and were too costly. It said that criminals were really not bad people and that mere arrest and conviction were enough to teach them the error of their ways. It said that the courts would not permit violent and repeat offenders to take advantage of conditional sentencing.

However the courts permitted all kinds of violent criminals to obtain this get out of jail free ticket. Killers got conditional sentences. Violent sex offenders got conditional sentences. Pedophiles got conditional sentences. Repeat offenders got conditional sentences.

When Bill C-41 was debated in 1994 and 1995 the Reform Party argued to restrict the use of conditional sentencing to first time non-violent and non-drug offenders. We understood its value but only for a restricted purpose. The government has been consistent. It refused to listen. It maintained only it knew the best.

Recently the Minister of Justice recognized the abuse of conditional sentencing. She requested the justice committee to review the issue. She will likely then procrastinate some more and suggest that perhaps more consultation is required. In the end she will do what is political. She will take much of her direction from the Prime Minister's Office. After all, he was a justice minister in the dim past and he is undoubtedly another expert on conditional sentencing, even though it was unheard of at that time.

Getting back to youth legislation, extrajudicial measures can easily become more of a problem than conditional sentencing. Under section 4(c) of the bill they are presumed to be adequate for non-violent offences. The word presume is key. It means that extrajudicial measures will be the rule rather than the exception in cases of non-violent offences.

● (1145)

Let us see how non-violent is defined. It means an offence that does not cause or create a substantial risk of causing bodily harm. This definition would include sexual touching, as there is no risk of bodily harm. Pedophiles cause psychological harm to young children. This definition would include the possession of child pornography, as there is no risk of bodily harm. It would include break and enters into homes, as there would have to be a substantial risk of causing bodily harm in order to avoid this definition.

This definition would include drug offences, including trafficking. Is there a substantial risk of bodily harm for selling crack cocaine in a school? I would hate to have to convince a court that there was this risk when the evidence is limited to one sale to one student, another sale to another student and so on. How could it be proven that there is substantial risk of bodily harm when only one hit of the drug is provided at the time?

Extrajudicial measures will be available to repeat offenders. While clause 4(c) limits the provision to non-violent offenders who have not previously been found guilty of an offence, that clause applies only to where extrajudicial measures are presumed to be adequate. Clause 4(d) permits these measures to be used even if there were previous convictions. It permits these measures even if they were used for the same offender before.

This means extrajudicial measures may be used 100 times for the same offender for any number of crimes. This means extrajudicial measures may be used even though that offender may have been convicted of a previous offence. There is no further limitation. The previous offence may have been manslaughter, sexual assault or murder.

Sometimes I wonder whether this government is interested in putting anyone in prison. This government is responsible for allowing all types of violent offenders to remain in our communities threatening the safety of our citizens. It seems intent on doing the same thing with our young offenders.

Adult sentencing will be available for presumptive offences but even for those where there is an opportunity for the young person to challenge adult sentencing in each particular situation. As well, the judge may only use adult sentencing when of the opinion that a youth sentence is not adequate. Presumptive offences are limited to murder, attempted murder, manslaughter and aggravated sexual assault. The definition is very limited. It does not include all types of crimes in which a weapon is used. It does not include kidnapping. It does not even include sexual assault causing bodily harm. These are all seriously violent crimes but they are not sufficient for this government to include in its presumptive offences.

The adult sentence for murder is life imprisonment. For those over 18 parole eligibility is at 25 years for first degree and 10 to 25 years for second degree. For 16 and 17 year olds parole eligibility comes at 10 years for first degree and 7 years for second degree. For those under 16, parole eligibility comes at 5 to 7 years. There is no change.

I attended the trials of a 15 year old and the 19 year old who were convicted for the savage murder of a frail 79 year old widow. She is buried just a stone's throw from my son. The 15 year old masterminded the plot, he was the more violent of the two, he targeted the lady because she would be easy. He had done yard work for her so he knew that she would let them into her home. The judge sentenced the 19 year old to 15 years before parole eligibility. He then complained on the record that his hands were tied by parliament forcing him to set parole ineligibility at only seven years for the young offender, and that has not changed.

I will illustrate further how this government just does not listen. In 1994 my son's killer was handed a parole ineligibility period of ten years, the maximum allowable at the time. When Bill C-37 was before the House in the last parliament it proposed to fix parole ineligibility for second degree murder at seven years. I anticipated a loophole because he was in the process of appealing the sentence at that time. I wrote the then justice minister, the current health minister, with my concerns. No response.

Bill C-37 became law in December 1995. The following spring the killer had three years knocked off his parole ineligibility period not because he deserved it but because the new law was made retroactive if to the benefit of the offender. I commented publicly, saying I told you so. A few days later I received a call from a justice department lawyer asking me what happened. This is what happened. If a letterhead or a call display does not indicate a university or a professional organization, this government does not want to hear from you.

I will briefly mention the second half of the definition of presumptive offence. In practice it will have almost no applicability. To be included within the definition of a presumptive offence an offender must commit three seriously violent offences for which an adult could be sentenced to prison for more than two years. A judge must have made a determination that the offence was a serious violent offence and endorse the information accordingly, twice.

● (1150)

A serious violent offence is defined as an offence that causes or creates a substantial risk of causing serious bodily harm, not just bodily harm, serious bodily harm. Most courts will have difficulty in distinguishing between bodily harm and serious bodily harm.

Would members like to explain to the victim and to the public that a particularly vicious attack only caused bodily harm and not serious bodily harm? Would members like to explain to the victim and the public that there has been only one prior documented incident of the offender causing serious bodily harm? We need two.

Would any of the members opposite like to explain to a victim or the public that this offender caused bodily harm a number of times in the past but he only caused serious bodily harm once so he still does not come within the definition of a presumptive offence?

Adult sentences are also available for offences for which an adult could be sentenced to prison for more than two years and if the young person is 14 or older. The very inclusion of presumptive offences and these other types of offences leaves the courts and our youth justice system with the distinct impression that parliament is serious about the presumptive offences and much less serious about the other types.

In case the listener thinks these provisions for adult sentencing will result in similar crimes receiving similar sentences for both adults and young persons, I point out some other wrinkles.

The overriding principles of this legislation include rehabilitation and reintegration of the young person. There are no words such as deterrence and denunciation. There is to be no punishment for the sake of deterring other young persons from similar activity. There is to be no punishment for the sake of expressing society's displeasure and abhorrence of a particularly gruesome or violent crime.

All young persons must be rehabilitated and reintegrated in a short period of time. This government believes they are all curable and pose little risk to our communities when they are returned.

This whole idea of adult sentencing for those 14 and older is nothing more than a con job. There will be challenges in almost every case against their imposition. Lawyers will be fully and extensively employed. Judges will be permitted to continue in their lenient ways. After all, many of them have liberal tendencies as most of them were appointed by the Prime Minister and his predecessors. The judges have unlimited discretion to determine when to impose adult sentencing and when to impose youth sentencing. Section 72 does not limit this discretion in any way.

The provinces are also involved, as the crown has the opportunity to support youth sentencing or to fail to provide notice that an adult sentence is to be sought. Then there is the overriding principle that these young persons are to be rehabilitated. They are not to be deterred and denounced.

The whole issue of deeming of young persons is of the same nature. The government sells the idea that it will be tough and young persons receiving adult sentences are to be named. The government does not, however, say much about all the provisions that permit the court to ban the publication of names. A young person may apply for the ban. The crown has the option of not opposing the ban. The court has complete discretion to ban publication.

The act is set up so that rehabilitation and reintegration are the primary principles to be applied. There is no requirement by parliament that certain crimes automatically require the naming of offenders so that the public has the knowledge of who is a risk to its safety and security. Even those who 14 and over who commit a presumptive offence like murder or aggravated sexual assault may receive a youth sentence and may be protected by a ban on publication of their names.

Earlier I spoke about the rape and murder of a little girl by her 16 year old neighbour. At the time of the murder he was on probation for sexually molesting a young child. He was allowed to reside in a complex full of children in complete anonymity because of his age. I do not think I need say more about protecting the identity of those who pose a threat.

As I have said, when this government does change legislation it does not like to change much. It prefers to change the packaging and the sales pitch. Canadians end up with the same old thing. In some cases we end up with something far worse. With the youth criminal justice act, the jury is still out.

The government refused to lower the age to 10 for purely political reasons. The issue has been around since 1962 when the justice department recommended this change. The government ignored the recommendation then and it ignored it today. There are obvious difficulties in this legislation such as the extrajudicial measures that may be rectified through amendment. The government is once again unlikely to listen and to admit its error, but we will try.

There are other areas like adult sentencing and publication of names that have so many exceptions and provisions that there is bound to be dissatisfaction and new calls for revision from the public.

The government has an extensive promotional budget and it has significant human resources to sell Canadians on its legislation.

• (1155)

Unfortunately justice legislation, unlike some other forms, takes time to come home to roost. The youth criminal justice act will change nothing. As case after case slips through the cracks the weaknesses will be revealed and disenchantment will grow.

The youth criminal justice act is nothing more than the Young Offenders Act with a face lift and a new name. I have been involved in this debate for over six years and, as I said earlier, I make no apology for the sentiment or emotion I bring to it. It is unfortunate that after years of delay, years of so-called consultations and deliberations this is the best the government can do. Canadians deserve better. More important, because they are most often the victims of youth crime, our kids deserve better.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, it is with some degree of regret that I rise in this House today to speak on this bill. The debate on Bill C-68 ought never to have taken place at all, as the Minister of Justice knows full well.

It has been demonstrated on many occasions that what is not working properly is not the Young Offenders Act itself, but its application. Those who are applying it properly succeed where others fail. Nevertheless, the Liberal government is obstinately preparing to demolish the spirit of this approach.

I would like to take the time available to me to prove that the Young Offenders Act does not deserve the fate the Liberals have in store for it, in response to pressures from western Canada. The act is being used as a scapegoat by a Liberal government that prefers to take the easy way out, while it ought to be left unchanged.

The Youth Offenders Act was passed in 1982, and came into effect in 1984. This legislation did not spring up over night. It is the result of several decades of reflection. In fact, one has to go all the way back to 1857 to find the first initiative assigning special status to juvenile delinquents.

The beginnings of the first youth justice system go back to 1908, with the Juvenile Delinquency Act. This intention of this act was to put young people back on the right track, while minimalizing their responsibility, given their youth. The idea was to set up a system that would truly promote the effective reintegration of young offenders into society.

At the time, Ontario was among the first provinces to put pressure so that young offenders would benefit from a protective approach. Ironically, Queen's Park is now the most vocal in demanding more repressive measures for young offenders.

In the early seventies, Quebec took two social measures that would prove very useful under the Young Offenders Act: the creation of a legal aid program and a reform of social services. Quebec adopted its first diversion measures in 1974, when it reviewed its Youth Protection Act. The province was then ready to implement the Young Offenders Act as soon as it would come into effect, in 1984.

I must point out here the extraordinary solidarity displayed in Quebec, which, at the time, succeeded in convincing the federal government to adopt the act that we now have, that is an act based on crime prevention, on the rehabilitation of young people who commit criminal acts, and above all an act designed to ensure the long term protection of society. The Young Offenders Act as we know it reflected, and still reflects, the thrust that it was intended to have.

At the time, there was no doubt that we had to put more emphasis on diversion measures. In Quebec, that approach had been stressed long before, in the Prévost report. Going before the court should only be considered after having exhausted all other options, such as reorientation, rehabilitation, and agreements with the parents to provide special treatment.

That approach had been applied elsewhere, including in the United States, in England and in Scotland. The federal government had no choice but to set the stage for diversion measures, through the Young Offenders Act. Still, since the administration of justice comes under their jurisdiction, it was the provinces that had to set up diversion programs. Quebec did so by establishing an ambitious alternative program.

● (1200)

This year, 1999, we celebrate the 15th anniversary of the coming into law of the Young Offenders Act. The Minister of Justice of Canada considers that the law has done its time, that it is out of date and no longer meets our expectations. Let us be clear, the Liberal government is not getting ready to sacrifice 15 years of expertise, but rather 30 years of Quebec know-how.

The Young Offenders Act is the product of a number of serious consultations and studies. In 1992, the Government of Quebec established a task force to look into the application of the Young Offenders Act. Chaired by Michel Jasmin, deputy chief justice of the court of Quebec, Chambre de la jeunesse, the task force brought forth a voluminous report after two and a half years of in-depth consultation and study.

I consider it vital to inform the House of some of the conclusions of the Jasmin report, which remain topical and which, it would seem, are unknown to the minister.

Drafted from testimony by many jurists, criminologists, psychologists and social workers in Quebec, the report eloquently describes the approach taken in Quebec in dealing with juvenile delinquents. I will read to you a number of passages of this important report prepared by Mr. Justice Jasmin.

> From the work we have done over the past two and a half years, we are satisfied that the Young Offenders Act is good legislation. We were struck by the consensus of the various sectors that deal with this area. It should be noted that Quebec has developed a tradition in dealing with young offenders.
>
> The efforts of the pioneers, who, in the 1950s, advocated that services be human and professional, have borne fruit that at the time would have been unthinkable. The aim was to move beyond mere repression to focus interventions on the education and rehabilitation of young people. A lot has been done to reach that point.

And the judge continues, a little further on in his extremely important report:

> Juvenile delinquency is a complex problem and must be approached accordingly. The legislation is a key element of any strategy, but we must look at the broader picture

and examine other factors that are no less important. It is often easier to amend legislation than to change our approach to a problem.

Mr. Justice Jasmin probably already knew the current Minister of Justice. He goes on:

It may be tempting to think that tougher legislation is the answer to the problems of delinquency. Simplistic responses blind us to the full extent of complex problems and create the false impression that we are doing what is necessary to resolve them. One such simplistic response is substituting get-tough measures for educational approaches.

It is clear from examination of the bill at second reading that the minister's responses to an extremely complex problem are very simplistic.

The Jasmin report is often mentioned by those who support Quebec's approach. As a member from Quebec, I cannot ignore it. I will use this report to denounce the simplistic solutions of this government, which has caved in not once but twice to pressure from the right and from the Reform Party.

I will again point out that the Young Offenders Act is a good act. I cannot say often enough to the minister across the way that substituting get-tough measures for educational approaches is a simplistic response.

The Young Offenders Act is getting very good results. Youth crime is steadily declining. Oddly enough, the federal Minister of Justice presented very eloquent figures to this effect when she introduced her bill.

• (1205)

She mentioned that there had been a 23% decrease in youth crime since 1991. She even told the press that the number of crimes with violence had also decreased since 1995.

Just as we identify a tree by the fruit it produces, so should we judge the Young Offenders Act by the results it gets, and not by a misconception.

It would be irresponsible to blindly reform the youth justice system without looking at the whole picture. In protecting such vital things as life and bodily security, the Young Offenders Act plays a front line role in strengthening the community's faith in our institutions.

Parliamentarians therefore must respond quickly to the concerns of their fellow citizens by making the appropriate legislative amendments as needed.

However, they must first and foremost ensure that the public has the information it needs to properly grasp such a complex problem as juvenile delinquency. There is no point, however, in doing what the minister has decided to do, namely throwing the baby out with the bath water. We must take a very close look and not act impulsively with such legislation.

The federal Minister of Justice failed in her duty to inform. By advocating stricter legislation, the minister wrongly intimates that the existing legislation is deficient. It would seem to indicate a lack of leadership.

Bill C-68 shows it is easier for a Liberal government to sacrifice good legislation than to advocate the effective approach it promotes.

To properly understand the reason behind the current amendments to the Young Offenders Act, we must go back to the 35th Parliament to look at the first Liberal attempts at turning the Young Offenders Act into a scapegoat.

On April 28, 1994, the current Minister of Health and former Minister of Justice stated in the House that the move to the right responded to election commitments. He was very candid in his acknowledgement.

I scarcely need to point out that these commitments were certainly not aimed at Quebec voters. In fact, it is hardly a well-kept secret that the Liberal Party's intention was to win over the clientele of the Reform in the west.

By passing Bill C-37 at that time, the Liberal government was introducing into the Young Offenders Act a whole series of automatic provisions which would greatly affect the fragile equilibrium of the youth justice system.

By allowing 16 and 17 year olds to be automatically referred to the adult court system, this government watered down once again the specific nature of the youth justice system. At the rate things are going, soon the only connection it will have with youth will be in its title.

Continuing in the same vein, in May, 1998, the Minister of Justice introduced her youth justice renewal strategy. In particular, she announced her intention to extend the referrals to 14 and 15 year olds. All parties involved in Quebec viewed this with alarm.

The Quebec bar association had even prepared an impressive brief in which it openly deplored this measure, which it felt was likely to increase recidivism among youth, both in number and in severity. In its brief, the bar association expressed the opinion that the problem did not lie with the current Young Offenders Act, but rather with the way it was being applied.

It also criticized the reform because it was based on grounds that were both biased and disconnected from reality. Among other points it raised was the following most legitimate question, one still as timely now as it was then, ''Where exactly does the government get the information that stiffer sentences were going to have any impact whatsoever on the crime rate?''

• (1210)

The Quebec bar association was bang on. Not only was the reform not necessary, but the solutions being put forward by the minister are misguided and risky.

Last Friday, this issue received a breath of fresh air when some fifteen organizations from Quebec publicly reaffirmed their opposition to Bill C-68. The Association des centres jeunesse du Québec, the Commission des droits de la personne et des droits de la jeunesse, the Conseil permanent de la jeunesse and the Association des chefs de police et de pompiers du Quebec, to name just a few, held a press conference at which they reaffirmed Quebec's consensus and flatly opposed the Minister of Justice's Bill C-68.

The message was and is very straightforward. They are telling the minister that they want nothing to do with her bill. They have systematically rebutted all the minister's claims that her flexible system will allow Quebec to enforce the legislation as it sees fit.

Criminologist Jean Trépanier, a recognized youth crime expert in Quebec, was scathing when it came to the minister's much-touted flexibility. At the press conference, he said: ''The so-called flexibility seems to be a political trick. Quebec's judges cannot ignore sentences handed down in other courts''. Those in doubt need only read the bill.

Cécile Toutant, another very respected voice from Quebec, also took aim at certain of the bill's measures. This criminologist, who is responsible for the youth program at the Pinel institute, condemned the new measures allowing for the automatic imposition of adult sentences on 14 and 15 year olds. According to Ms. Toutant, the time served in jail has nothing to do with the protection of the public. Perhaps the minister does not know that.

Me Trépanier and Ms. Toutant are members of the Quebec bar association's subcommittee on young offenders. That subcommittee drafted, among other documents, the association's submission on the strategy to renew the youth justice system. The minister cannot ignore the advice of these experts.

Those who will have to live with the new legislation do not care about the concerns of this election-minded Liberal government. They are the ones who will have to implement the new act. The spokesperson for Quebec's youth centres association was very clear when he said, and I quote, that ''if the bill is passed, we will have a real mess''.

The act will be implemented based on a very fragile discretionary power held by crown attorneys. Again, the Young Offenders Act is a good act. It is effective and it gives good results. Therefore, why change it? What are the reasons justifying such a shakeup, other than the fact that the minister is desperate to please right-wing voters and give them the repressive measures they are asking for.

Recently, western Canada, headed by the Reform Party, was demanding harsher sentences. It is getting them with this bill. Recently too, western Canada's right wing was demanding that the names of young offenders be published, and again the minister yielded to pressure.

Reformers are still not satisfied. They now want criminal justice to apply to 10 year olds. Right now, the minister says she does not want to hear about such a measure. Yet, that is what the Liberal government said in 1994, when Reformers were asking for harsher sentences. The government would not hear of such measures. What happened since? The government caved in pathetically.

This government will never succeed in maintaining a balanced approach to juvenile crime. It is much too concerned by its election ambitions in western Canada. Who can trust such a flip-flop government?

● (1215)

Still today, one thing is obvious in the issue of the Young Offenders Act. The Quebec people will not be able to make choices that reflect its own values until it attains sovereignty.

Every day until then, we shall rise in this House to denounce the weakness of this government. In this issue in particular, the Bloc Quebecois will not give up on its demands, with witnesses to back up its position, that the minister listen to common sense, quit playing petty politics with something as important as the future of young people who are experiencing trouble with the law, and make up her mind to withdraw her bill, because it is aimed at trying to cause the failure of the Quebec model.

It constitutes a real obstacle and a threat to the Quebec model, which was created with the help of specialists and all those involved in the field and goes back a good 30 years.

I am calling upon the minister to understand this, and to withdraw this bill as quickly as possible, because it is not good for the future of these young people involved in crime.

[*English*]

Mr. Peter Mancini (Sydney—Victoria, NDP): Madam Speaker, it is always a pleasure to rise on behalf of the New Democratic Party to address justice issues and in particular the new legislation that has been tabled by the minister.

I follow some eloquent speakers, who have put forward concerns. While I concur with many of the remarks of the hon. member for Berthier—Montcalm, I would suggest to him that not all MPs from the west are members of the Reform Party. Indeed, it is my privilege to be part and parcel of the party that contains the progressive elements of western Canada and the progressive MPs from that part of the country. I just remind him of that. I know he is cognizant of it.

That being said, I would like to comment first about some statements that were made. I will deal with the bill and the minister's comments shortly.

For those who are listening to this debate or reading *Hansard*, it is important to recognize that as opposition parties it is our job not just to oppose for the sake of opposing, which is often sadly what the Reform Party does, but to examine the legislation, to offer constructive advice and alternatives, to offer genuine criticism, to also offer congratulations when sections of a bill are well done and to examine that in committee. That is the job of the opposition. Unfortunately, members of the official opposition, the Reform Party, have forgotten that.

The comments made by the member for Surrey North tended to defeat their own purpose. He criticized the government saying it was one dimensional in its approach to crime and then went on to criticize the bill in one dimensional ways.

I think some things need to be clarified, specifically with respect to the sentencing provisions. The member for Surrey North said there was nothing in the sentencing provisions that would make young people accountable, that there was only reference to rehabilitation and reintegration into society. This is an example of simplistic language in what is an extremely complex document.

The bill has many sections and deals with a fundamental issue. To clarify and illustrate the simplistic measure of the Reform Party as opposed to the complex piece of legislation which the New Democratic Party will examine thoroughly and balance, I will read that section.

''The purpose of sentencing under section 41 is to contribute to the protection of society by holding a young person accountable for an offence through the imposition of just sanctions that have meaningful consequences for the young person, that promote his or her'' and then there is rehabilitation and reintegration into society. It is a complex piece of legislation, not one to be dealt with with simplistic hysteria.

● (1220)

Many people came before the justice committee in the preparation of this report. They are to be congratulated for their input. They included the Church Council on Justice, the Canadian Police Association and legal aid lawyers from across the country, many of whom I had the opportunity to work with before I came to parliament. It was interesting to read the comments of my colleagues in that report. I also want to commend the members of the justice department who prepared this document which as I have indicated is complex.

There are some good things in this legislation. It is important that we offer a balanced approach. In the principles, the minister recognizes that the basic premise for the legislation is the protection of society. The reason we have criminal laws is to ensure that as a society we are safe.

As the minister indicated, many people in Canadian society today do not feel safe. They feel that the law has failed them in certain criminal areas. Sometimes that is fed for political reasons. Sometimes hysteria is put forward. We hear repeatedly day after day in this House stories from the opposition about isolated incidents of heinous crimes, and they are heinous crimes. For every one young offender whose story is told for political points by the Reform Party, there are 20 young offenders who do find their way through the system and do find rehabilitation.

The protection of society and the accountability of young people for the commission of their crimes are good things. The taking of responsibility by young people has to be enunciated and this legislation does that.

Mr. Ken Epp: Madam Speaker, I rise on a point of order.

I am sure the member knows and you know that it is not within the rules of this House to impugn motive. When the member speaks of what we are doing here and attaching motive to it, it is wrong.

The Acting Speaker (Ms. Thibeault): That is a point of debate.

Mr. Peter Mancini: Madam Speaker, I understand the sensitivity to the truth but I will continue anyway.

I have enumerated some of the good things in the legislation. I understand how sensitive sometimes the Reform Party is to the truth.

I go on to suggest some of the good things. There is a role for victims in this legislation which is important and needs to be recognized. The publication of names for serious offences for which a young person receives adult time is an important and significant change.

That being said, some other areas of the bill will require extensive study. I have serious concerns with some areas.

First and foremost is the cost of the program and whether or not there is sufficient funding by the government to implement the changes in the act.

The act departs from the Young Offenders Act in many ways. It grants a great deal of judicial discretion and a great deal of power to the community in extrajudicial remedies.

The purpose of the legislation is to determine that only those young people who commit serious violent offences or the prescribed offences will be incarcerated, whereas the others will find a way through the system to rehabilitation or reintegration. The problem is that is not new; that is what the old Young Offenders Act set out to do.

I remember practising law with respect to young offenders when that piece of legislation was introduced. The real problem from the trenches, as we used to say at legal aid, was the resources were not there. My hon. Conservative colleague from Pictou—Antigonish—

Guysborough will understand this. While there was progressive legislation in place and a call for community groups to deal with young offenders, without adequate financing, those young offenders went to jail because that was all the judiciary could do with them.

My concern is that the $206 million committed by this government over three years is not enough, especially if we look at it per capita. If this money is to be distributed to the provinces on a per capita basis, it will mean very insignificant funds for the provinces with small populations, and the funds are necessary to fulfill the purposes of the act.

● (1225)

It is interesting to look at youth crime statistics, especially violent youth crime statistics. They are down, as the minister has said. They are down in some provinces, in Newfoundland, P.E.I., New Brunswick, Quebec, British Columbia and Ontario. They are down in Canada as a whole. But in Saskatchewan, in my home province of Nova Scotia, and in Manitoba, violent youth crime is up. It is up from 1990 to 1997 by 23% in Saskatchewan, by 32% in Nova Scotia, and by 34% in Manitoba.

Unfortunately, if the money is to be distributed on a per capita basis, the very provinces that need the funding in order to implement the good parts of this legislation will not have significant funding.

The $206 million over three years would be roughly $68 million per year to be distributed Canada wide on a per capita basis. For my province this would amount to perhaps $2 million to do many of the things the bill calls for.

It calls for the creation of community organizations to work with young people and to ensure legal aid. The bill makes it very clear that every young person is entitled to a lawyer, which is as it should be but without substantial increased funding, that will not be there and will create problems.

The costs for changes to mandatory probation and increased supervision, which is what the bill calls for, will fall primarily to the provinces. When the young person leaves the court to be under the supervision of a probation officer, the funds will not be there for that probation officer to do the job.

Like the old act, faced with no probationary services, no community groups, or special facilities to deal with young offenders, the judge will have no option but to sentence them to a custodial period. Without adequate funding, and this is a primary concern, even the good parts of the bill cannot be implemented and will require scrutiny.

The bill also fails to deal with some of the concerns of the provinces. Provinces were unanimous in requesting a return to 50:50 funding so that 50% of the funding for youth crime and the implementation of the bill would come from the federal government. That has been cut back in recent years. Saskatchewan, Manitoba and British Columbia have sought that kind of funding. As I have indicated, all of the provinces have.

Manitoba has requested many things, such as mandated time lines, which are not contained in the bill. Part of the problem is that under the current system the funds are not there to ensure speedy justice. Justice has to be speedy if it is to be just. Many of the concerns of the provinces have not been met.

Other areas of the bill have to be examined in committee. I can assure the people of Canada that we in the NDP and myself as its justice critic will examine those things with a critical eye to implementation.

In this legislation there is a great deal of judicial discretion in determining whether or not a young person over the age of 14 will face adult sentences for particular crimes. That will require careful examination.

I agree with providing police discretion to caution young people, but again we cannot hold the police to a high standard of behaviour if the funding is not there to ensure adequate training. We have to ensure that the police understand the conditions under which a cautioning can take effect. If we do not, we run the risk of the police overstepping their bounds and the police run the risk of not understanding where the bounds are.

We have always encouraged police discretion, but realistically and sensibly, the average cop on the beat who is concerned about being held accountable has to know what those time lines are, what he or she can or cannot do in terms of cautioning. That will require careful examination.

● (1230)

There are special provisions in this act for young people who are suffering from mental illness or severe problems. We do not know how that is to be financed or exactly what young people will fit into that category. The statement that mentally ill young people will find this as an alternative to adult sentencing causes me some concern. The place for mentally ill people is not in prison. We know that and we cannot change that for young people. I am sure that is not the intent of the legislation but we will guard against that kind of thing.

I appreciate that this is the Young Offenders Act, but provisions could be made to the Criminal Code to address the concerns we have. The Minister of Justice is right in one sense. There is no place in jail for 10 and 11 year old children. They should be dealt with through social services in each province because they are children.

We have asked and called for changes to the Criminal Code to punish those who recruit 10 and 11 year old children into crime, especially young people who know that a 10 or 11 year old child

cannot be charged under either the old legislation or the new legislation.

As has been pointed out by the Minister of Justice, there is a parties section. Anyone who encourages another to commit an offence is a party to the offence committed. However, we think there should be a special section dealing with those who recruit 10 and 11 year olds. It is perhaps the most heinous of crimes to induce young people into a life of crime and then only be a party to that. Perhaps the penalty should be increased for those who do that. Again, that is a subject matter outside of the Young Offenders Act but an amendment to the Criminal Code could meet the concerns of many people concerned about youth gangs in their cities.

The member for Surrey North has put forward a private member's bill in good faith which has been included in the provisions of the Young Offenders Act. It is a section that will require careful examination. I appreciate that the member says this is not to make adults responsible for the crimes of their children. I believe he means that but I am concerned about the wording of the legislation.

He is also absolutely correct when he says there is currently a provision in the Criminal Code which deals with that. The difference is this change will make it a hybrid offence. This means that under the old legislation when a parent or a guardian signs an assurance saying they will be responsible for the young person while he or she is released pending trial, if the young person breaches the conditions then the person who is supervising him or her has some liability for that. Currently it is a summary offence.

My understanding of the proposed change is that it will make it a hybrid offence where the parent can either be charged indictably, which carries a more serious penalty, or summarily at the discretion of the crown. If we are not imputing the crime of the child on to the parent, one must ask why we would have differing penalties. The crime is clearly the failure to supervise. It is not failure to supervise if one robs the grocery store or commits armed robbery, it is failure to supervise, period.

That we would have differing penalties for the person who fails to supervise leads to the impression, which is why the member from Surrey said the members of the press were reporting it this way, that the parent is then responsible and faces a more serious penalty if a more heinous crime is committee. That is something we will check on balance at committee.

As I have indicated, there are many areas to this act. There are over 101 sections that need to be examined carefully. I think the member from the Bloc Quebecois who spoke prior to me is correct to some extent. The agenda has been pushed.

What we have in this new legislation, in a way to balance, is tremendous discretion. It is in part a response to find that balance. We will be checking that discretion carefully to ensure that while there is discretion the principles that guide that discretion are proper.

● (1235)

At the end of the day we need legislation based on sound public policy. We need neither hysteria nor platitudes. We owe it to the young people of this country, to the people who live in communities and who are concerned about crime. We owe them a piece of legislation that works, that balances and that is fair.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, quite frankly, I am appalled at the hon. member. He is accusing Reformers of using this issue for political purposes but he is using it in resorting to attacks on the official opposition.

At the end of his speech he said that one thing we do not need is legislation based on hysteria. I think all members and all political parties would agree with that. What we have seen continuously over the five years during which the majority of Reformers have been present in this Chamber is the unwillingness of the government to properly address this very serious issue of youth crime. The real problem is exactly that. It is not hysteria. It is not that some members raise important issues and examples of where the system is failing, failing all Canadians, not just the victims of crime but in many Canadians the youth themselves.

The hon. member agrees with the government in its reluctance to lower the age to include 10 and 11 year olds. I believe he said that the proper avenue to address crime in this age group is with social services. I point out to the hon. member that is the problem we have today. That is the problem we have with the current Young Offenders Act. These youngsters are falling through the cracks and social services cannot adequately address that. It is not just the official opposition saying that. We are hearing that from all sectors, from a lot of people involved in the field of justice as it pertains to youth crime.

Could the hon. member elaborate on how he would see those youngsters who are falling through the cracks and who are not getting the help they need? Let us be clear that we are not talking about 10 and 11 year olds going to jail. That is the charge from the other side. It has been directed at those people who have suggested and stated quite emphatically in many cases that 10 and 11 year olds need to be included in any remake of the YOA. The fact is we must include them if we are to help them.

I would like the hon. member to explain at greater length how he envisions under the new act that those 10 and 11 year olds who do flaunt the system will be dealt with adequately under social services when they have not been in the past.

Mr. Peter Mancini: Mr. Speaker, I am pleased to respond. There are ways we can ensure 10 and 11 year old children, children who

are usually in grades four and five, are dealt with when they commit crimes. I say commit crimes but they are not committing crimes, they are behaving badly. The member asked how we can remedy that. The suggestion came from his own party. It was a commendable suggestion by the member for Esquimalt—Juan de Fuca who talked about a head start program.

We talk about ending child poverty in this country. Unfortunately in the race to balance books, in the race to cut deficit, in the race to the bottom we have increased child poverty in this country by 50%.

● (1240)

I know we say it over and over. I know members are tired of hearing it, but when we talk about increasing child poverty by 50%, the faces of that child poverty are the 10 and 11 year olds referred to by the member who asked the question.

The reality is that children who do not have adequate food, who do not have support at home for whatever reason, are children who fall between the cracks and commit crimes. That is why we need at the provincial level adequate social services such as a head start program, such as increased support for families and for single mothers, to ensure those children have both the monetary and emotional support they need.

Sometimes I am puzzled at why some people take various stands on things. That is why we have guidelines in terms of maintenance support under divorce legislation. It is a way of trying to ensure that young people have the necessary support to grow up healthy, to grow up with respect for society and to be accountable for their behaviour.

We need to improve schools. We have a crisis in education across the country. Governments are cutting back on teachers. All this is happening to some extent, especially in the poorer provinces, because the federal government has cut back money to the poorer provinces. When it comes time for education, teachers who are on the front line and understand perhaps more than anyone when children are falling through the cracks do not have adequate resources. We have kids going to school without sufficient learning tools.

There are many ways we can address the problem of 10 and 11 year old children who fall through the cracks. The way to do it is to help families through social services, not through the criminal code.

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I listened with great interest to the member. Except for some very obvious points, I had a great deal of sympathy for what he had to say.

I understand that at the present time we incarcerate 25,000 young people a year. Given that the vast majority of these are boys, this means that in a four or five year period we incarcerate over 100,000 young people.

I understand the statistics are quite skewed. Look at Quebec and New Brunswick. I understand New Brunswick has recently closed a number of prisons. The figures are quite different there. The rate of incarceration is much lower.

I wonder if the member has any information on these two provinces and what they have been doing to keep their incarceration rates so low compared with a province such as Ontario.

Mr. Peter Mancini: Mr. Speaker, I thank the member for his question. A great deal of what Quebec has been doing was elaborated on by the justice critic for Quebec. Interestingly enough, in his criticism of the government he says that the Young Offenders Act works if the resources are available to make it work.

I go back to my concern about this legislation. While there are some good things in the legislation dealing with extrajudicial remedies and some good things that provide for redirecting young people in a way that would move them away from a life of crime, without adequate resources that cannot be fulfilled.

I think we have a great deal to learn from Quebec in the way it has dealt with its young offenders. The hon. member who preceded me gave a history of the tremendous contribution of Quebec to the youth crime issue. It is to me a startling example of working together at the federal and provincial level and achieving the results we want.

I perhaps would disagree with the hon. member. The federal initiative was important in working with Quebec. The country benefits best when we see those two governments working hand in hand for the enhancement and betterment of the whole country and is a shining example of what all the provinces can do if we work well with the federal government.

● (1245)

Mr. Jake E. Hoeppner (Portage—Lisgar, Ref.): Mr. Speaker, I am appalled when I hear that Reform is trying to create hysteria.

I will tell the House what hysteria is. It is when one has a son in the hospital who has been beaten to the point where they cannot recognize him, where they have to identify him by a tag. I was more fortunate than my hon. colleague from B.C. in having my son restored and brought back to health. That is hysteria. If we do not want to address it when the police in the streets tell us that their problems are getting greater and greater, then someone should have the experience of hysteria.

Mr. Peter Mancini: Mr. Speaker, I appreciate the comment of the hon. member. What I am suggesting is this. We need to hear that kind of evidence in this body. It is important for us to hear what happens in a balanced way. When we talk about victims of crime we need to recognize that all of society is victimized when crime occurs.

What we tend to hear about is the person who is hurt. That is legitimate. What we do not hear about is that many times young offenders are victims; victims of sexual abuse, a history of violent abuse, a history of mental abuse, a history of being ignored by the system, of growing up in aboriginal communities where, many times, there are no support services. When those stories are told I would expect a balanced approach. That is what I am saying.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, for over 10 years Reform members have been calling for reforms to the Young Offenders Act, a statute which the justice minister herself characterized as the most unpopular piece of federal legislation.

The leadership in advocating these Young Offenders Act reforms has been provided in particular by the hon. member for Crowfoot, the hon. member for West Vancouver—Sunshine Coast, the hon. member for Surrey North, the hon. member for Langley—Abbotsford and many others of my colleagues. I want to thank each of them for the sincerity of their efforts and for their dedication, some of which has come to fruition in portions of this bill.

Our interest in this bill stems from two sources: first, the concerns of the public with respect to youth crime and the inadequacy of the Liberal approach to dealing with it and, second, from our interest and concern for young people themselves.

I frequently visit high schools where I have open question and answer periods with young people. I notice that of all the federal laws, the one that is best known—young people know about it, how it works and how it does not work—is the Young Offenders Act.

Usually in my encounters with young people I ask them at the end of the discussion to take a straw vote on would they prefer to tighten up the Young Offenders Act, strengthen its provisions, would they prefer to leave it as it is, or would they prefer to loosen it. In the assemblies that I have been at I have probably asked this 30 or 40 times over the last three or four years. Invariably the voting is always the same. About 60% to 70% of our young people say strengthen the Young Offenders Act, tighten it up, and adults better believe and better understand that we young people are the greatest single category of victims of youth crime.

I was interested that in the minister's remarks this morning commenting on the bill there was not a single reference to consultation with young people on their ideas, their fears and their concerns. Yet I suggest that they have a big stake in this bill and it is not simply as the perpetrators of youth crime.

The Young Offenders Act reforms which the public has called for and which we have advocated have been numerous in detail, but the most substantive may be grouped under eight headings: one, clarification of the purposes of the act; two, strengthening parental responsibility; three, recognition of victims' rights and the provision of support services for victims; four, stronger differentiation between violent repeat offenders and non-violent first time offenders; five, strengthening sentencing provisions; six, publication of the names of young offenders; seven, changes to the age of application of the Young Offenders Act; and eight, provisions for rehabilitation and prevention.

• (1250)

After six years of dithering the government has finally brought forward proposed changes to the Young Offenders Act which are found in the bill before us.

My intention today is first to briefly compare the changes in the bill with those demanded by the public and the official opposition; second, to identify those measures which we support and give credit where credit is due; and third, to identify those areas where we feel the government's response has been inadequate or misguided and to urge constructive alternatives and amendments.

I want to begin with the purpose of the act. I was disappointed this morning in the minister's remarks as she devoted no time at all to that subject.

Hon. members will know that this official opposition attaches great importance to ensuring that parliament clearly states its intent in any bill that we consider or that we adopt, because if we do not, and the government is often sloppy in this area, we simply hand jurisdiction by default over to the courts, and that has been done far too many times.

With respect to the bill before us, it is particularly important to clearly state the intent because there has been a lot of confusion on this in the past. The old Juvenile Deliquents Act made it clear that its primary purpose was the welfare of society, whereas the Young Offenders Act introduced by the Trudeau government focused more on the welfare of the young offender.

I ask, what is the primary intent of this parliament in passing this statute? Is it first and foremost the protection of the public, or is it the rehabilitation of young offenders? If we give the typical Liberal answer, which is that when one comes to a fork in the road one should take it, in other words both, then the question is which objective prevails if those two objectives come into conflict.

I believe that one of the commendable features of the bill is that it states in the preamble that the protection of society from youth crime is the principal objective of the bill. I think that is progress.

In clause 3.1 it also states that the principal goal of the youth criminal justice system is to protect the public; a protection to be pursued through the prevention of youth crime, through the punishment of convicted offenders and through efforts to rehabilitate.

This clarification of the intent of the Young Offenders Act with greater emphasis on the protection of society is a change that Reformers have long advocated and we are pleased to see progress in that direction in the bill.

I should note in passing that some of the reforms we have advocated, like clarifying the intent of the Young Offenders Act to establish the paramountcy of protection of the public, have frequently been dismissed by the government, and by the minister in particular, as simplistic. In doing so the minister implies that complex problems always require even more complex and complicated solutions and that simplicity is always suspect by definition.

I would remind the minister that there are really two kinds of simplicity. There is ''simple stupid'', a simplicity rooted in ignorance or lack of experience, which certainly should be avoided in seeking solutions to public problems. There is also such a thing as ''simple wise'', a simplicity that is rooted in common sense or in experience and perceptions which allow us to reduce complexity to its essential element.

Newton's definition of the laws of motion and Einstein's reduction of the theory of special relativity to $E = MC^2$ were simplifications, but they were not ''simple stupid'', they were ''simple wise''.

Clear, simple definitions of the intent of parliament in passing a statute are greatly preferred over the convoluted statements of multiple objectives such as the minister and her bureaucrats are wont to spout.

We need to remind ourselves that the law of Moses, which will be remembered and studied long after the laws of this administration are forgotten, consisted of 10 commandments, not 10,000 commandments, and it is not necessarily a sign of advancement or sophistication when a forklift is required to deliver the laws to the population.

Allow me to turn to another Young Offenders Act reform which this party has long advocated, and that is increased emphasis on parental responsibility for the actions of young offenders. While this bill does not go as far as Reformers would like with respect to affirming parental responsibility, it contains at least two steps in the right direction.

● (1255)

First, I refer to the requirement for compulsory attendance of a parent at court, if that is considered by the judge to be in the interests of the young person. Second, I refer to the increased penalties provided for a parent who signs a court undertaking to supervise a young person upon release and who wilfully fails to fulfill that obligation.

It is appropriate to remind the minister and the House that this latter provision on penalties for parents who wilfully fail to supervise a young offender released into their custody is in this bill primarily as a result of the work of the member for Surrey North who originally proposed this measure in a private member's bill. In question period when the justice minister is asked, as she frequently is, why she did not include such and such a measure in the bill, or why she failed to see such and such a consequence of her decisions, if members check *Hansard*, her most frequent response is to say that the questioner does not understand, as if all knowledge on issues like youth crime lies with the minister and her bureaucrats, and ordinary MPs or ordinary members of the public lack the understanding to question the minister or comment intelligently on such sophisticated matters.

Last week in question period when the minister implied that the member for Surrey North did not understand the issue of youth crime, she made a mistake so grave that it deserves public notice and rebuke. Members will know that the primary reason the member for Surrey North ran for parliament, and he explained this this morning, was to work for amendments to the Young Offenders Act to hold parents or guardians more accountable when supervising accused young offenders who are released from custody pursuant to a court order or signed contract.

The member for Surrey North experienced the terrible tragedy of having his 16 year old son Jesse murdered by a young offender who was released into society on precisely one of these court orders signed by a parent. That parent promised to supervise the young offender and promised to ensure that certain conditions would be respected. One of those conditions was that the young offender was to have a curfew from dusk to dawn. The parent in that particular case did not supervise his child and the son of the hon. member was knifed to death at night when that young offender should not have been on the streets. I for one do not ever want to hear the Minister of Justice say again to the member for Surrey North that he does not understand. He has an understanding of the youth crime issue at the heart level and at the gut level as well as the head level that no amount of book learning or memo reading could ever give the minister.

I turn to the victims of youth crime. Victims of youth crime have become so frustrated by the government's lack of concern for them and their families that some, like the member for Surrey North, have had to run for parliament to raise their concerns directly. Let

us look at Bill C-68 from the standpoint of victims' rights and the provision of support for victims.

The bill before us contains several provisions that represent a step in the right direction. For example, clause 52 permits the provinces to order that a surcharge be levied on any fines payable by young persons, the funds to be used to provide assistance to victims of offences. Where the province has not made this type of order, a youth justice court may order a victim fine surcharge in an amount not exceeding 15% of the fine to provide assistance to victims of offences.

Clause 113 permits a youth justice court, a review board or any court to keep a record of proceedings of young persons. Clause 118 permits victims access to the clause 113 records. Clause 39 states that the pre-sentence report is to include the results of an interview with the victim. If applicable and reasonably possible, clause 12 permits the victim to obtain information on how the young person has been dealt with through extrajudicial measures.

These provisions all represent steps in the right direction. However, hon. members on both sides of the House will notice that they fall far short of the demand of the official opposition, supported by this House, for a full blown victims' bill of rights applicable to victims of offences committed both under the Young Offenders Act and under the Criminal Code. We will therefore continue to press for a full blown victims' rights provision along the lines of that proposed by the member for Langley—Abbotsford.

This minister, like her predecessor, still appears to assign a low priority to victims' rights in relation to the rights granted to persons accused or convicted of crimes, which reminds me of a story.

● (1300)

It is the story of the good samaritan with a Liberal twist. It seems that a certain man went down Wellington Street one night. He was attacked by a gang. He was beaten, robbed and left half dead by the side of the street. Shortly after, the Minister of Justice and the Minister of Health happened to be going down the same street. They were on their way to a discussion of child poverty at the Rideau Club over wine and cheese when they saw this poor victim lying on the street. As they hurriedly stepped over the victim to continue on their way they were heard to say to one another ''You know, we really need to do something to help the people who beat and robbed this fellow''.

Like most Liberal policy statements, their words reflect a half truth. It is true that the people who beat and rob others need not only to be apprehended and restrained but treated and rehabilitated. I suggest it is even more true that the victims of their crimes, who do not need to be hunted down because they are right there in front of us, also need to be helped and often more urgently so.

Unfortunately the provisions of this bill for providing real help to victims are woefully inadequate, and that is a regrettable deficiency.

I turn to three other subjects of great concern to the public and on which we consider the provisions of this bill inadequate. I refer to the provisions pertaining to the differentiation of violent offenders from non-violent offenders, for sentencing of young offenders and for publishing or prohibiting the publication of the names of young offenders.

My colleagues have already done this and will continue to do this. We will comment in greater detail on all these provisions but I will summarize our concerns in this way. It is the position of the official opposition that a disproportionate number of non-violent offenders are locked up, limiting space and resources needed for violent offenders and increasing rather than reducing the probability that these young people will be drawn into a life of crime rather than being protected and liberated from criminal influences.

We have consequently advocated a stronger differentiation, both in law and in treatment, between violent and non-violent youth offenders and between first time and repeat offenders. It was the justice committee and the Reform Party which strongly recommended extrajudicial measures, measures other than judicial proceedings, to deal particularly with first time non-violent offenders.

The legislation before us in section 2 defines a non-violent offence as an offence that does not cause or create a substantial risk of causing bodily harm and defines a violent offence as one that does cause or create a substantial risk of causing bodily harm. In part 1 the legislation goes on to provide for extrajudicial measures for application to first time non-violent offenders. All this is well and good and is welcomed by the official opposition, regardless of who gets the credit for these provisions.

Unfortunately, however, there is a weakness in this section which if not corrected will bring the whole concept of extrajudicial treatment into disrepute, just as the minister's approach to conditional sentencing has brought that concept into disrepute.

Our interpretation of clauses 4(c) and 4(d) is that these extrajudicial measures could also be applied and will also be applied to repeat offenders and even violent offenders at the discretion of the court. This is a weakness on which my colleagues will comment further and to which we will propose corrective amendments.

In keeping with the principle of more strongly differentiating between the treatment of first time non-violent youth offenders and violent repeat offenders, the official opposition has consistently called for tough sentencing in adult court of repeat violent young offenders.

In the bill before us the list of presumptive offences for which an adult sentence may be imposed is severely restricted. The list includes murder, attempted murder, manslaughter and aggravated sexual assault but it does not include sexual assault with a weapon, hostage taking, aggravated assault, kidnapping and a host of other serious violent offences. This too is a weakness in the bill and my colleagues will propose corrective amendments.

The official opposition and many victims groups have also taken the position that the public has a right to know the names of young offenders whose activities are a threat to others, including other young people, and that the public has a right to know if a violent young offender has been released into the community.

● (1305)

Section 109 of this bill covers the publication of the names of young offenders. It generally permits the publication of the names of most violent young offenders 14 and over. Violent young persons under 14 would appear, however, to have their names protected from publication. In general, it is our conclusion that the act contains too many provisions and too many loopholes to prevent the publication of names of violent offenders who constitute a risk to the people of their community.

Again, my colleagues will elaborate on these deficiencies. These are the deficiencies of half measures. When the government approaches a problem it never provides a whole solution, always half measures. This bill is riddled with half measures in respect of differentiation, sentencing and name publication. That is why we say it needs a lot of corrective amendments.

I now turn to the age of application. The age of application of the Young Offenders Act is provided for in Bill C-68. The official opposition believes the government has made another serious mistake here by rejecting proposals for lowering the maximum age from 17 to 15 and lowering the minimum age from 12 to 10. Sixteen and seventeen year olds are legally allowed to drive cars, to get married and to live on their own. They are able to distinguish right from wrong and should be treated as adults under criminal law, particularly in the case of repeated violent offences.

The official opposition and the public take particular exception to the government's fallacious contention that people who want to lower the age of application of the Young Offenders Act are hard hearted barbarians who would put 10 year olds in jail. Nothing could be further from the truth.

According to Statistics Canada about 5% of all youth crime is committed by children under 12. These children, more than any other category of youth offenders, are usually victims of crime themselves, often recruited into criminal activity, particularly in the case of break and entry for the purposes of theft, by older teens or adults who know that if these under 12 children are apprehended they cannot be dealt with effectively by the police or courts under the current law.

The whole purpose of lowering the age of application to 10 years is not to put 10 year olds in jail but to keep them out of jail when they are 16, 18 and 21 by giving them access to the rehabilitative measures and services which this act purportedly provides to first time offenders.

It is ironic that if the minister really had the faith she professes to have in the effectiveness of the rehabilitative provisions of this bill, the provisions for extrajudicial measures, for warnings, for cautions, for referrals, for youth justice committees, for community support, why would she deny access to those rehabilitative provisions to the most vulnerable and malleable of young offenders?

This brings me to what I consider to be the most important of the eight categories of the Young Offenders Act and criminal justice reforms that Reformers have advocated, the provision for rehabilitation and prevention. I have already emphasized the interest shown by my colleagues on the justice committee in developing and ensuring the success of extrajudicial measures for dealing with young offenders, in particular the non-violent first time offender who at least in theory is the best candidate for rehabilitative and preventive measures if these are available and properly funded.

My colleague, the member for Surrey North, has been personally involved for a number of years in diversion and alternative programs whereby the community and the young offender sit down, sometimes with the victim, to determine how best to address the wrongs that have been done and to provide the healing of both victim and offender, which is at the heart of rehabilitation. I appreciated his experience and the remarks he made this morning on this subject and I commend those remarks to the minister and other members of the House.

Let me confine my remarks to prevention. It is on this aspect of the treatment of young offenders where there is the most profound difference between the government and members of the official opposition. The official opposition believes that the most effective approach to crime prevention, particularly youth crime prevention, is to strengthen families. By this I mean families broadly defined to include extended families, single parent families, traditional families, the situations in which the vast majority of our children are born and in which they are raised for better or for worse.

● (1310)

It is because of this fundamental belief that the strong family is the key to healthy, properly educated, law abiding, secure, adventurous and happy future generations that we advocate tax relief for families, tax fairness for families, respect for families, respect for their rights to make decisions that affect the welfare of family members and acceptance by families of responsibility for their

decisions. We would like to see the justice minister, the health minister and the human resources minister, all ministers with social responsibility, band together and become the strongest lobby within the government for strengthening families.

Instead what do we see? When it comes to issues like crime prevention, youth crime prevention, illness prevention or unemployment prevention, the ministers of the Liberal government put their faith not in families but in government programs operated for the most part by well meaning but impersonal and inefficient bureaucracies. When bureaucracy fails their instinct is to appoint a super bureaucrat or an ombudsman to adjudicate among the bureaucrats.

This predisposition to trust bureaucracies to deal with our most delicate and serious social problems was graphically illustrated last week in question period when the justice minister was asked what should be done for these 10 and 11 year olds recruited into crime by teens and adults and if her department was going to ignore it. Her answer, which she repeated several times then and again this morning, was turn them over to the provincial welfare system.

Is the minister not aware that the public has absolutely no faith in that answer at all? Has the minister not read about or been briefed on the abuse and neglect of children by both provincial and private child welfare systems across the country? For example, the situation in B.C. of the torture and death of a young child at the hands of his mother, both of whom were under the care of the ministry of social services, sparked a whole special inquiry by Justice Thomas Gove and resulted in demands for a complete rethinking of the entire child welfare system in that province.

Has the minister not read the briefs or seen the reports on the situation in Manitoba where the number of child deaths in 1998 in situations where child welfare agencies have responsibility has prompted a complete review of the child welfare system there?

Has she not read the statistics on the situation in Quebec where more than 100 Quebec children under five die every year in violent, unusual or undetermined circumstances and where the child welfare system itself acknowledges having great difficulty in either getting to the causes or providing protection? Is the minister not aware that right here in the province of Ontario the starvation death of a five week old infant while under the care of the Children's Aid Society has prompted the review of child abuse and neglect cases in all 55 children's aid societies across the province?

Is the minister not aware that the appointment of a children's czar or a super bureaucrat or an ombudsman to adjudicate among the bureaucrats is not the answer to the prevention of social ills? Is the minister not aware it is time to challenge the whole notion, which is embedded in the administration and has been there ever since the second world war, that bureaucracies can care for people, in particular vulnerable people like the old, the sick, the poor and the young?

Why are bureaucracies not the best instruments for delivering frontline care? There are two huge reasons. First, bureaucratic structures with their layers and layers of organizational boxes divide up responsibility for the consequences of their actions so finely that no one is accountable for the final result. Thus we can have a revolving door parole system that simply does not work, that everyone knows does not work, and yet no one accepts any responsibility for it, for changing it and, worse, no one accepts any responsibility for the outcome of the defective system, not even the minister.

Thus there can be a bureaucratic system for guaranteeing the security of the blood system. When people die of hepatitis C contracted from tainted blood obtained from that system, no one is responsible. It is the same story.

The second reason bureaucracies are untrustworthy in caring for people stems from the way they handle information.

• (1315)

Bureaucracies are information systems that transmit information on particular cases involving people upward to policy decision makers and downward from those decision makers to frontline workers. Unfortunately bureaucratic information systems can only transmit certain types of information. The information they can transmit most reliably is hard data consisting of objective facts and figures. The information they cannot transmit effectively is information about values, beliefs, emotions and feelings which happen to be precisely the type of information one needs to make policy on or to deal directly with vulnerable people, in particular the sick, the old, the poor and the young.

This is not to say there is no place for the big public service social bureaucracies, but their place should be to serve and support frontline caregivers and not to smother or substitute for them. By frontline caregivers, many of whose actions can contribute to the prevention of crime, I mean all those overworked social workers, probation officers, court workers, doctors, nurses, teachers and day care workers.

Above all I include in the frontline caregivers overworked, under supported and under recognized parents. Of all the frontline caregivers it is these parents that the official opposition considers to have the most crucial role with respect to the care and nurture of children into productive and law-abiding citizens.

If the government and the justice minister have any appreciation of the need for a more progressive, decentralized, family oriented

approach to the prevention of youth crime, it should have been evident in the budget and the other social policies of the government but it is not.

For example, when the government takes $2,000, $3,000 and $4,000 in taxes per year away from poor families with children and then gives them back a few hundred dollars through tax credits, it is contributing to, not alleviating, the poverty and family stress that breed social problems including crime.

If the justice minister had any appreciation of this alternative family centred approach to crime prevention, it would be evident in the section of the bill providing for consequential and conditional amendments to other legislation. However the only conditional and consequential amendments in the bill are some amendments to the Criminal Code and a few other criminal statutes. There are no consequential amendments or adjustments to social legislation or tax legislation which is where we get at this family centred approach to prevention of crime.

Because we see hardly a trace of this more progressive, decentralized family oriented approach to prevention of youth crime in the bill, we consider its approach to rehabilitation and prevention completely inadequate and completely out of date.

My concluding summary therefore is that eight great categories of reforms the public has demanded, which we have been advocating for years and against which we measure the content of the bill, have been presented. With respect to clarifying the purposes of the act and strengthening parental responsibility we support the measures contained in the bill.

With respect to recognition of victims rights and provisions for victims support, the bill contains a few steps in the right direction but falls far short of what we wanted to see in a full blown victims bill of rights. With respect to the bill's provisions for differentiating between violent and non-violent offenders, its provisions for sentencing of young offenders, and its provisions for publishing the names of young offenders, we find major deficiencies in all these provisions which my colleagues will endeavour to correct through amendments.

With respect to the failure of the bill to effectively change the age of application of the Young Offenders Act, we think the government's approach is a big mistake. With respect to the most important dimension of treatment of young offenders, namely the importance of prevention and the crucial role of the family with respect to youth crime prevention, we find the approach of the government, the justice minister, the department and the bill to be both inadequate and misdirected.

For these reasons the official opposition opposes the legislation in its current form and urges other members of the House to do likewise.

• (1320)

The Acting Speaker (Mr. McClelland): We will proceed to the 30 minute slot which I understand is being divided on the government side with questions and comments.

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, I will be sharing my time with the member for Durham.

It is my pleasure to speak to the proposed youth crime justice act. I think all members are concerned about youth and certainly those who engage in criminal activities. Approaches may vary, but I believe that the fundamentals in the bill are sound and ones which deserve the support of all members of the House. The bill is not a panacea, but it does address the key issues that have been before the Canadian public for some time now.

After extensive consultations with the provinces and territories, with professionals and with community leaders, the government has introduced a strategy to protect the public from youth crime. As one who has advocated a scrapping of the Young Offenders Act I am pleased that the minister has taken significant steps to send out a strong message to young offenders that their actions will not be tolerated.

As a former educator I know that young people want and indeed need rules that will be enforced. The message for young people is that if they take certain actions which are not deemed appropriate by society there will be meaningful consequences for their actions.

In 1996-97 about one-third of convicted youths received sentences of custody. One-half were given probation and only one-sixth were ordered to do community service or to pay fines. Custodial sentences were given in approximately 25,000 cases of young offenders, usually for short periods of time. Over one-quarter received sentences of less than one month and about one-half of the sentences were from one to three months. Eight per cent were sentenced to more than six months.

I do not believe that sent out the right message. I do not think Canadians felt that sent out the right message. Therefore we have the introduction of the bill which I believe will address those concerns.

The goals of the bill are to prevent young people from turning to crime in the first place, to ensure both violent and non-violent youths are given meaningful consequences that reflect the seriousness of their crimes, and to effectively and safely rehabilitate young people so they will not reoffend. I believe these are the goals which all Canadians can and indeed will support. The legislation reflects accountability, respect and fairness.

The Leader of the Opposition referred to Moses and the Ten Commandments and suggested the minister was referring to the

10,000 commandments. I would suggest there are only three commandments in the bill: accountability, respect and fairness, which are values Canadians want to see enshrined in the new youth justice act.

Accepting responsibility, particularly placing the onus on the violator, is a key element of the legislation. Only a small number of youth are involved in serious and repeat criminal acts, particularly acts of violence. Statistics show 18% were involved in violent crimes. According to 1997 statistics over one-half of all violent crimes were minor non-sexual assaults and another one-quarter were more serious non-sexual assaults.

Criminal activity is an antisocial activity. Toughening the law to make it clear that such acts are unacceptable must and will be part of the message that the bill addresses.

Canadians have lost faith in the Young Offenders Act. The government has responded with a number of key initiatives which I believe will address these concerns and send out a tough message to those young people who engage in acts which are unacceptable to society. The bill reflects the protection of society. It reinforces strong social values and proportionality of sentencing. Recognition of the rights of victims is something I am particularly pleased to see enshrined in the legislation.

Canadians want a youth justice system which protects citizens and provides meaningful consequences for the actions of those who would disregard the law. Establishing tougher consequences for serious youth crime by expanding the offences for which a young person convicted of a serious violent offence can receive an adult sentence is an important change.

I support and applaud the lowering of the age of youth who could receive an adult sentence for serious violent crimes from 16 to 14. I support the publication of the names of all young offenders who receive adult sentences. Individuals who commit crimes should have their names published. It would be a warning and hopefully a deterrent to others. Meaningful consequences to unacceptable acts are critical if we are to maintain Canada as a nation with a relatively low crime rate compared to other nations such as the United States.

● (1325)

An important section of the bill is to establish an effective rehabilitation and reintegration process that would require all young people who have served a period of time in custody to also have a period of controlled supervision in the community. This is something Canadians have wanted and the government has responded to.

Committing a crime is not a lark. It is not something one does for fun. Having both meaningful sentences and appropriate supervision after the individual has left custody is something for which Canadians have been asking. Public protection is critical and the bill addresses that issue.

Expanding offences for which a youth is presumed to receive an adult sentence to include a pattern of convictions for serious violent offences and extending the group of offenders who are expected to receive an adult sentence to include 14 and 15 year olds will be welcomed by most Canadians.

There has been much public debate about the publishing of names of young offenders. I believe the publication provides transparency in the justice system which will further provide public confidence in our judicial system.

Ensuring that consequences for young people who commit crimes will be in proportion to the seriousness of the offence is a major change in the proposals before the House. Sentences that fit the nature of the crime, sentences that are meaningful and encourage accountability, is an important feature of the legislation.

Two elements of note are creating an intensive custody sentence for the most high risk youth who are repeat offenders, who have committed murder, attempted murder, manslaughter, aggravated assault and assault, and permitting victim impact statements to be introduced in youth court.

In terms of concerns and rights of victims, their concerns are recognized in the principles of the act. This is a first in federal legislation. Providing victims with the right to access youth records and to play formal and informal roles in community based measures is something I know residents in my riding of Oak Ridges welcome. They further welcome and applaud the right of victims to information on extrajudicial measures.

While the bill gets tough on youth crime it also recognizes that as a society we have a responsibility to make sure where possible we place a strong emphasis on rehabilitation in terms of the youth justice system. Throwing away the key is not the answer. At some point these individuals will be back on the street. How they are prepared to reintegrate into society is important not only for them but for society at large.

The long term protection of our citizens is best ensured by making sure that the youth are accountable for their actions and that they are supervised and supported, particularly during the period when they re-enter the mainstream of society.

I support the provision that requires every youth sentenced to a period of custody to also serving an additional period of strictly controlled and meaningful supervision in the community equal to half the period of custody. This period of supervision is subject to several mandatory conditions. The individual must keep the peace, participate in good behaviour and report to a youth worker.

Additional or optional conditions may be imposed on the offender. These include conditions to structure the individual's life such as finding or continuing employment, obeying a curfew or attending school, and conditions associated with the offending behaviour such as abstaining from drugs, alcohol and attending counselling, et cetera. If these conditions are not met then having the individual returned to custody will occur. The follow up is crucial if the program is to be successful.

Developing a reintegration plan where the individual and the youth worker develop a plan of action together will assist in successful reintegration into the community. Developing the strategy while the youth is in custody and continuing it during the period of supervision in the community help build a more successful and meaningful transition.

Developing community based programs in conjunction with a variety of organizations, individuals and parents is important. I am pleased that in the area of York region my colleagues and I are working together to establish a community crime prevention council, making sure that people are accountable and involved.

I welcome these changes and I look forward to further comments from members of the House.

● (1330)

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, I am very happy to enter the debate on Bill C-68, the changes to our youth criminal justice system.

I come to this debate with some new-found experience. I left the House on Thursday and entered my home around 12.00 a.m. to discover it had been broken into and violated. Windows had been smashed. I lost about $20,000 of personal assets. It is the second time this has happened. Obviously I cannot accuse young offenders of doing this because I am not certain who it was. They may well have been graduates of the young offenders school. Therefore, I speak with some experience today.

The first constituent to come into my office on Friday sat down and pounded on the table. He had sold some cattle and had some money in his house. He believed that young offenders had broken into his house and had stolen his money.

On the train coming back here last night another constituent told me that someone had stolen his car on the same night my house had been broken into. He is a local high school teacher. His car was found at the high school.

I come to this debate today saying there is definitely a problem. I can now say that I am a victim of this type of crime. However, I do not believe that incarceration and penalizing by a harsh system is the answer. Canada has one of the highest incarceration rates for young offenders in all the western world. That is not the answer. A very informative trip to Millhaven penitentiary convinced me of the total waste of human assets in our prison system. People are wasting their days away at the taxpayers' expense.

In studying the whole youth justice system, one thing which seems to be missing is some kind of retribution. The retribution process is one which recognizes that somebody has committed a crime against another person. We live in a very plastic society. We turn on the television set and see crimes committed. We do not believe there are any human beings behind the crimes. We believe that people's property can be stolen, or they can be maimed and there really is no downside.

I have been very impressed with some of the programs our minister has sponsored in my riding to increase the awareness that the people who commit crime have done so against other people. An aggressive program in south Oshawa involves the street crime unit, the crown prosecutor and others. We have had some positive results. Youth crime has declined in these areas.

One commonality is it seems that communities are acting in a holistic fashion to deal with the problems of crime. One issue which also seems to be in there is that younger people for example go to the supermarket and talk to the person who is running the store or talk to families or other people who have been violated. They see that real people are involved in the process and it is not just some statistic.

I listened attentively to the Leader of the Official Opposition. His simple answer was that to empower families would solve all of our youth justice problems.

● (1335)

I have taken the time to sit down with some families that have been affected in that their children have committed youth crimes. There was a period during which they felt they had lost control of one of their children while the other children were fine. These things often are not predictable. Parents understand that personalities can be very different.

Everyone of these people came from very caring families. They all said that the intervention of the state at a certain period of time was useful. It takes the custody situation out of the family unit. Somebody else is responsible for curfews, et cetera, and creates a positive attitude of rehabilitation.

I know of many dysfunctional families. There are limitations as to what we can do to empower families. It is a fair and respectable thought process to take care of each other within our family units, but the reality is that is not where society is today.

Whether we should go back to that regime is another point of view. Even if it were possible to go back to that kind of a society is questionable as we enter into a more global society. People are moving. Families are scattered all across the country. People do not live in the same little areas they grew up in, the flip side of which I suppose is that people are pursuing more interesting careers.

The bill tries to segregate violent and non-violent crimes. Basically it takes two courses of action. The Leader of the Opposition talked about the fork in the road, but we are talking about treating crimes differently depending on what the commission of the crime is.

I think we would all stand back and say that this legislation attempts to be tougher on acts of violent crimes against people by allowing younger violators to be tried in adult court, the publishing of their names, et cetera. The second area is non-violent crimes, the type that affected me and would be dealt with differently. I fully respect that. I would rather have these young people out working in the community, earning money and paying people back as a consequence of their actions rather than having them sit in a penal institution wasting their days away.

We are talking about preventative measures and more community based measures in order to solve the issue of youth crime. When the person is reintroduced into the community they realize they are part of a family, a family of communities. Within that structure they have a responsibility for their actions. It is for those things that are in this bill that I am very supportive of the minister and her legislative process. We all have a tendency to wish there were simple solutions.

I have said to a lot of my constituents, ''Do you not think that if changing a couple of lines in the Young Offenders Act would do away with youth crime in this country we would not have done it long ago?'' The reality is that it is a societal issue.

Members of the Reform Party think there is a cause and effect, that before they commit a crime they study the Young Offenders Act and the sentencing provisions and then commit the act. People tell us all the time that there is no thought process put in place before the crime is committed, even with adult crimes. There is no consequence of people saying ''Should I or should I not carry a gun''. They are not brilliant people. They are probably some of the lower educated people for a variety of reasons and do not think that way.

Simply changing an act here in Ottawa is not going to change the problems of youth crime in our communities. It has to be done through assistance to communities and through preventative action programs such as the ones in the bill. Communities must also become more aware of how they can enhance their communities to make them safe and ensure that young people will not follow a course of violence and crime.

● (1340)

I am very supportive of the legislation, especially the preventative measures. And I hope I do not have another incident like the one last week.

Mr. John O'Reilly (Haliburton—Victoria—Brock, Lib.): Mr. Speaker, the new name of the riding is Haliburton—Victoria—Brock. It reflects the fact that there is only one Haliburton. There are three Victorias and many Brocks. The name change reflects that.

I am pleased to enter the debate on Bill C-68. I have not gotten over the last C-68 we had in here. I did not think I would ever want to get up and speak on anything that had anything to do with C-68.

In this case however, the people of Haliburton—Victoria—Brock had a direct say in the drafting of this bill. I was able to have some input into this bill and indirectly to the solicitor general's bill which we debated in Minden on October 4. That allowed for the Criminal Records Act to be changed so that people's names could be entered into a register, for example sexual predators and pedophiles in particular.

I listened to the member for Calgary Southwest, the Leader of the Opposition. He has a rather simplistic approach. He talks first about punishment and asks how society will be protected. He tries to transpose the idea into people's minds that the more people are punished, the more they will be rehabilitated. I find that kind of offensive.

To my credit, and sometimes I think to my detriment, I was a member of the society that looked after parole. As an officer in that role I came in contact with many police officers. I conducted a number of parole hearings just as the Young Offenders Act changes were coming in a few years ago. I saw repeat and repeat offenders at age 18 being brought back into the system as young offenders. They were teaching crime to young offenders who maybe would only have come into the system once and then would have been rehabilitated and reintegrated into society. Had they been taught values for the first time, they would have had a better chance in society.

That was a simplistic approach by the Leader of the Opposition, the member for Calgary Southwest. The member for Calgary Northeast wanted to study caning. He thought that caning people would somehow cure people from committing crimes. I do not know whether he was going to study the stroke or the intensity. He never did tell me what it was that turned his crank to want to do that. It seems Calgary has this thing about beating everybody into submission.

I have some examples as a parole officer. People 14 years old who have been beaten, hung by their heels, put down all their lives need help. They do not need another beating. Another beating will do totally nothing for them, except turn them further and further away from what they need to be rehabilitated in order to be constructive, contributing members of society.

That is what this bill tends to look at. It does not take a rocket scientist to see that the government can be blamed, everyone can be blamed, but blaming the system for someone murdering someone else is part of the problem. It is not all of the problem.

● (1345)

The fact that we will punish people who sign someone out of an institution and say they will take care of them is a good step. I do not think that should be taken lightly. A person who commits a crime and intends to commit another crime will not to be stopped by having their mother sign them out of the institution. If they are going to reoffend, they will reoffend.

We have to find a way to reach that person, to teach them values, to show them perhaps for the first time values. In studying some of the personal things, some of the parts of the Young Offenders Act that I was involved in, as a parent I went to court seven times. Two judges did not last through the proceedings. We came to our third judge before finally they talked about sentencing. Was it to be closed custody or open custody for the person who offended was what I was a witness for.

Look at the court system, which I tend to have the highest respect for even though I am not a lawyer. Being a real estate agent we just made all their money for them. I hear my lawyer friends getting upset about that. The fact is it is a good part of their practice. When they are able to delay and delay and to wait until the witness does not show up of whom they have a question to ask and the case is dismissed, I find that part has to be taken into account and has to be treated very seriously in the criminal justice system. It is something where police officers are continually asked to appear in court to be witnesses, which takes up valuable time they need to chase criminals. Instead of that they end up in court and in a situation where they are off the street. Many times they are dealing with people who have been through system many times. They know how the system works better than police officers, better than lawyers, better than judges and certainly better than the prosecutors.

Bill C-68 is not perfect. Anyone who thinks perfect law will be passed here which changes society will be disappointed. Everything has to be tested in the court system. When we test a law in the court system it is done by the experience of working it through, by having it exposed to the many people who become involved in that system to see how the legislation works.

Going back to my friend, the hon. solicitor general, when he brought in the publishing of the names of pedophiles, I think that was a very positive step in our criminal justice system. It allows institutions, boys and girls clubs, people who coach hockey, people who are involved in the youth system, to do background checks on people to find out if they have previous experience. Even if they have been pardoned it will show up in the system as they go from province to province. Changing their name is another problem that exists in the system. People change their names. They have a clean slate and they have been pardoned under another name. That legislation is good because it comes from the problems of community groups and how they want to interact with the youth justice system and with the criminal justice system.

Allowing an adult sentence for a youth of 14 who is convicted of an offence can result in a sentence of two years less a day. If a person is convicted provincially they can serve up to two years less a day for that crime. It puts an onus on people. If we take a person and put them into a value home, a value environment, a place where sometimes for the first time they would have some values, I think that is an important part of this bill.

Getting back to the simplistic approach by the members for Calgary Southwest and Calgary Northeast who have a punishment philosophy, let us take a look at the problem. If I were to write a parole paper and I put broken home, substance abuse, alcohol abuse, abused as a child, a grade eight education, a dropout, I would have about 90% of that catchment area that I work in.

● (1350)

What is missing? Is it punishment? Most of them fight their way into gangs. They do not get brought in because they have not been beaten or because they are going to beat someone. A lot of gangs are there. Peer pressure draws people into them. Taking them out and beating them for being beaten is not something that will instil any values in them.

We are talking about poor, underprivileged, abused people. The rest of the people who are caught in this will see the results of their actions. When they are taken away from that peer group they will interact with people because they know the difference between good and bad and evil.

The Acting Speaker (Mr. McClelland): Forgive the intrusion. Did the hon. member indicate that he was to be sharing his time?

Mr. John O'Reilly: No, I did not.

The Acting Speaker (Mr. McClelland): The hon. member for Haliburton—Victoria—Brock has an additional 10 minutes.

Mr. John O'Reilly: Mr. Speaker, the person who was to share my time did not show up. I do not mind doing 20 minutes. I may have to actually start reading something, which would be quite a change for me because the member across tells me that I have to read a speech. I have never read one yet in here and so I do not think I will start now.

An hon. member: Reading was never your strong point.

Mr. John O'Reilly: The happiest days of my life were the three years I spent in grade eight.

Mr. Art Hanger: Mr. Speaker, I rise on a point of order. You have extended the member's time by 10 minutes and a Liberal member spoke before him. Does that mean they have 30 minutes speaking time?

The Acting Speaker (Mr. McClelland): No, it means that in order to accommodate the Leader of the Opposition to speak out of sequence we had to do some juggling to get back into sequence.

Mr. Peter Adams: Mr. Speaker, I simply want to say that we were very pleased to make the arrangement so the Leader of Opposition could speak.

Mr. John O'Reilly: Mr. Speaker, I sit on a lot of committees with the member for Calgary Northeast. Ten plus twenty is thirty. The member is absolutely right. I am very glad he was able to work that out. That might have something to do with that stroke in intensity he was studying in Singapore. It takes a fair bit of time.

I go back to some of my personal experiences in court cases involving young offenders. It is a very serious thing to go into a prison to do a parole hearing. I appreciate that the simplistic approach applied by the Reform Party is well meaning. Some Reformers are very intelligent former Conservatives and Liberals. I know they cannot get elected out west except by running under Reform so I appreciate that they are doing that and I wish them well as long as it is not well in my riding.

I could talk about the young man who was hung by his heels at age 14 by his parents, who was sexually abused and beaten as a child, who was not taught values, who dropped out of school so he could run away and get away from everything. When he was arrested and incarcerated, he met people who deal with young offenders. They took him under their wing and taught him values he had not been taught before. He got away from his substance abuse and alcohol abuse. He got away from the abusive nature that surrounded him. Today he is a productive member of society.

I know that does not happen all the time and that the Reform Party does not want to talk about it, but the fact is the Young Offenders Act served a purpose that does not serve the purpose of Reform. Reformers cannot build unless they can teach everyone that everything is hate, hate, hate, punish, punish, punish.

● (1355)

The fact is that if we are to rehabilitate people, we do not do it by putting them in boot camps or by putting them in a caning camp or whatever the member wanted. We have to teach them values. We have to teach them the societal things expected of them. If young people are to be productive members of society, they have to be taught values. That simply is what changes people to be productive members of society and that protects society.

I was impressed with a criminal I met who was a musician. When money machines first came out and PINs had to be punched in which had a different tone to the pad, this man could stand behind someone making a withdrawal with their card and he could pick off their pin number because he had a musical ear. He could play any instrument. He was a very talented person. He would follow that person home, find an undetected way to break into their house and steal that card out of their wallet.

If the card is not in our wallets, we often think where did we leave it. We take a couple of days and think somebody else might have it, whatever. Just before midnight or just after 2 a.m. your bank account has been cleaned out by that person. The reason was not because he was a thief but because he was a heroin addict. How do we get a person like that into methadone treatment and let them put their talent to work in society? That same young man is now playing in a band and is very productive. These are a couple of examples the Reform Party cares to not notice.

When we talk about the Young Offenders Act and about rehabilitation, we talk about people who suddenly come into a society where values are taught and they offend only once. They do not become repeat offenders. Repeat offenders are a shame and there has to be a way to deal with them.

If we can save the majority of young offenders, which the Young Offenders Act did and which the Reform Party does not want to mention, we have done society a great justice. I believe Bill C-68 is a good start in changing the Young Offenders Act so we will have a youth criminal justice system that will stand the test of time.

The Speaker: My colleague, you still have 10 minutes of questions and comments. I propose that we now go to Statements by Members and we will return after question period.

STATEMENTS BY MEMBERS

[*English*]

OXFAM

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I rise today to congratulate and to support OXFAM Canada and OXFAM Quebec as they launch OXFAM's international report ''Education Now: Break the Cycle of Poverty''.

The report focuses on the 125 million primary school age children in developing countries who are deprived of an education. Mass illiteracy has left them disadvantaged, vulnerable and impov-

erished. In over 20 developing countries more than 50% of the population, mainly women and girls, are unable to read or write. Universal primary education goals cannot be achieved.

OXFAM's campaign calls on governments to deploy debt relief measures to guarantee basic education targets in developing countries.

I call on all members to support OXFAM's activities in their ridings and to support OXFAM's campaign to eliminate global illiteracy.

* * *

ROCKY MOUNTAIN HOUSE

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, it gives me great pleasure to announce the bicentenary of Rocky Mountain House, a community in my riding. Its 6,000 people are commemorating the important role this town played in the development of western Canada. It was the base from which David Thompson explored the mountains to the west. By 1840, 2,000 people lived there when Fort Edmonton had only 12 permanent inhabitants.

As we celebrate the 125th anniversary of what is today the RCMP, we should recall the role the town played in this important event. Its lobbying helped convince the Government of Canada of the need to create a permanent police force in western Canada. That presence is an important part of western Canadian identity. Rocky Mountain House is also the site of Alberta's only national historic park, a generous gift from the late Mabel Brierley.

● (1400)

I know members of the House will want to join me in saluting its history and extending our best wishes to the people of Rocky Mountain House, Alberta.

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GIRL GUIDES OF CANADA

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, I recently had the opportunity to attend the Girl Guides of Canada ceremony to present the prestigious Canada Cord to 14 Pathfinders in my riding of Scarborough East.

These 15 year old Pathfinders achieved this top award in 1998 through hard work and dedication, having fun and learning skills at the same time. To achieve the award Pathfinders completed challenges in a number of different areas.

I want to congratulate Nadia Bedok, Lauren Canzius, Julie Cushing, Lianne Easton, Katie Eley, Theresa Enright, Jaclyn Iantria, Melissa Kaye, Erin Kotva, Lisa Moore, Amanda Mykusz, Kimberley Rose, Janet Stephens and Heather Wing.

I extend my best wishes to all of them on their outstanding achievement for earning this highest honour, and I wish them continued success in the years to come.

* * *

[*Translation*]

NUNAVIK RANGERS

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, the Nunavik Rangers are a subgroup of the Canadian armed forces that has existed for at least 50 years and that was a strong presence at the New Year's avalanche in Kangiqsualujjuaq.

In 1994, the Junior Rangers, for boys and girls aged 12 to 18, was established in northern Quebec.

The 14 communities in Nunavik now have their Junior Rangers patrols. They are supported by the Canadian armed forces and by the senior Rangers. In the Rangers, young Inuit learn such skills as navigation, weapons safety, ancestral traditions and hunting.

The Canadian armed forces and Major Claude Archambault last week visited the village of Kangiqsualujjuaq with its mayor Maggie Emudluk to offer praise to the Rangers who participated in the rescue operations on January 1, 1999.

Nakuqmiik to the Nunavik Rangers.

* * *

[*English*]

NATO

Mr. John Richardson (Perth—Middlesex, Lib.): Mr. Speaker, it is my pleasure to rise in the House today to salute 40 Canadian forces engineers and other Canadian forces personnel who have just returned from Kumanovo in the former Yugoslav Republic of Macedonia.

They were a part of NATO's deployment to that region and recently received NATO medals for their important contribution.

The Canadian forces engineers and other Canadian forces support personnel worked closely with French engineers to construct and renovate infrastructure such as medical facilities, showers and meal areas in order to enable the members of NATO's extraction force to perform their task.

The conditions in which they were working were very difficult and have been subject to consideration in the House. Once again members of the Canadian forces have shown their determination and professionalism.

Canadians can be proud of the job they have done. Their accomplishments in that region are an eloquent illustration of Canada's commitment to peace efforts in that troubled region.

GRAIN INDUSTRY

Mr. Jake E. Hoeppner (Portage—Lisgar, Ref.): Mr. Speaker, western grain farmers have experienced a difficult year with an income crisis and disruptions in key markets, and now with rotating strikes by PSAC workers in the grain weighing sector.

Strikers are back to work today but with no contract. There are no assurances they will not again bring grain movement to its knees.

The government has failed to enact final offer selection arbitration as recommended by Reform for five years. These recurring stoppages are killing agriculture and threatening small communities dependent on the industry.

Governments were told for years that these grain strikes were hurting the whole Canadian economy. The government must now enact legislation that will finally bring a solution to these work stoppages. Farmers can no longer afford these losses caused by government negligence.

* * *

[*Translation*]

MAJOR LIONEL GUY D'ARTOIS

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, I would like to pay particular tribute to Major Lionel Guy D'Artois, a national hero, who became famous around the world during more than 30 years of service with the Canadian armed forces.

Major D'Artois passed away Monday in the veterans' hospital in St. Anne. He joined the army in 1934 as a member of the militia contingent of the University of Montreal where he was studying chemistry.

Major D'Artois enrolled as a private during the second world war. For his exploits on French soil, he received the highest military distinctions, including ''la Croix de guerre avec palme'' from the President of France.

I offer my most sincere condolences to the family.

* * *

● (1405)

DEVCO

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, the Prime Minister of Canada must have been joking when he recently told world leaders gathered in Davos that the Canadian economy is no longer dependent on the country's natural resources.

Indeed, at the same time, his government was announcing that a large part of Devco's mining operations, on Cape Breton Island, would stop for good.

The reality is as follows: raw materials and their by-products still account for 35% of Canadian exports, which is more than for any other G-7 country. The transition from a resource based economy to a knowledge based economy has begun, but it is obviously not completed.

Devco is a perfect illustration of the Canadian government's inability to manage this industrial change. No economic diversification programs were implemented to provide alternatives for those who suddenly find themselves out of work.

The Canadian government must take responsibility for this failed economic transition. In the case of Devco, Ottawa must treat the communities affected with the dignity to which they are entitled.

* * *

[*English*]

NORMAN JEWISON

Ms. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, last night on the occasion of the 71st Academy Awards in Los Angeles, California, the Academy of Motion Picture Arts and Sciences presented Mr. Norman Jewison with the Irving G. Thalberg Memorial Award.

Celebrated before the eyes of the world a Canadian was recognized for his lifelong commitment to film making.

[*Translation*]

Mr. Jewison made his debut in London, as a comedian and a screen writer for the BBC. In the fifties, he came back here to work with the CBC and then pursue an impressive career as a producer and director. Mr. Jewison is also the founder of the prestigious Canadian Film Centre, in Toronto.

[*English*]

With a total of 12 Oscars and 46 nominations for films such as *The Russians are Coming, Fiddler on the Roof, A Soldier's Story, In the Heat of the Night* and *Moonstruck*, he has taught us how important it is to choose stories worth telling and then tell them brilliantly.

I ask the House to join me in congratulating Mr. Jewison for his achievement of excellence and making Canada so proud.

* * *

FIREARMS

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I want to share with the House the frustration that one of my constituents has experienced with the new gun registry.

Louis Carew is the owner of CMP Sports in Fort Nelson, B.C. He writes about the hoops that he must now jump through just to continue to sell firearms, hoops that cost him 25% of his Christmas sales.

First, he orders a firearm and gets a reference number from the supplier who has to wait to get a number from the firearms department in Miramichi, New Brunswick.

Second, the government sends him a reference number in the mail.

Third, when he sells a firearm his customer needs a TAN number for which he is charged $25, and again there is another wait. This fee is charged for each new and used firearm purchased.

Fourth, the customer needs an FAC number that has gone up from $10 to $50 plus $200 to take a course. ''The amount of government bureaucracy and the wait over the phone is unbearable'', he concludes.

This debacle has cost taxpayers and businesses hundreds of millions of dollars. Would it not make more sense to invest these precious tax dollars in police officers?

* * *

WORLD WATER DAY

Mrs. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, today is World Water Day.

In 1993 the United Nations called upon all nations to promote the conservation and protection of water resources in a sustainable manner. For Canadians, freshwater has an important real and symbolic value. This is why in 1997 we participated in the Global Forum on Water Resources.

Nine per cent of the world's renewable freshwater is found within Canada. We must do everything we can to protect it. Freshwater sustains our life and health on a daily basis. It is a commodity worth preserving.

Our government is leading initiatives to restore, conserve and protect major Canadian watersheds. We are working on the prohibition of the bulk removal of water, including water for export. This is the first issue being addressed nationally as part of the federal freshwater strategy which is presently under development.

On this important day I would encourage all members of parliament to consider the growing global concerns for water quality and quantity.

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WORLD WATER DAY

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, today, March 22, is World Water Day. Countries around the globe will remember that water is a precious resource essential to human life. Without safe drinkable water we cannot survive.

Unlike many countries, Canada is blessed with an abundance of freshwater. As a result we often take clean water for granted but Canada's waters are not endless.

On February 9, a New Democratic Party motion stated that the government should, in co-operation with the provinces, place an immediate moratorium on the export of bulk freshwater shipments and interbasin transfers. The House agreed to assert Canada's sovereign right to protect, preserve and conserve our freshwater resources for future generations. Today we should revisit how we use water in our homes and in our everyday lives. We must value and protect this vital resource.

● (1410)

In my riding communities such as Pukatawagan, God's Lake Narrows and Red Sucker Lake do not have running water in their homes. We must ensure that all Canadians benefit from our resources. Canada's water supply should not be diminished so that a few will profit.

On World Water Day, Canadians have much to be thankful for and to think about.

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[*Translation*]

PREMIER OF QUEBEC

Mr. Denis Coderre (Bourassa, Lib.): Mr. Speaker, Quebeckers have much to think about right now.

In his travels abroad, Mr. Bouchard is proclaiming that Quebec needs to have its own voice in international forums. Yet that same Lucien Bouchard is denying francophone Quebeckers the right to have a voice in the Année de la francophonie canadienne.

What right does Lucien Bouchard have to deprive Quebeckers of their voice within Canada? What right does he have to try to deprive Quebeckers of their Canadian identity? What right does he have to continue to promote separation, when Quebeckers have twice rejected that option?

Lucien Bouchard claims to be carrying on the tradition of Jean Lesage and Robert Bourassa. Yet these Quebec politicians did not seek to stifle the voices of Quebeckers in their own country, in Canada.

These men had a clearer notion of the word ''democracy''. René Lévesque would be ashamed of this Parti Quebecois strategy and would certainly not associate himself with it.

* * *

RACIAL DISCRIMINATION

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, yesterday we celebrated the international day for the elimination of racial discrimination.

This is an issue which involves every individual and every state in our daily struggle to eliminate the obstacles to equality between people. We must work together to make society a fairer and more democratic one.

Yesterday, during the activities celebrating this event in Montreal, the Bloc Quebecois made a commitment to hold symposiums in the near future to specifically address the issues of democracy and citizenship. These will provide an unequalled opportunity to reflect on ways to bring Quebeckers of all backgrounds closer together.

The Bloc Quebecois also wishes to congratulate the Government of Quebec for the decision, just announced by Robert Perreault, the Quebec minister of citizens relations, to make the Quebec public service more accessible to minorities.

* * *

[*English*]

TAXATION

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, the Reform Party's motion to end discrimination against single income families reflects what the Progressive Conservative Party has been advocating for years.

Our position has been consistent since our 1996 policy conference. Our document clearly states that ''a PC government would introduce a joint tax return so that single earner households with dependent children stop paying more tax than dual earner households with equal incomes''.

The Sears family of Quispamsis in my riding, like so many families across Canada, is being discriminated against because it chooses to have one parent stay at home to raise the children.

Let us get away from this unfair tax policy where the government believes it can make the best choices. The best choices can and must be made by the people it affects, Canadian families. We should allow Beth Sears to make the choice that best suits her family without unfair tax penalties.

On March 9 the PC caucus along with the opposition members voted in favour of this motion. Unfortunately Liberals voted against it. Again the government had an opportunity to demonstrate its support for children and their families, and it failed to do so.

* * *

CLARICA

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, when the purchase of Met Life in Ottawa by Mutual Life threatened a thousand jobs in this area, MPs from the national capital region began a series of meetings with the company and the minister to minimize the impact on employment in our region and on individual employees.

Recently Mutual officers met with the members to report on how they had met their commitments to us. Mutual has developed 600 jobs in four centres of excellence in Ottawa. Priority was given to hiring nearly 600 staff from Met Life with a freeze on external hiring and a survey to remove any barriers to employment in the new organization.

A career centre, training opportunities and counselling ensured that 93% of affected individuals were successfully repositioned within the first year. A $5 million transition fund has helped over 100 individuals and remains available to assist those who need additional help.

Mutual, under its new name Clarica, will continue and enhance its contribution to volunteer and charitable organizations.

* * *

BACK TO WORK LEGISLATION

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the back to work legislation that was tabled today has a bunch of glaring omissions in it.

The government is asking us to debate and vote on this back to work legislation, and it does not even tell us what the offer is to the corrections officers that are part of the whole Public Service Alliance job dispute.

• (1415)

It seems odd to us. We cannot understand how we can be asked to enter into a prolonged debate today, to deal with something as critical as back to work legislation, and not have, as part of the package, the offer that will be made to the prison guards, to the corrections officers. Back to work legislation is offensive enough, but it is doubly offensive when the government is trying to shroud the whole thing in a veil of secrecy.

We would like to know, and we will be debating it later today, what the government hopes to achieve by this subterfuge, by this idea that it is not going to tell us the terms and conditions that are being offered to the prison guards. How can we order people back to work when we do not even know the terms?

ORAL QUESTION PERIOD

[*English*]

BUILDING CONTRACTS

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, for more than two weeks the Prime Minister has been avoiding questions about government grants being funnelled to personal associates. He sits on his hands in question period. He avoids reporters. He will not release documents. Access to information requests are censored.

Why does the government think that the Prime Minister does not have to account for his conduct or his ethics in this matter?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the Prime Minister, the government, myself and other ministers have been quite open and upfront about this. The projects in the Prime Minister's area have been broadly supported by the community, the provincial government and the local PQ MNA; no friends of the Prime Minister or the Liberal Party. We were upfront and open. This is perfectly proper.

If the hon. member does not want to see the area go ahead economically, then the public should realize that he is against jobs in that area and across the country.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, this is not about jobs. A convicted criminal named Yvon Duhaime received hundreds of thousands of dollars from the government after he bought a money-losing hotel from the Prime Minister. The Prime Minister's assistant personally intervened in the process.

Pierre Thibault, another businessman with a crooked track record, also met with the Prime Minister and soon he gets hundreds of thousands of dollars in public grants.

Why does the Prime Minister not tell us about his private dealings with these people? Why will he not release all of his notes and records on these transactions?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, these have not been private dealings. When it comes to the hotel convention centre in downtown Shawinigan, the Prime Minister has never kept his involvement, as the local MP, a secret, nor have the mayor and council of the city of Shawinigan, nor has the provincial MNA. This project has been strongly supported by the PQ provincial government. It has also been strongly supported by the city and council of Shawinigan. This has been open, desired and supported by the community.

The Prime Minister, as the local MP, has worked for his community. There is nothing wrong with that.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, we are not talking about jobs. We are not talking about local communities. We are not talking about the Prime Minister associating with his imaginary homeless friends. We are talking about his association with crooked business people, a convicted criminal and an embezzler, both receiving government grants.

Why would the Prime Minister have dealings with these people in the first place? Why does he not disclose the nature of these dealings and clear the air?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, these are unwarranted innuendoes and assertions. The Leader of the Opposition is accusing the mayor and council of Shawinigan of associating with crooked people. He is accusing the local PQ member of the provincial assembly of associating with crooked people. He is attacking the PQ provincial government of associating with crooked people. Those assertions are false. They are false on the face of it and they are false on the basis of any analysis.

If the hon. member had any courage and was straightforward he would withdraw these insinuations. He is refusing to—

The Speaker: Colleagues, I am sure that no one's courage is under question in the question period.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, the Prime Minister lobbied for grant money for a former business associate. There is a difference. This is a conflict of interest. Not just with one letter did the Prime Minister lobby, but with letters, faxes and personal visits from the Prime Minister's own assistant.

The person the Prime Minister was lobbying for was Yvon Duhaime who bought a money-losing hotel from him.

I ask, and I would like to get a real answer this time, in all of that lobbying, why did the Prime Minister not reveal this conflict of interest?

• (1420)

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I reject the assertion of the hon. member that there was a conflict of interest. He looked into the matter as MP. He had a representative of his office attend meetings with officials. As far as I am aware, the decisions were made at other meetings where the Prime Minister and his staff were not involved and the decisions were made in the ordinary course, on the merits of the project.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, the list grows because Pierre Thibault also had the benefit of the Prime Minister's intervention.

He has admitted misappropriating a million dollars from a company in Belgium. He is under criminal investigation, yet the Prime Minister met with him and, abracadabra, hundreds of thousands of dollars became available to him for a hotel. The Prime Minister must remember that place. After all, that is where he hosted the Liberal caucus last summer.

Why is the Prime Minister using his influence to funnel government money to shady characters in Shawinigan?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the Prime Minister is doing the same thing that members are expected to do at the request of their communities. When the Prime Minister was asked to be involved, to help the community and the

project supported by the mayor and council of Shawinigan, supported by the PQ member of the provincial assembly, supported by the provincial government, I think he would be subject to criticism if he had not responded to the request of his community, including the tourism association of the community.

* * *

[*Translation*]

CANADIAN EMBASSY IN BERLIN

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, we have learned that the Minister of External Affairs disregarded the opinion of a jury of experts, who had the benefit of advice from senior officials of his department and from Canada's ambassador to Germany, and decided to award the contract to build the Canadian embassy in Berlin to a consortium that included a firm of architects from Winnipeg.

Will the minister explain why he overturned the jury's six to one decision, and awarded the embassy contract to a consortium with an office in Winnipeg? This is another suspicious piece of business.

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, it was very simple. There were four very distinct criteria. One was design. Another was functionality, including serious questions of security, which has to be a major concern in any embassy construction. Cost was another criteria. The fourth criteria was how it would work as an embassy. Those were the four major areas, of which design was only one.

I should point out to the hon. member that there was also a firm from Montreal which was part of that consortium.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, how does the minister explain that the only member of the jury of experts to come from Winnipeg voted in favour of the design proposed by the Winnipeg firm, and that the minister, who is also from Winnipeg as it happens, decided to award this juicy contract to a consortium, one of whose firms is based in his Winnipeg riding?

Is it not odd that the only member of the jury to vote for the design chosen by the minister, the firm preferred by the minister, and the minister himself, all have Winnipeg in common?

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, the hon. member is just being silly. The major design firm was from Toronto. It was supported by associates from Montreal, Vancouver and Winnipeg, which provided various engineering and other support services.

I do not know how the jury worked. I was not there. However, what I can say is that we will have a very good embassy that will represent Canadian interests and be a showcase for Canada in the new Europe.

We should all be proud of the work that Canadians are doing in this area.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, when a jury is split three to three or four to four, naturally the government has to be able to cast the deciding vote. But when, as in the Berlin case, the jury makes an almost unanimous recommendation, then it is surprising.

How can the minister claim that he overturned the jury's decision because of special security requirements, when a senior official from his department and the ambassador himself were assigned to help jury members make the best decision? Was it not the specific function of these two individuals to provide the jury with guidance?

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, the jury was made up of a group of design people who were arranged to make a judgment, of which a small, final selection was made, including the final project that was applied.

At the same time there were separate reviews being done on the question of functionality, which included a wide variety of performance criteria; cost, which is always a concern when constructing public buildings; and the technical working of the building to suit the particular nature of the site in downtown Berlin.

● (1425)

The point of the matter, which hon. members of the Bloc missed, as they do most points, is that design was only one among four—

The Speaker: The hon. member for Roberval.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the minister is doing a very poor job of defending himself. A firm from Winnipeg, which just happens to be in his riding, was given a leg up and that is what concerns us.

The minister invited three top German architects to sit on the jury in order to ensure that the Canadian embassy fit in well on the Berlin site. These three experts voted unanimously for the same project, as did other members of the jury. Only one person was in favour of the Winnipeg project.

How does the minister explain that he went with the opinion of one jury member from Winnipeg over the opinions of three German experts?

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, we are not in the habit of letting foreigners decide what Canadian embassies will look like. Canadians will make that decision.

In this case the firms chosen were firms that have won awards, firms from Montreal, firms from Toronto, firms from Winnipeg, firms from Vancouver. It seems that that represents a pretty good cross-section of the Canadian fabric, and Canadian knowledge and skills.

* * *

FOREIGN INVESTMENT

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, my question is for the Deputy Prime Minister, who many years ago authored a report about foreign investment in Canada. The sale of Spar Aerospace, and with it the Canadarm, has raised concerns once again about foreign investment in Canada and the extent of it. Investment Canada reports that 796 foreign acquisitions took place in 1998, only 28 were reviewed, all were approved, and this constituted $63 billion in one year in foreign acquisitions.

Is the government not concerned about the extent of foreign acquisitions? If it is concerned, what does it plan to do about it?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, as I was quoted as saying over the weekend, the acquisition of Spar by MDA is saddening. However, it is important to point out that in the context of this deal the acquisition by MDA, previously by Orbital, has resulted in an increase in employment at MDA in Richmond, British Columbia. It has enabled it to compete effectively, in fact so well that it won the RADARSAT II contract which was open to bidding.

We are confident that in the long run the investment in the robotics division will continue to maintain Canadian leadership.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, it is not just a question of short term jobs; it is also a question of long term control over our economy.

I ask the Deputy Prime Minister again, hearkening back to another day: What has happened to the Liberal Party that brought in the Foreign Investment Review Agency, the national energy program and a number of other measures that expressed concern about foreign control, in particular American control of the Canadian economy? Is this no longer on the government's agenda? Is it simply a matter of Canada being up for sale and the highest bidder take all? Is that the situation we are in?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I would like to thank the hon. member for his ongoing support of Liberal government policies. We will continue with our policies in the best interests of Canada as we respond to current and future situations. His key support of the Liberal Party will be noted in the byelection in Windsor.

* * *

BUILDING CONTRACTS

Mr. Jim Jones (Markham, PC): Mr. Speaker, Yvon Duhaime is a convicted criminal with financial problems. Pierre Thibault stole a million bucks from his business partners and is under criminal investigation in Belgium. Yet thanks to help from the Prime Minister, Duhaime got over $800,000 in federal loans and grants, while Thibault got the big prize of $1.5 million, both for hotel projects in the Prime Minister's riding.

Will the Deputy Prime Minister clear the air and table all documents related to the Prime Minister's support of Pierre Thibault and Yvon Duhaime?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the Prime Minister has already been quite upfront about his interest in projects that are in the best interest of his riding and the surrounding area.

There is a process which the hon. member can follow if he wants documents and I would suggest he make use of it. That is what it is on the books for.

• (1430)

Mr. Jim Jones (Markham, PC): Mr. Speaker, if there is nothing wrong with these deals the government should release the documents.

An alternative would be to use section 11 of the Auditor General's Act to direct the auditor general to conduct an independent audit of the grants and loans to Duhaime and Thibault.

Will the Deputy Prime Minister show some courage, show some integrity and ask—

The Speaker: I want the hon. member to please go directly to his question. It is not a question of courage.

Mr. Jim Jones: Will he ask the auditor general to independently review these questionable projects? Anything less smells of a cover-up to protect the Prime Minister.

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the member is abusing the process of the House of Commons in this question period to make unwarranted assertions.

The PQ member of the assembly was interviewed by TVA Mauricie today about this very issue. He said:

[*Translation*]

''No, no, no, there can be no favoritism''. He went on to say ''Mr. Chrétien did exactly the same thing I did in Quebec City, that is within the standard government programs with specific criteria we made sure our ridings got their fair share''.

[*English*]

That statement by the political enemy of the Prime Minister speaks for the Prime Minister's integrity and the integrity of the process.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, the minister of human resources told me on February 4 that he only approves job creation grants if the applications meets ''all the standard eligibility criteria''.

The grants he handed out in the Prime Minister's riding have been to individuals with criminal convictions, shady pasts and a documented track record of financial mismanagement and business failure.

Is this the minister's definition of standard eligibility criteria?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, the innuendoes of the member are not very appropriate for discussion in the House. We will try to restore some kind of stability in this place and look at what really took place.

The Prime Minister, who is also a member of parliament, is doing a great job for business development and job creation in his riding. In this case every one of the criteria was indeed met.

According to regional studies there is a shortage of hotels in that region which has a great potential for tourism.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, Mr. Duhaime's own business consultant told this government before it gave him a nickel that his hotel was improperly managed, had huge mortgage debts that it could not afford to pay and had an additional $350,000 in unpaid bills. Yet this minister gives Duhaime hundreds of thousands of taxpayer dollars. How can he explain that?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, that very project was also supported by the Quebec government, a Péquistes government, that has also put money into it. It has been supported by the city of Shawinigan and the mayor.

This morning a provincial member, a Péquistes in Shawinigan, certainly no friend of the Prime Minister in Saint-Maurice, when asked about this very project, said:

[*Translation*]

''No, no, no, there can be no favouritism—It must be understood that, if the Prime Minister had created some special program, that would be a whole other matter''. But he says ''He did exactly the same thing I did, that is within the standard government programs with specific criteria we made sure our ridings got their fair share''.

That is what the hon. member for Saint-Maurice did. He did his duty.

* * *

EMPLOYMENT INSURANCE

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, the report released by the Minister of Human Resources Development on Thursday strikes a real blow at the employment insurance plan.

Women and young people are victims of discrimination. We already knew that, but we had to await the report. We waited, and now it is confirmed.

The Minister of Human Resources Development has had ample time to consult the report. Will he be proposing changes to the employment insurance plan in order to eliminate the discrimination against young people and women, since the plan has a large surplus and he therefore has the means to do so?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I certainly want to be sure that women have fair and equitable access to the employment insurance plan. That is one of the priorities of our government.

• (1435)

I can assure you that I am concerned by the figures that we saw in last week's report, but it would be premature to jump to the conclusion that there is discrimination, as the member for Québec has stated.

There may be fewer women drawing employment insurance benefits in the past year because two jobs in three created in 1998 went to women.

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, the minister has had the report for three months. If he needed additional information, could he not have checked it in the meantime rather than stall for time on the backs of young people and women by calling for study after study?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, it is not a question of study after study. I am saying that if indeed women have been rejected by the employment insurance system because the access requirements are too severe, that call us into question as the government, and we will have to do something.

However, if the labour market was more generous to them, and more women found work, I am saying this is a whole other reality, which will involve other actions by the government.

But the member for Québec has, for the last three years, been saying in the House that women are being penalized and that they do not have the same maternity benefits as before. Despite the

4.6% reduction in the birth rate, however, maternity benefits remain unchanged. What does the member for Québec say to that?

* * *

[*English*]

BUILDING CONTRACTS

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, I do not think the minister is answering the crucial question today in this Duhaime affair.

Why did the Prime Minister not disclose his conflict of interest with the business associates in his own riding?

This is not about helping the community, it is about helping former business associates and friends get an inside track to government grants and government loans. That is the conflict of interest.

Why did the Prime Minister not disclose the conflict of interest, remove himself from those negotiations and let the grants go to the people who deserve them instead of friends and business associates?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I can assure you that every one of the criteria of the transitional jobs fund has been respected, that this project has also been supported by the provincial government as well. It was also supported by the provincial member.

The mayor of Shawinigan was there. Some people were asking the Prime Minister to do more. The Prime Minister has been doing his job to make sure the Government of Canada, with the regular program is has, would help in his riding as it did in the riding—

The Speaker: The hon. member for Fraser Valley.

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, I wonder if the Prime Minister would even recognize himself in the 1993 videotapes of his campaign promises.

He used to talk about the end of patronage and the ethics counsellor. Now we find out that the ethics code is secret. We cannot even see it. The documents we are supposed to have access to have been so whited out they are of no use to anyone.

We are told now to follow proper procedures by the Deputy Prime Minister and those procedures do not give us the documents, the memos or what it was about, the conflict of interest from that business associate.

Why does the government not table the documents, all the correspondence today, so that we can all see what the Prime Minister's involvement was with these business associates of his?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, speaking of videotapes, we remember the Reform videotapes and the cruel, unjust attack on the Prime Minister and on French speaking politicians.

The material presented under the access to information rules followed the legislation passed by parliament. If the hon. member feels that more was whited out than should have been, he has an appeal procedure. Why does he not use it?

* * *

[*Translation*]

YOUNG OFFENDERS ACT

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, on Friday, a coalition of people in Quebec working with young offenders stated, after a thorough review of Bill C-68, that this legislation is a decoy, in that there is no confirmation anywhere of the right of Quebec and the other provinces to apply their own model.

Will the minister admit that nothing in this bill guarantees the provinces, including Quebec, can maintain and continue their own youth justice programs?

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, our new youth criminal justice legislation was drafted after lengthy and ongoing consultation with all the provinces and territories.

We believe the new youth criminal justice legislation provides the necessary degree of flexibility to reflect the real diversity in this country in terms of dealing with the challenging issues of youth crime and youth justice.

• (1440)

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, in that case, could the minister state that the Quebec justice minister legally issue a directive to crown attorneys to automatically exclude all 14 and 15 year old Quebeckers from being given adult sentences?

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I think it is quite clear that the youth criminal justice legislation introduced in the House two weeks ago speaks for itself. I know I will have the opportunity to engage the hon. member more directly when I appear before committee.

* * *

THE ECONOMY

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, in that corner over there we have the industry minister telling us taxes are far too high and that it hurts our standard of living. In this corner we have the finance minister saying we do not have a tax problem. In fact, the tax money is flowing very well, thank you very much.

How will we ever raise the standard of living in this country when the government cannot even agree there is a problem?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, there is complete agreement on the front benches and there is complete agreement in the government on this issue.

That is why in the last budget we reduced taxes and in this budget we reduced taxes, $16.5 billion over the next three years. It is also why in budgets to come we will reduce taxes, because we understand the necessity of increasing disposable income. We also understand, which the Reform Party obviously does not, that one has to pay for health care, education and all those other matters that are so important to the Canadian fabric.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, it is interesting to hear the finance minister say he is in complete agreement with the industry minister because on the industry minister's website that speech still stands where he says that taxes are 20% higher in Canada than in the U.S., that the standard of living is falling like a stone in Canada relative to the United States.

Does the finance minister completely agree with those statements of the industry minister?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I made it very clear that I agree with what the industry minister has said. What I do not agree with is what the Reform Party has said, that we should take another $16 billion out of spending which would gut health care, that we should take $16 billion out of spending which would gut education, that we should eliminate equalization in Manitoba and Saskatchewan, that we should simply eliminate the middle class in this country.

That is the Reform Party's position in terms of our basic social programs and we sure as heck do not agree with that.

* * *

[*Translation*]

BILL C-54

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, the more we look at Bill C-54, the more we find it is an excuse to invade a provincial jurisdiction, namely civil law, and the more we find it is confusing and does not adequately protect the public.

When will the Minister of Industry do the responsible thing, suspend consideration of the bill and go back to the negotiating table with Quebec and the other provinces to harmonize these laws?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, the confusion is on the other side, because all Canadians want private information to be protected, and that is what we will do. This bill truly complements the only existing provincial act, that is the legislation adopted in Quebec under the former government of Daniel Johnson, which we support.

* * *

[*English*]

REVENUE CANADA

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

The PSAC rotating strikes are occurring during the tax filing season. These strikes are costing Canadian taxpayers generally and small businesses specifically millions of dollars, money needed to operate their businesses.

Can the Minister of National Revenue tell us how the disruptions will impact on Revenue Canada's ability to service Canada's small business sector?

Hon. Harbance Singh Dhaliwal (Minister of National Revenue, Lib.): Mr. Speaker, I am very concerned about our ability to deliver service to Canadians and to small businesses.

While efforts are provided to maximize service to Canadians we continue to expect disruptions because of the ongoing PSAC strikes.

I have to report to the House that we are 1.2 million tax returns behind our normal processing. In addition, we are seeking legal action to stop the illegal activity. It also has cost Revenue Canada $10 million for this strike. Canadians want us to resolve this issue and we will. I hope Reform and the opposition will support the government.

* * *

THE ECONOMY

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, the finance minister seems to continue to take this don't worry, be happy approach to Canada's falling standard of living, notwithstanding what the Conference Board of Canada says or the industry department or the government's own pollster or the Alliance of Manufacturers and Exporters. Let us look at the evidence. The Dow Jones hit 10,000 points. It grew by 30% last year, while the Toronto Stock Exchange shrunk by 3%.

● (1445)

Why are Canadians who are investing their money for their retirement getting poorer, while their American friends to the south are getting wealthier?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member would like us to look at the facts, so let us look at the facts.

This morning the announcement was that retail sales in Canada rebounded strongly in January, gaining 1.7%. Our nominal exports were up 2.1% in January. Our employment, as members know, is up 13,000, an increase of 51,000 a month over the last eight months. The help wanted index increased in February, its third consecutive month of solid growth. Those are the facts.

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, the facts according to the Alliance of Manufacturers and Exporters are that this finance minister is simply off base when he says Canadians should not worry about falling living standards. They pegged our productivity as having gone from fifth to seventh in the G-7 last year. The ultimate indication of economic growth is the stock exchange, which in the United States has increased by 30% and is stagnant in Canada.

While the finance committee says this government should let Canadians invest more of their RRSPs abroad, the finance minister says no. Why is he continuing with a policy of making Canadians poorer when others are getting wealthier?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member's facts are simply wrong.

Our productivity has improved in the 1990s over the 1980s. Of course we want our productivity to improve more. Of course we must invest in research and development. We must continue to eliminate debt. We must continue to get taxes so that it will increase. The fact is that the 1990s are better than the 1980s and we are going to make sure that the next century is a great deal better than the 1990s. That is what we are about.

* * *

BACK TO WORK LEGISLATION

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, there is a number of goofy aspects about the back to work legislation the government wants to ram through today. For one thing, the corrections officers mentioned in the bill are not even on strike. Second, the proposed legislation does not tell us what their settlement is to be.

My question for the President of the Treasury Board is how do we order somebody back to work who is not even out on strike? How are we supposed to debate and vote on a pig in a poke, on a wage settlement that we have never seen?

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, in fact the correctional officers do not have the right to strike because they are all designated workers. If some of them went on strike and there was a riot in a prison, this would obviously be unacceptable to Canadians. However, through a quirk and a loophole, 500 or 600 of them have the right to strike. Obviously since they have the right to strike and since they have indicated that they intend to use it, we have to close the loophole. That is why they are included in the law.

* * *

GRAIN INDUSTRY

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, the government has completely flubbed negotiations with the result last week of a total tie-up in the grain industry all the way from the west coast to the prairie farm gate. There were ships waiting to be loaded in Vancouver. Every day they sat empty. Already hard-pressed farmers are being assessed tens of thousands of dollars in demurrage and damages. The job action is the government's fault but it is the farmers who are feeling the pain.

Will the agriculture minister commit to paper losses being sustained by farmers due to Ottawa's total mismanagement of these negotiations?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the way to prevent further losses for the farmers is for members of the New Democratic Party to support the government in getting the workers back to work. That is exactly what my counterpart the minister of agriculture in Saskatchewan asked last week. We look forward to their support in getting people back to work so we can move the food.

* * *

BUILDING CONTRACTS

Mr. Jim Jones (Markham, PC): Mr. Speaker, section 2 of the Inquiries Act allows cabinet to order a public inquiry into issues of good government and conduct. Surely the Prime Minister will realize that his good government and conduct are discredited when he helped a convicted criminal and admitted thief get $2.3 million in taxpayers dollars.

I challenge the government. Will it stop hiding, show some integrity and appoint an independent inquiry so Canadians can get some answers?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, this has been looked into on the floor of the House of Commons. The questions and answers confirm that the insinuations of the hon. member are without foundation.

If the member is talking about Mr. Duhaime, I am advised at least from reading the press that his convictions are not related to his commercial activities. Besides that, the Government of Quebec, no friend of the Prime Minister and no friend of this government, has said that the grant in question under the transitional jobs fund is perfectly proper.

● (1450)

The hon. member should recognize that, or is he accusing the Quebec provincial government of doing something improper?

* * *

ETHICS COUNSELLOR

Mr. Jim Jones (Markham, PC): Mr. Speaker, in 1993 the Liberal red book promised an independent ethics counsellor. If parliament had an independent ethics commissioner today, we could ask him to investigate the Prime Minister's hotel support plan.

Conveniently the Prime Minister created an ethics counsellor who reports in secret to him and him alone.

Why will the government not live up to its six year old promise and establish an independent ethics counsellor who reports to parliament?

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the hon. member will know that it was his own party when it was in government that refused to have the institution of an independent counsellor who acts in a different measure than the one we have now.

On the point about the ethics counsellor reporting to the Prime Minister, it is quite clear to all of us that the Prime Minister has never shrugged off responsibility by assigning it to someone else. He has been quite clear about that. We have a fine institute and a fine individual holding the position of the ethics counsellor. I am sure all members of the House have confidence in him.

* * *

RESEARCH AND DEVELOPMENT

Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.): Mr. Speaker, my question is for the Secretary of State for Science, Research and Development.

It will be a big loss for Canada when Dr. Shirley Neuman, a leading Canadian scholar in Canadian literature and publishing, leaves her position as Dean of Arts at the University of British Columbia to accept a similar appointment at the University of Michigan.

What is the government doing to restore funding to research in the social sciences and humanities, a true pillar of Canadian identity?

Hon. Ronald J. Duhamel (Secretary of State (Science, Research and Development)(Western Economic Diversification), Lib.): Mr. Speaker, I understand that this situation has occurred, but I also recognize, as does my colleague, the importance of social sciences and humanities research in Canada.

There were important investments in last year's budget, followed by more investments in this year's budget. I want to emphasize that the budget has been applauded by the Social Sciences and Humanities Research Council as well as the and Social Sciences Federation of Canada.

This government recognizes the importance of all research. We have invested heavily and shall continue to do so. We want to provide Canadians with a range of tools so they can be competitive.

* * *

YOUTH CRIMINAL JUSTICE ACT

Mr. Chuck Cadman (Surrey North, Ref.): Mr. Speaker, the government's propaganda about the new youth criminal justice act talks about adult sentences for young persons age 14 and over. What it does not want to talk about is section 745.1 which mandates that 14 and 15 year olds sentenced as adults for murder are eligible for parole at five to seven years when anybody over 18 must serve 10 to 25 years.

Does the minister actually want Canadians to believe that a murderer who gets parole after as little as five years is really getting an adult sentence?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, again, I am not going to get into a detailed discussion of sections of the new criminal justice act here. We make no apology for the fact that 14 and 15 year olds can now receive adult sentences. They will be presumed to receive adult sentences in relation to five presumptive categories.

The parole provisions that exist in the Criminal Code will continue to exist.

* * *

[*Translation*]

MIRABEL AIRPORT

Mr. Maurice Dumas (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, in an attempt to sort out the mess the federal government made of Mirabel, the Government of Quebec has just introduced a series of tax measures to turn the airport into an international free trade zone.

However, federal personal and corporate taxes will continue to apply.

My question is for the Minister of Finance. When will the federal government do its share to get the airport area up and running again by offering the same tax benefits as Quebec is offering for the Mirabel international free trade zone?

Hon. Martin Cauchon (Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, as my colleague, the Minister of National Revenue, said recently, we have already been working for quite some time now with the Mirabel area for the very purpose of creating certain areas with tax benefits, and I am told that things are going rather well.

As for economic development, we have read the conclusions of the Tardif report and also support ADM's intervention and development strategy.

● (1455)

I also wish to say that this government has invested $1.4 billion in the greater Mirabel area over the last 15 years. As well, it has recently worked with Corporation Espace 2002. There are also other projects soon to be announced.

This government is committed to developing the Mirabel area and will maintain that commitment.

* * *

[*English*]

ABORIGINAL AFFAIRS

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the Nisga'a people have spent the last 20 years negotiating a land claims treaty with the federal government. Now that the fulfilment of a 100 year dream is near, the feds are stalling. As usual, the Liberals are weighing the political pros and cons instead of sticking to their commitments.

We say that the time has come to right the wrongs of the past. I ask the minister, will the federal government keep the promise it made in good faith negotiations with the Nisga'a people and move immediately on this historic agreement?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, on several occasions this government has made it absolutely clear that we are committed to writing modern treaties in British Columbia.

The Nisga'a agreement is the first in British Columbia and we are strongly supportive of it. We are working now with our partners in the province and with the Nisga'a to write the complex legislation that must be prepared and brought to this House and we will do so when we are ready.

* * *

FISHERIES

Mr. Mark Muise (West Nova, PC): Mr. Speaker, fishers throughout the Atlantic region have expressed their anxiety over the possibility of major government cutbacks within the Canadian Coast Guard budget.

With the safety of both our Sea King and Labrador helicopters in question, will the Minister of Fisheries and Oceans commit to maintaining and even enhancing coast guard services so our fishers can feel more secure in the event of an emergency?

Mr. Wayne Easter (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the minister has stated many times in the House that regardless of budgetary commitments, safety is always a priority of the government. We will ensure that we maintain that safety through the coast guard.

* * *

WATER

Mr. Joe Jordan (Leeds—Grenville, Lib.): Mr. Speaker, a recent report by the Canadian Institute for Environmental Law and Policy has called into question the government's commitment to clean up the Great Lakes.

As today is world water day, can the Minister of the Environment tell the House what is being done to protect both the quality and quantity of Canada's water resources?

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, there are many Canadians who would say that Canada's fresh water is our most important natural resource. That is why my department expends so many resources on science and research and provides technical and funding support to tens of thousands of Canadians to protect our water systems.

We have programs in the Atlantic coastal area, the Atlantic coastal action program, St. Lawrence vision 2000, Great Lakes 2000, the northern rivers ecosystem and the Georgian basin ecosystem initiatives.

The federal government is also working with the provinces to negotiate a national accord which will prohibit the removal of bulk water and the first step toward developing a fresh water strategy.

Canadians everywhere are concerned about water and are becoming involved in this very important issue.

* * *

YOUTH CRIMINAL JUSTICE ACT

Mr. John Reynolds (West Vancouver—Sunshine Coast, Ref.): Mr. Speaker, our new youth criminal justice act does not include 10 and 11 year olds. The Tony Blair government in Great Britain, a very moderate government, has just brought in a new act similar to ours but it includes 10 and 11 year olds because it cares about young children and their problems, just like we do on this side.

Some hon. members: Oh, oh.

The Speaker: Order. The hon. member.

Mr. John Reynolds: Mr. Speaker, I ask the minister, is it not a fact that her justice committee asked for 10 and 11 year olds and the only reason we do not have it is that she cannot get the money out of her cabinet colleagues to help the young children of this country?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we have heard an awful lot recently about how much the official opposition supposedly cares about young people.

Some hon. members: Oh, oh.

The Speaker: Order. The hon. Minister of Justice.

Hon. Anne McLellan: The member for Calgary Northeast said, ''I suspect flogging straightens up behaviour by jolting a young criminal into reality''. What about the member for Wild Rose who said that when he was a school principal his students performed better once they had tasted a piece of wood? This is the party that cares about young people.

* * *

● (1500)

[*Translation*]

MEDICAL USE OF MARIJUANA

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, after last year's announcement by the British government that it would be carrying out clinical testing of marijuana on 600 patients, the American government has just made public a study by the prestigious National Academy of Sciences in which it comes out in favour of the medical use of marijuana.

When is the Minister of Health going to get moving and take all the necessary steps to legalize the medical use of marijuana, thus allowing Canada to catch up in an area where it is seriously lagging behind other countries?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, I am very pleased that other governments followed Canada's example. As has already been announced, we intend to carry out research on the results of marijuana use for medical purposes. We shall be doing so shortly.

* * *

[*English*]

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of the Honourable Joseph Sempe Lejaha, President of the Senate of the Kingdom of Lesotho.

Some hon. members: Hear, hear.

ROUTINE PROCEEDINGS

[*Translation*]

ORDER IN COUNCIL APPOINTMENTS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am very pleased to table in the House today, in both official languages, a number of order in council appointments which were recently made by the government.

Pursuant to the provisions of Standing Order 110(1), these are deemed referred to the appropriate standing committees, a list of which is attached.

* * *

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.

* * *

[*English*]

COMMITTEES OF THE HOUSE

SCRUTINY OF REGULATIONS

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, pursuant to Standing Order 123(1), I have the honour to present the fifth report of the Standing Joint Committee on the Scrutiny of Regulations concerning SOR/93-43, an order varying a letter decision of the Chandler Subdivison issued by the National Transportation Agency. The text of the relevant section of the regulations is contained in this report.

* * *

● (1505)

BUSINESS OF THE HOUSE

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 56.1 I move:

That, notwithstanding any Standing Order or usual practice of this House, a bill in the name of the President of the Treasury Board, entitled an act to provide for the resumption and continuation of government services, shall be disposed of as follows:

1. Commencing when the said bill is read a first time and concluding when the said bill is read a third time, the House shall not adjourn except pursuant to this Order or to a motion proposed by a Minister of the Crown, and no Private Members' Business shall be taken up;

2. The said bill shall be read twice and thrice in one sitting;

3. After being read a second time, the said bill shall be referred to a committee of the whole;

4. During consideration of the said bill, no division shall be deferred.

5. Immediately after the said bill is disposed of, the sitting shall be suspended to the call of the Chair, provided that the House shall adjourn immediately after returning from the granting of the Royal Assent to this said bill or at fifteen minutes before the scheduled time of commencement of the next sitting day, whichever comes first.

The Speaker: Will those members who object to the motion please rise in their places?

And more than 25 members having risen:

The Speaker: More than 25 members having risen, the motion is deemed to have been withdrawn.

(Motion withdrawn)

* * *

PETITIONS

GASOLINE ADDITIVES

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Mr. Speaker, pursuant to Standing Order 36, I am honoured to present a petition signed by residents of Stoney Creek and St. Catharines.

They urge parliament to ban the gas additive MMT, noting that studies under way at the University of Quebec are showing adverse health effects especially on children and seniors and that car manufacturers also oppose the use of MMT.

YOUNG OFFENDERS ACT

Mr. Gerry Ritz (Battlefords—Lloydminster, Ref.): Mr. Speaker, it is a pleasure to rise today to present a petition that has been six months or more in the making.

I have 100,000 signatures from people across this great country protesting the Young Offenders Act as it stands. They talk about substantive changes they want to see come forth. They hope the amendments we put forward in the next few days will really make that happen.

HEALTH CARE

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am pleased to present another petition from a large group of Canadians who are very concerned about the state of our health care system today.

The petitioners call upon the government to act as quickly as possible to ensure that the Canada Health Act is upheld, strengthened and enhanced. The petitioners also call upon the government to respect the principles of accessibility, universality, portability, comprehensive coverage and public administration.

● (1510)

They call upon the government to entrench those principles not only in terms of the immediate needs within our hospitals and medical system but to use those principles to expand our health care system to cover the whole range of health care needs.

HUMAN RIGHTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker pursuant to Standing Order 36 I am pleased to present a petition signed by a number of Canadians including from my own riding of Mississauga South on the subject of human rights.

The petitioners would like to draw to the attention of the House that human rights abuses continue to be rampant around the world in countries such as Indonesia.

The petitioners also point out that the Government of Canada and Canada have continued to be a champion of universally accepted human rights. The petitioners therefore call upon the government to continue to condemn human rights abuses around the world and to seek to bring to justice those responsible for such abuses.

* * *

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if Questions Nos. 124 and 183 could be made orders for returns, these returns would be tabled immediately.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Text*]

Question No. 124—**Mr. Derrek Konrad:**

Could the government provide a list of the complaints/challenges the Department has received on band elections held between 1996 and the present, including: (a) the name of the band involved; (b) details of the complaint; (c) the date of the initial election; (d) the date the complaint/challenge was made; and (e) the status of the complaint within the Department (i.e. what action the department has taken)?

Return tabled.

Question No. 183—**Mr. Rick Casson:**

With respect to the transfer payments as outlined in the 1998-99 Estimates (Part III), could the Minister of Environment provide details as to the recipients, use of, or any further details concerning the monies distributed to date under Grants and Contributions, specifically: (a) the contribution to the Province of British Columbia and environmental non-government organizations (ENGO's)—Wildlife Strategy, Pacific Coast Joint Venture of $325,000; (b) the contribution to Building International Partnership of $1,009,423; and (c) the contributions made under Minister's Authority of $393,500?

Return tabled.

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[*English*]

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

GOVERNMENT SERVICES ACT, 1999

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.) moved:

That, notwithstanding any Standing Order or usual practice of this House, a bill in the name of the President of the Treasury Board, entitled an act to provide for the resumption and continuation of government services, shall be disposed of as follows:

Commencing when the said bill is read a first time and concluding when the said bill is read a third time, the House shall not adjourn except pursuant to a motion proposed by a Minister of the Crown, and no Private Members' Business shall be taken up;

The said bill may be read twice or thrice in one sitting;

After being read a second time, the said bill shall be referred to a Committee of the Whole; and

During consideration of the said bill, no division shall be deferred.

He said: Mr. Speaker, it is with some regret that I must this afternoon introduce the subject at hand. Obviously the government is in a position now where it must bring an end to the strike and bring people back to work.

My colleague, the President of the Treasury Board, will be giving a detailed speech on what the bill, which was introduced earlier today, will contain as soon as the order that we have before us has been disposed of by the House.

Meanwhile, might I take this opportunity to thank the House for having agreed earlier today to the introduction of Bill C-76, the Government Services Act. This has allowed members to see the bill for a few hours more than they would normally have been able or entitled to. Hopefully it has succeeded in convincing at least a number of members of the House as to why the bill is so urgent.

Our government has settled collective agreements with some 87% of its civil servants. However, there is a number of groups with which a settlement has not proven to be possible. With a view to reaching a settlement the government was very flexible at the bargaining table. Again, the President of the Treasury Board will be speaking I am sure very eloquently on this issue when he makes his second reading speech.

● (1515)

Our last offer compared very favourably to what 87% of our unionized employees, including more than 90,000 PSAC members, in other words the same union, have already accepted. Unfortunately an agreement has not been possible with a smaller group who nevertheless provide services in critical areas.

Not only do they provide services in critical areas but they have picketed in a way that has prevented other people from attending to their regular duties and deprived Canadians of the services they need.

Strike activities have been affecting millions of Canadians, in particular Canadian farmers, Canadians who pay income tax or, perhaps more important if we look at it through the eyes of the taxpayers, those numerous Canadians who are expecting income tax refunds. Some 900,000 claimants are waiting for their benefits as we speak because we are unable to process these claims.

There is also an issue involving Canada's prison system which of course came to light last Friday through the media and we all know how important the preservation of that is for the security of Canadians and for providing for the security of those who are incarcerated.

Last week Mr. Speaker determined that an emergency debate on this issue was necessary. If no less than the Speaker of the House of Commons has decreed that this was an emergency to be debated on the floor of the House we in the government are treating this issue as an emergency and agree with what Mr. Speaker ruled on some days ago.

I quote the member for Selkirk—Interlake who stated on March 18 that grain farmers are facing one of the worst financial years in a decade: ''Farmers are innocent third parties in this labour dispute''. These concerns were raised again on Friday, March 19 in the House by other hon. members. We agree this is important and urgent.

Today Revenue Canada offices were heavily picketed across the country, the national capital region, the Atlantic region, including St. John's, Sydney, Halifax, Summerside and Saint John, the Ontario region office at Belleville and the prairie region offices at Winnipeg and Edmonton. This adds to the problem at Revenue Canada that I was speaking of a while ago. This is disrupting and it is disrupting to many Canadians and sometimes Canadians least able to help themselves and who need our help and our support in this time of need.

[*Translation*]

This is why the government has today tabled a bill in the name of my colleague, the President of the Treasury Board, for the purpose of ordering 14,000 of these blue collar workers back to work and imposing a collective agreement.

The government is also calling on parliament to order some 4,500 correctional officers to remain on duty in the interests of public safety and to negotiate a collective agreement as quickly as possible in order to maintain the safety of inmates and of all Canadians.

For the government and for millions of Canadians, this is therefore an urgent matter, as the Speaker of the House pointed out last week. It is urgent that action be taken immediately.

Blue collar workers are responsible for the operation of government facilities and buildings throughout Canada, as well as health services in federal institutions. In addition, of course, when these people are picketing, they can prevent other equally important workers from delivering services to Canadians.

● (1520)

Numerous low income families and small and medium size businesses will have to wait for cheques to which they are entitled and which they urgently need.

After 10 weeks of rotating strikes, the impact on Canadians has, I would argue, become unacceptable.

[*English*]

As a member of parliament representing a rural constituency, I do not want to see my country lose sales of grain and other agricultural commodities. Our agricultural commodities are the pride of this country and we do not deserve to see the sales of these products diminish for any consideration.

This strike is having a serious effect on Canada's economy, particularly on grain farmers, small business, low income Canadians and all those who are counting on receiving their income tax refunds. Canadians are counting on us today. I ask the House to approve swiftly the motion before us. Having passed that motion, we will then proceed with the bill in the name of the President of the Treasury Board, Bill C-76. After that bill is in place we will be able to resume all the services that Canadians deserve.

[*Translation*]

I therefore call on the House to pass as quickly as possible today this motion that will enable us to pass Bill C-76 in order to restore the services to which Canadians are entitled.

[*English*]

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, today we finally have a debate about the emergency situation facing this country. We have a debate based on some facts and some details which this government has failed to provide since I raised the motion last Thursday for an emergency debate.

At the end of this debate this afternoon Canadians will start to fully realize the level of incompetence and uselessness this government that went ahead and negotiated over the past five years since it came to power in 1993. We are in this emergency situation today because of the negotiators who work against the unions as opposed to working with them in an attempt to get a fair and reasonable negotiated settlement. What happened? They dillied, they dallied, they wasted time, they did not bargain in good faith. They knew these negotiations were absolutely vital to coming to an agreement before there was any harm done to the Canadian economy. They did not bargain in good faith. Otherwise we would have had today a negotiated settlement.

They disregarded the farmers in this country who are already suffering from a serious financial situation due in no part to their own actions or decision making. The actions I described were due to subsidies in foreign countries and a general oversupply of the commodity product.

Today we have Bill C-76 in front of us, an act to provide for the resumption and continuation of government services. The Canadian people will see the spin doctoring of this Liberal government done by its henchmen back in the offices behind the ministers. We will see that the people of Canada will see what has gone on in the House and outside. I will go over that spin doctoring a little. The true facts will arise from this.

I hope the agriculture minister is following my speech very closely today. Whether or not the Treasury Board minister and the agriculture minister agree, the question of how serious this was and when the government should have known about it is one of the key things.

● (1525)

Today we had the revenue minister stand up in the House and refer to 1.2 million tax returns that have not been filed.

Mr. Jake E. Hoeppner: You guys are worried, aren't you? You better send a few more task forces up there.

The Deputy Speaker: Order, please. It is very difficult for the Chair to hear the hon. member who is making his remarks. Perhaps there could be a little more order so the hon. member could be heard.

Mr. Howard Hilstrom: Mr. Speaker, it is behind by 1.2 million tax returns. The revenue minister has to know that as of January 1 Canadians are entitled to file their tax returns and try to get back some of the money that the government has taxed out of them. They deserve that money and they deserve it on time.

The government saw this coming. Here again it goes right back to those poor negotiating tactics. It attempts to squeeze the union people and farmers out of every penny they have.

We also heard another member speaking today with regard to corrections. The Treasury Board minister said he had to close a loophole, a quirk in the previous agreement they had negotiated with the corrections officers and the unions representing them. Why did they have to close that loophole, that little quirk? Not only did they not negotiate with the unions in good faith and come up to an agreement, but the very legislation they put in making them essential workers was incomplete and incompetently drafted. The

government went ahead and passed that legislation which is another reason why we are here today.

We can continue on about the incompetence of this government in its labour negotiations. We look back to when we were dealing with Bill C-19, a labour bill. That bill and other major labour legislation were designed to have agriculture products continue to move through the ports. When we look in *Hansard* at the debate, Reform members put in amendments to say this legislation did not cover the 70 grain weighers out on the west coast.

I will not name the member, but a member of the Liberal government came to me on Thursday, the night I asked for this emergency debate, and said ''Are you sure this did not cover those 70 members of the PSAC grain weighers union on the west coast?'' I had to tell him it did not.

We were telling this to the government back in 1997 and 1998, that Bill C-19 did not cover that. As late as Thursday these Liberal members were coming to me and admitting that they knew not what was in that bill, assuming it covered the necessary labour agreements to keep the grain flowing.

Let us go back to March 18. The summation of everything I have said to this point is quite clear. This government since 1993 has not bargained in good faith. It has not done the things necessary to establish good relations and come up with a fair and reasonable settlement for the union people, the farmers and Canadians.

It is a known fact that in this country, as in any country, productivity is directly related to the workers and the amount of produce, product and manufactured goods. Over the years we have seen billions of dollars lost to union strikes and other labour disruptions. Even those disruptions were due to the previous governments over the past 30 years negotiating in poor faith and not understanding what union people were trying to put across to them which was simply a fair and negotiated settlement.

● (1530)

They failed in all those 30 years. I remember seeing these stoppages from the time I was a very young lad in Saskatchewan living on a farm. They started back with the seaway negotiations with the pilots. That was when governments lost control of negotiations. History shows us that inflation took off in Canada and put us into this $600 billion debt. We only have to look at who was in charge of the country over those 30 years. I look across and I see the Liberals and I see the Conservatives. They have brought us here today.

Reform has put forward solutions to some of these problems and has certainly worked closer with the unions than the government with respect to the very problems we are facing today.

One of the possible solutions which I mentioned in my speech in the emergency debate of Thursday, March 18 was the fact that the grain weighers are an essential service provided by government, due to the fact that they are the only ones who perform that service, and they should have the benefit of final offer arbitration to settle their labour disputes.

Due to the incompetence shown by the government in Bill C-19, those 70 weighers were not treated properly and, as a result, all 14,000 Public Service Alliance of Canada workers have been dragged into this dispute.

I will certainly give credit to the Speaker who authorized the emergency debate on Thursday, March 18. However, in the Liberal spin doctoring, no credit was given to myself or the Reform Party by the government. Government speakers went outside the House to give part of the story of what had happened in the House. There was no mention of the fact that final offer arbitration was suggested as one way of settling these disputes.

In the debate of Thursday, March 18, there was an amazing coincidence. This was again spin doctoring. This time it was the Minister of Natural Resources, the minister responsible for the Canadian Wheat Board, saying that Canadian Wheat Board negotiators, the salesmen, the marketers for the Canadian farmers, were in Japan and were announcing the loss of a $9 million sale.

This was the first time I had ever heard representatives of the Canadian Wheat Board say they had lost a sale. It is a coincidence that it came up just at the time they were trying to put pressure on the labour unions. They were trying to put members of the official opposition into what they perceived as a beautiful, spin doctored, compromising position to make us look bad before the Canadian public.

The comment on the Canadian Wheat Board is a question I am going to be asking farmers and one which farmers are going to be asking their elected representatives. Farmers are going to find out how the decision was made to make a public announcement that our grain was not selling in Japan and why this government was unable to settle the labour negotiations to keep our grain moving; and not only settle negotiations, but in fact have legislation in place to facilitate grain movement.

On Friday, March 19 the government came into the House to put forward a motion. The Liberals expected us to buy into a motion that gives absolutely no details of the legislation they intend to bring forward. The government also asked the Reform Party, the NDP, the Conservatives and the Bloc Quebecois to accept this no detail motion on behalf of Canadians and to assume that the government will take care of Canadians and their interests.

● (1535)

This government has not taken care of farmers' interests. It has not taken care of the PSAC union members' interests. It has not taken care of the productivity interests of Canadians in this country. It certainly has not taken care of the high taxes or the high debt.

I think the Canadian public is starting to understand and realize that this whole problem, this whole emergency, this whole non-negotiated settlement, this requirement for back to work legislation, rests solely on the head of the Liberal government. It does not rest on the opposition members. The government has been in charge of this House since 1993. That is precisely why this problem rests on its head.

When I asked for the emergency debate the other day we were trying to get solutions from the government as to what facts it had to bring forward and what it was going to do about the situation.

We sat here that night. It is all in *Hansard*. There were no solutions coming forward from the government. It threatened the union. It talked about hostages and that kind of thing. But it is not the union's fault in this situation, it is the Liberal government's fault.

There is no point in reading the full motion that was put forward on March 19, but it stated that it was a bill in the name of the President of the Treasury Board, entitled an act to provide for the resumption and continuation of government services, and it gave the manner in which it was to be disposed of. There were no details.

Once again, I hope it is abundantly clear to the House and to the Canadian public that members of the Reform Party stood for Canada. We stood for the unions. We stood for the farmers. We said that we were not going to let the government sell us a pig in a poke. The Canadian public bought that in the election of 1993 by electing the Liberal government. I do not expect to see them make that mistake again.

I hope the Canadian public can see that the opposition parties took the right stand in saying that before we would give consent to the government to do anything, which would probably cost a lot of money and a lot of heartache, we wanted to see the facts. Today we have the facts in Bill C-76, which we can now debate.

In this chronology of despair over the emergency situation, when there is no real need for an emergency situation, we saw the Saturday and Sunday press releases describing the attempt to put the motion on Friday. Over the weekend I followed the newspapers. They did not even bother including the other opposition parties because they wanted to try to make Reform, with our strong base in western Canada, look bad to Canadians. I know today that Canadians and western Canadian farmers know what happened.

When those newspapers are reviewed and when the facts start to come out over the next couple of days, our western Canadian farmers are going to see that Reform stood for them and has a good track record in regard to this whole issue.

I have already covered some of the history. This government has been in power since 1993 and it continued the wage freezes which were started a year or two earlier under the Conservative government. The freezes continued right through until the last two years. The government knew that there had to be negotiations and that agreements had to be in place. There was ample time for it to do that, instead of leaving it go, instead of making poor decisions, instead of not showing any leadership, instead of not taking the bull by the horns to come up with a settlement which would treat people properly.

We referred to June 18, 1998, when royal assent was given to that essential service in Bill C-19. Our suggestion at that time was that the government should include in the bill final offer arbitration.

● (1540)

The issue is that 70 grain weighers who were not covered were able to harm the incomes of 115,000 grain farmers in western Canada. The grain weighers did not want to harm these farmers financially, but they did have to stand for their interests. The government had the opportunity in Bill C-19 to make sure that did not happen, but once again flawed legislation prevented Canada from moving ahead with its economic programs.

If we look back in history a few months, on January 27, 1999 the Western Grain Elevator Association was very concerned about the rotating strikes. Members of the association said that it was time to do something about the labour negotiations. They were concerned about the movement of grain through the Vancouver port.

We have seen from the situation we are in today, this emergency situation, that in fact that letter, if it was not ignored, it certainly was not acted upon. That was not the only warning, I am sure, telling the government that something had to be done immediately.

Let us look at the government's previous history with respect to labour negotiations. I am not going to go back to 1993 or the many years that Liberals have been in government, but I am going to go back to the famous debates we had on back to work legislation for the postal union. I am saying this so that everyone fully understands the incompetence with which the government has dealt with labour-management problems in this country.

The postal union strike was not settled. There was back to work legislation about two years ago. In fact I was informed the other day that there has been no negotiated settlement of that dispute. It is ongoing. Who knows? If the time runs out on that legislation, I guess the government's idea of labour negotiations is simply to bring in another piece of back to work legislation.

This country cannot be run by a dictatorial government. That is exactly what back to work legislation is. It is a dictatorship which has been resorted to and implemented. The government has ignored the normal democratic processes, including listening to the official opposition when it puts forward good amendments to legislation.

I would like to deal with the introduction of the legislation this afternoon by the government House leader. Once again the spin doctors came out. I guess in this case it was his own spin doctor. I do not know if he was handed the information or if he collected it himself, but he said that he introduced this legislation with some regret. I am referring to Bill C-76.

The time for his regret was back in January. It was back in 1998. It was back in 1997 when something could have been done about it.

When the Liberals know that something is coming down the pike, why if they are doing their job, if they are representing the people of Canada, would they wait until the last minute, wait until it is a crisis, wait until the situation cannot be resolved, wait until financial harm has hit some of the poorest people in the country who are waiting for tax returns? I do not know. I have to refer to it as simply being incompetence.

That was a nice bit of spin. Then the government House leader went on to say that he hoped this bill would convince some members of the House, referring to members of the Reform Party and possibly other members of the opposition, that we were wrong on Friday. That was the gist of his remarks. I have already explained that we had no details on Friday. For him to stand today and try to make it look as if the opposition parties were against having this legislation come forward, like we said, we will not buy a pig in a poke in this House. If we did, who knows the dismal conditions the Liberal government would have us living in within very short order?

• (1545)

There was a comment by the House leader. I do not want to dwell on his presentation but he brought it up. Like they say in the old school yard, he started it. And at the schools I went to, I was of the opinion that somebody else may have started it but I was going to finish it and that is exactly what I am going to do today.

He also said that he did not want to see lost sales exports. The rotating strikes and lost sales exports started back in 1998 and in early 1999. If he does not want to see them, why the heck did the government not do something about them before today?

The hurt for farmers will not stop today. To get the grain system and the hopper cars spotted on the tracks by the elevators and inland terminals will take several days. It will probably take a week or more to get the system back up and running. Demurrage charges will kick in. Late delivery penalties will kick in from our customers. The financial hurt is there and it should be on the government's head.

The agriculture minister sat back until December 1998 saying not to worry about that income problem because the western Canadian farmers have crop insurance and a NISA program, and that is fine and dandy, they will be all right. The farming industry and the opposition members finally convinced him by December that he was totally misguided, misinformed or he misunderstood what the facts were.

I bring that up to point out that the agriculture minister is part of this whole terrible scenario leading up to this emergency today. He is supposed to be representing farmers across the country, including western Canadian farmers. When the agriculture minister saw the hurt that was happening, even if he did not want to admit it, and when he had the opportunity to do something about it and did not, that to me is what Canadians will see as incompetence on the part of the government.

I will close with the final comment that the government will have to pass this legislation. I will support this legislation because incompetence has brought us to this point. The government has put Canadians, farmers, the union, everyone in a box from which they cannot escape without this drastic dictatorial action. It is a sad day but that is what will have to happen.

Starting this minute, the government will not get off lightly having left us in the lurch. Tomorrow we will have to continue on with two things. We will have to try to get some amended legislation on Bill C-19 that went through on labour relations. We will continue to push the government to negotiate in good faith and come up with a solution with the union that is fair and reasonable for both the union and the people of Canada.

As with the postal workers, I do not believe we will see anything different in the negotiations with the PSAC workers. As a result it will take all of us on this side of the House, and I intend to be part of it, to work with the Public Service Alliance of Canada and the farmers to get this country into shape so we do not have to suffer this financial harm.

• (1550)

In the long term, what can I say? We hope that in the next election we can come up with a new government. I am certainly

looking forward to a Reform type government. People like to comment about the united alternative, but we will certainly come up with a government to replace this government with one the general population of Canada wants.

As the last of the speeches are made from the opposition side today, we will see the truth of this whole emergency debate come out. We will see the truth of the legislation. We will see whether there can be some amendments to include some final offer binding arbitration for the 70 grain weighers out on the west coast.

Once again I say that this is a sad day. We have been left in the lurch by the Liberal government. Starting with the emergency debate the other night, we are finally seeing that something is being done. It is not perfect but something is being done. We will continue to push this government into doing not what it wants to do but what Canadians want it to do.

[*Translation*]

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, I am pleased to speak on behalf of the Bloc Quebecois, and as its labour critic, on this special debate, but I share the government leader's distress in doing so. There is good reason to be sad when we are required as legislators to introduce such a bill in the House, since it constitutes admission of a failure in the way our organizations and institutions operate.

All of our labour relations are based on a relationship of power that is meant to be a fair one. When we are forced to take steps such as those being taken today, it means something has gone wrong with that relationship.

What we are dealing with is a legal strike, a strike by a legally recognized and constituted union. It is part of the rules for the labour relations process that, when the workers' side considers that what has been offered is inadequate, they may strike. This is what we are dealing with at this time: a union that is legally using its right to strike and, by the very fact that it operates within the governmental system—because the government wears two different hats in a context such as this one, as employer and as legislator—is having forced upon it special legislation.

The government, acting as both employer and legislator in this case as I said, wakes up one morning, supposedly exasperated after a few days of strike—at least as far as the people at Vancouver are concerned—and decides to take action, arguing that the services involved affect public health and safety, thus qualifying as essential services. Measures are in place since public health and safety is an integral part of essential public services, and that was the rationale for taking this line of action.

Right now, the government is going overboard and is failing to demonstrate—and this is where it is not following procedure—the urgency of the situation, but one does sense a kind of exasperation.

The government has, moreover, had its task made easier for it. I personally have a hard time figuring out the workings of the Reform Party, which set the table last Thursday by so eloquently dramatizing the situation in the port of Vancouver. In my opinion, it considerably facilitated the government's action and this is why Friday and today we see the government acting entirely exceptionally by taking measures to impose special legislation.

I think we ought to deal with matters one at a time.

● (1555)

The exceptional measure used here is the suspension of the debates on the order paper. It is called a special debate. We are talking about the motion that will enable the government to introduce special legislation, perhaps tomorrow. That is what we must be discussing. We will talk as eloquently as possible, except that the time frame as you know is very short.

It cannot be said often enough. It is an illegal strike. It is a process recognized by the parties and by society. We support bargaining and civilized balance. This has been upset today. It is excessive on the part of the government, which happens to be the employer, to try to impose its own rules, its own way of seeing things, its own working conditions.

We will discuss this into further detail later on, but we are convinced that it is still possible to negotiate in good faith, to restore a normal balance of power between the parties. Look at what happened at the two bargaining tables where there are now problems, that is table 2 and table 4.

For the benefit of members of parliament and those listening to us, table 2 deals with labour relations between the government and general labour, ships' crews and trades represented by the Public Service Alliance of Canada, while table 4 is for Canada's correctional services employees, who are also members of the PSAC.

Some progress had been made, albeit slowly at times, but at least to the point where, in the case of correctional services employees, an agreement had been proposed by a conciliator. That agreement was accepted by the union, but rejected by the employer. The parties could find a solution, provided they negotiate in good faith. This is where the attitude of the employer, the government, becomes a concern because, given that the conciliator's report had been approved by the union, there is already the basis for an agreement.

It may be premature and inappropriate for the government to take this kind of action today. It should have been a little more patient, a little more conciliatory. It should have tried to find a compromise, given that the union had committed itself, making it unnecessary to this kind of measure, which is always exceptional and sad. Only the government can get away with taking the sort of action it has taken today as an employer. From the smallest

company to the largest multinational, no organization except the government has the power to take the action being taken today of legislating heavy fines to force people back to work under conditions set by the employer, in this case the government.

As for table 2 on general labour, ships' crews and so forth, the workers represented by this union are prepared to go the alternative route of arbitration, so desperate are they. It is good for the government to see how its offers are perceived, if they are seen as being as reasonable as it claims.

In our opinion, and this is why we are opposed, all efforts have not been made to reach a negotiated settlement. This is a serious matter. Time is running out, and let us not forget that these people's salaries have been frozen for six years. They have every reason to make demands, to make strong demands, given the rise in the cost of living, inflation, and so on.

The government has taken a very firm stand, and resorted to legislation to get its way. That is how we see it.

• (1600)

We think it is a matter of principle, that this is an illegal strike and that the government should honour the mechanisms currently being used. Neither the negotiations nor this House should be upset with strategies built on the other side.

I will summarize our position, which is clear. We believe the freedom to unionize exists in Canada for employees and employers. This freedom exists for the parties, and the option of calling a strike exists from the moment there are good reasons for doing so, and this is the case here. It is part of a fair balance of power, except when the employer is also the government and is abusing its legislative power. Special legislation must be used only as a last resort.

This has not been shown to be the case here in our opinion. In the meantime, we want the government to return to the bargaining table with an offer acceptable to the workers and to resolve the problem democratically and in a civilized manner through negotiation.

[*English*]

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I do not want to prolong this debate, but I cannot let the comments of the member for Selkirk—Interlake go by unchallenged. He said that the truth would come out in the emergency debate last Thursday.

On all the remarks by the member for Selkirk—Interlake about Bill C-19 being inadequate and that we need to amend it so that this sort of situation can never happen again, if people listening to this debate check *Hansard* of last Thursday they will find that all those remarks and recommendations were made by me, a Liberal.

Moreover, I was the only one during that emergency debate, not the Reformers, who proposed that we should have back to work legislation. I was puzzled by the silence of members of the Reform Party on that issue. They were silent and now I know why. When the motion by the government was put forward on Friday calling for back to work legislation they voted against it.

If people wonder about what is happening here, all they have to do is check with the phone logs of the ridings of the Reform Party and the Liberals. They will find that the phone logs of the ridings of the Liberals will be choked with angry calls from PSAC and that the phone logs of the Reform Party members will be choked with angry calls from farmers.

Who represents whom around here? It is the Liberal Party this time that is representing the farmers and the Reform Party is representing the unions.

[*Translation*]

The Deputy Speaker: This is a period of questions and comments on the speech by the hon. member for Trois-Rivières. I am not sure that what the member has just said was on topic.

If the hon. member for Trois-Rivières wishes to respond, he is welcome to do so. Otherwise, we are going to continue with questions and comments.

Mr. Yves Rocheleau: Mr. Speaker, if I understood the Liberal member correctly, there is, in my opinion, some ambiguity in the Reform Party's position. Reformers have, at the very least, dramatized the situation, thus making life very easy for the government in this debate. Their position in this debate is very ambiguous to say the least.

[*English*]

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, my question for my respected colleague from the Bloc Party is quite simple. The Liberal Party in 1993 promised in the red book that it would eliminate regional rates of pay for blue collar workers of the PSAC union. To date it has not done that. It has in fact reneged on that promise.

Would the member comment on what he thinks of a government that breaks many of its promises, especially this very critical one to 14,000 workers across the country.

[*Translation*]

Mr. Yves Rocheleau: Mr. Speaker, I thank the NDP member for his question. Indeed, this is more or less what we mean when we say that the government did not demonstrate the validity of its position.

• (1605)

Arbitrariness seems to be the rule and it is being supported through legislative means. This is very annoying.

I should also tell you that the union's arguments in this respect were good ones. If the salaries paid to members of parliament were based, as is proposed for union workers, on the differences that exist between regions of Canada, people here would be very upset.

Perhaps the government's position is defensible, but we would greatly appreciate it if the government showed more conviction than it has so far.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, I listened carefully to the speech by the member for Trois-Rivières. I have the impression we are reliving events we have already lived through in this House.

In this case, we realize that when the federal government fails to accept its responsibilities fully, when it does not pursue negotiations fully or when it does not achieve the desired results in its negotiations, it is tempted to play employer government rather than just plain employer. We see this in the current situation.

In the representations made by the support employees, there are things that could be discussed at the bargaining table. There are differences in salaries between provinces. This is not an issue in which the government must remain closed to all negotiations. This is a situation in which there is a way to resolve such things at a bargaining table or to take an original approach to doing so, without necessarily coming down on the union and wielding a mandate like the one the government wants today, at a time that strikes me as—

An hon. member: Oh, oh.

Mr. Paul Crête: Mr. Speaker, could you ask the Liberal member shouting on the other side to be quiet while I speak? I would hope we could speak in this debate in a civilized and rational manner.

There would have been a way to continue negotiations longer to come to a conclusion that would mean better labour relations. There is more involved than just the resolution of labour disputes. We have to be able to live with the situation afterward.

I would like the comments of the member for Trois-Rivières on my remarks.

Mr. Yves Rocheleau: Mr. Speaker, I thank my hon. colleague for his question.

It certainly shows us one thing about this government. It is very authoritarian when it comes to labour relations and anything related.

This is the same government that is refusing to recognize the court decision on pay equity. This is the government that uses discriminatory orphan clauses, as it did with Canada Post. This is the government that last year refused to bring in clear antiscab legislation, when such legislation already exists and has been very useful in Quebec. Here we have an example. All it had to do was follow Quebec's lead, which, more often than not, is very good. Last year, the government was not interested.

When it does intervene in the labour market, as it did with employment insurance, this is the kind of government that discriminates shamefully against new arrivals by requiring them to have twice as many hours the first time or on coming back after *x* number of years.

This is more of the same. It is part of this government's philosophy to be very arbitrary and authoritarian. I hope that the member for Port Moody—Coquitlam—Port Coquitlam will listen carefully and be more polite as the debate goes on.

• (1610)

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, this seems like deja vu to me. Here we go again with back to work legislation. We went through it recently. We probably heard many of the same debates. I heard the same heckling, the same sort of protestation from the other side that it was in the best interest of Canada to order these people back to work. It was somehow so essential to the well-being of the country that the government could trample all over the democratic rights of people to withhold their services.

It is galling to those of us in our caucus. We obviously do not approve of the movement to order back to work legislation in this matter. We think it is offensive, which is the best word that comes to mind. What is even more offensive is the fact that at the end of today I have no doubt the government House leader will stand and move closure on this debate. The government is piling insult upon insult when it comes to the democratic process.

I should point out that it will be the 50th time the government has introduced time allocation and closure. It is icing on the cake to the government. We are dealing with the subject of stripping away people's right to withhold their services and we will even strip away their right to have a debate about it in the House of Commons later today.

Let us talk about what this strike is all about, even before we get down to the terms of back to work legislation. What triggered blue collar workers to strike was the regional pay issue, the fact that a carpenter working for the federal government makes one wage in Halifax and another wage in Vancouver doing the exact same job.

There are even more glaring examples where a truck driver would be crossing the Alberta border to drop off a trailer to be picked up by another driver on the other side who would be

making $3 or $4 an hour more in wages even though they are both doing the same job.

That had to end. The workers were pushed and pushed. They tried to negotiate their way out of it after bargaining year after year. It was not possible. They used the only weapon available to them, the strike weapon, the right to withhold their services to try to satisfy this issue.

I notice in the package being rammed down people's throats today that there is some movement on the zones. They are going down from 10 zones to 7 zones, but we should recognize the way the Liberals are doing it. It is almost unbelievable. Rather than harmonize in any kind of a common sense way they are merging the province of Saskatchewan and the province of Nova Scotia into one, Saskatlantic or something, because it will not cost them anything. There is no sense. There is no logic.

I will tell the House how flawed is the package we have been presented with today. The Liberals forgot Nunavut. On April 1 we will celebrate the creation of Nunavut and there are no rates of pay in Nunavut. They left it out. It was omitted. Even people working outside Canada are listed in the rates of pay. The people working in Nunavut will have none of it. It is crazy.

When I stood and asked a question earlier today I was saying this was a goofy package. There are all kinds of inconsistencies and flaws. Yet we will not be given a chance to give it the visitation it needs to review the clauses to try to correct some of these things because debate will be terminated.

We would be happy to point out some of the inconsistencies so that perhaps the Liberal government could correct some of them. One of the things that I pointed out is that correction officers are listed in schedule 2 of the bill. Correction officers are not on strike. Corrections officers do not have the right to strike. They are designated an essential service, but as the minister pointed out 600 or 800 of them somehow slipped through the cracks. In other words we are seeing exactly what we saw in the postal workers dispute. The government is trying to slide this in. It is trying to slip this in through the back door.

Back to work legislation is supposed to be about back to work. How can they order employees back to work if they are not on strike? In other words, the government is trying to designate these corrections officers as an essential service without having the guts to come in through the front door and stand up to the test of honest debate on that subject. They would rather do it by subterfuge and by stealth. It is truly offensive.

This is the same that happened to the Canada Post Corporation Act. They tried to slide the whole profitability issue in during back to work legislation. They wanted to use Canada Post as a cash cow. They wanted $200 million a year worth of revenue to come out of Canada Post, but they did not have the guts to come forward and introduce an amendment to the Canada Post Corporation Act. No, they tried to slide it in under the carpet again with the back to work legislation. We caught that right away. We did not have that bill more than five minutes before we noticed how sleazy that effort was. We find it offensive from where we are.

● (1615)

Let us really look again at the trigger of the strike, what caused the impasse. Certainly wages are part of it. These people have not had a raise in pay in seven years. They have not had a negotiated settlement in nine years. It has been imposed settlements all the time. Where is the right to free collective bargaining in this country if our own government, the major employer in the country, is always imposing settlements, legislated settlements like this one, year after year? With no raise whatsoever for seven years, the union was asking for a pretty modest package.

On March 12 when the talks broke down the union's position on the table was 2%, 2.75% and 2% with a 30 cent sweetener into the last two years. That is not exactly catch-up money. With the cost of living increases over that seven year period, union members are way behind. They are not asking to make all that up. On March 12 the government was not that far apart. The government's last offer to them was 2%, 2.5%, 2% and 1%, which is really not miles apart. Why then would it want to provoke a strike that has had such devastating effect on prairie farmers and our commodity industry? Why for the sake of a lousy 3% spread does it provoke a strike like this and cause the kind of rancour and disruption we have seen across this country? Where is the logic?

The costing of this spread is $7.8 million. I wonder what the total impact and the cost of the total impact to prairie farmers has been of shutting out the industry and the grain handling in this strike. A little more than $7.8 million, I think. This is what is really irritating about this strike. We fully endorse and respect the right of workers to withhold their service. It is the most peaceful way of handling an impasse. In the old days things got rowdy. Heads were split open. Withholding services in a peaceful way is the most civilized way of trying to put pressure on the other party.

It goes back to the ancient Greeks and *Lysistrata*. The women of Troy withheld their services from their husbands because they were tired of them going to war all the time. They were walking around with little tents instead of togas. That is the first reference we have to that kind of organized withholding of services. It is a time honoured tradition. We do it today because somebody has to recognize the historic imbalance in the power relationship between employers and employees.

That is why we have enshrined it in our charter of rights, that is why the United Nations recognizes it, that is why it has become one of the hallmarks of a free democracy, a strong and democratic trade union movement with the right to organize, the right to bargain and yes, the right to withhold your services if you reach an impasse. We

have seen that trampled on twice since I have been here and I have not been here very long. We have seen those rights trampled on. I did not come to Ottawa to vote away workers rights. That is not why I came here. I will not have anything to do with it.

We have heard the Reform Party as if it were somehow the champion of the working class all of a sudden. This is particularly grating as a trade unionist. Reformers would like to wipe unions off the face of the earth. They have said so publicly. It is no secret what they think of free collective bargaining and the trade union movement. One Reform member is the only professional union buster I have ever met. It is honestly galling for us to listen to Reformers saying that they are on the side of the trade union movement. They do not even take phone calls from unions. They will not acknowledge or recognize organized labour. Lobbyists from unions who come to the Hill are not welcome to come to their offices. It is almost fraudulent for them to try to portray themselves as any kind of friend to the working class. It is almost unbelievable.

Let us get down to politics since we are in the business of politics. The irony of the whole thing is that the public sector votes Liberal. Public sector workers, by and large, support Liberals.

• (1620)

I really have to question the logic of the Liberal government poking them in the eye with a stick and provoking this strike in the way that it has if it really hopes to forge any kind of relationship. Even if I were not a socialist and a trade unionist, as a taxpayer I do not want the morale of my public sector so demoralized that productivity does drop. If we want to talk about the issue of productivity that we have heard so much of in the House lately, that is a productivity issue.

When the government does not give somebody a raise for seven or nine years and then keeps heaping more and more work on them because it used to take ten people to do a job but it has laid off half of them so the other five have to do the same work for less money, frozen wages, how does it hope to garner support from public sector workers by beating them up like this all the time? It is trampling on their rights. Now they are being ordered back to work.

Again, with the corrections officer thing, the CX table 4 worker is confusing to me. Not only do we have a case where they are not on strike, but they are being ordered back to work as a preventive measure or something.

In the package that we are having rammed down our throats unceremoniously in the next few days, the government does not even tell us what the settlement is to be. It is completely silent on what the settlement is supposed to be for the 4,500 corrections workers who are being lumped into this back to work legislation.

The Reform member for Selkirk—Interlake was talking yesterday about a pig in a poke. We are being asked to buy a pig in a poke because we do not even know what the package is. Obviously we will vote against it. Who in their right mind would vote for something when they do not even know what it looks like? It is a huge leap of faith and I do not have that kind of trust in the members opposite to act on strictly faith that everything will be okay, we will treat everybody fine.

Why do government members not state up front what the terms and conditions will be for those employees? Are they allowed to go back to the bargaining table and keep negotiating? That is what was implied. Negotiations are not really over for them. Why are they being legislated back to work and having the right to strike taken away? Most prison guards do not have the right to strike as it is. They were designated essential a long time ago. This is to try to catch those 600 or 800 who have somehow slipped through the cracks. In other words, it has nothing to do with back to work legislation. The government is trying to achieve some other, secondary objective.

It is intellectual dishonesty to try to go through the back door. We have seen examples of it. It is not unlike the idea of taking a deduction off a person's paycheque to use it for a specific purpose and then to use it for something completely different. That is a breach of trust that borders on theft. I would never say the government is stealing from workers because I know that would be wrong. It is certainly a breach of trust to deduct something for a specific purpose and to use it for something else again. That is fundamentally wrong whether it is dishonest or not.

This is along those lines. This is misrepresentation. It is subterfuge. It is stealth. It is trying to say this bill is about back to work legislation. For 14,500 members of the Public Service Alliance of Canada it is about back to work legislation. The government is trampling on their right to withhold their services.

The other 4,500 must be as confused as I am. The 4,500 prison guards must be mystified by this. The government has taken away their right to strike and they are not even on strike. They do not strike.

The package we were given today is 530 pages of very detailed wage schedules with wage increases accurately itemized. These are the increases being imposed on these workers. Nowhere does it say they are getting a 2% raise or they are getting a 2.75% raise. It is up to us in the few short hours we have to try to get our pocket calculators out and figure out how much of an increase is this new wage schedule the government has listed. A bunch of us were calculating away. I would think it was the hope of the government House leader and the minister for the Treasury Board that we would not be able to figure it out. Again, stealth and subterfuge.

Even in a court of law one has to tell the other side what one is doing and what evidence one will present. Here we were presented with 530 pages of evidence that we have to plough through and try

to make some sense of, yet the government is asking us if we are willing to vote with it today and support this.

It is almost inconceivable. I did not think I would see things like this when I came to Ottawa. It is really quite an eye opener for me how this place really works. It is disappointing.

• (1625)

As a trade unionist I went through a great number of issues like this. We were never legislated back to work because I was in the private sector with the carpenters union. We had the right at least in the private sector.

I guess it is all the more reason for not going to work in the public sector. The pay is lousy and the minister responsible for the Treasury Board will steal your pension and there is not even the right to strike when trying to improve the terms and conditions of employment or to elevate the standard of wages and working conditions. How do working people advance their causes if they do not have the right to strike? It is the only tool we have left.

To add insult to injury, this is the same government that has given us advance warning that in early or mid-April it will be introducing legislation so that it can get its hands on the public sector pension plan surplus, $30 billion. That is its next big windfall.

First it paid off the deficit on the backs of its own $10, $11 and $12 an hour employees by freezing their wages. It pays off its deficit there. The only advantage for taking a public sector job used to be there was a reasonable pension plan. That was always the excuse. The wages are crappy and it is a thankless job but at least there was a decent pension plan. Now it is targeting that, zooming in there. First it was the UIC program and now it is the pension plan.

Honestly, this is probably the most uncomfortable situation I have been in since I have been in Ottawa just because the circumstances surrounding this bill are so nonsensical, so unnecessary.

Talking about pensions and wages, I was a private sector carpenter. I made about $25 an hour. It was good money. The public sector carpenter makes $15. Figure that out. Still the government wants to contract work out instead of using its own forces. It will contract it out to the private sector, often to immediate family or close personal friends. It would rather pay $25 an hour than pay its own people $15 an hour.

That is what led to a lot of the hard feelings and the animosity that led to an impasse in these negotiations. It was that huge disparity between the public sector and the private sector in terms of wages. How can it be explained? Never mind the regional differences. Those we have already dealt with, that it unfair for a carpenter to make $15 an hour in Halifax and $10 elsewhere under the arbitrary zone system.

Is there is any commitment to the concept of equal pay for work of equal value? The prevailing wage in an area for a carpenter might be $25 an hour. The federal government pays $15 and takes away the ability to elevate the standards of wages and working conditions by trampling on their right to withhold services. It is added insult to injury. How does a working person ever move forward without being able to exercise that one basic, fundamental right to withhold services for the sake of moving them and their family forward?

It is the most peaceful way to solve any kind of impasse. It is not violent. People look at it as economic violence. It is not economic violence. What gets foisted on workers is economic violence. The threat of layoff is economic violence.

The constant Damocles sword hanging over every public sector worker's head, that is economic violence, when people are threatened with their jobs every minute of every day. A workplace that used to do a certain task with ten people is now asked to do it with five and then freeze their wages for seven to eight. I doubt that many public sector workers feel very inclined to keep voting Liberal if that has been their practice. I doubt it very much because they have been poked in the eye with a stick one too many times, their rancour has been provoked.

Watch next month when the government finally tries to get its hands on the surplus of the pension plan. It will wake a sleeping giant. It will regret the day this was even raised because they will rise up in a way they have never been seen before. The government will regret it.

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, it is very exciting. It sounds like the red flag is about to be waved. I am ready to strike into a chorus of the Internationale.

• (1630)

I would like to comment on the hon. member's remarks. I have a great deal of respect for the member. I understand his frustration as a man with considerable background in the trade union movement.

I would like to correct a couple of comments he made at the beginning of his remarks. He said, ''The Reform Party would like to wipe unions off the face of the earth'' and that it was almost fraudulent to claim that we had any support for unions.

I think the hon. member perhaps got a little carried away in hyperbole. He may doubt the degree of commitment of my party to trade unions and collective bargaining, but in all sincerity, I would point out to the member that one of our basic principles as a party and as defined in our policy statement is that the Reform Party

supports the right of workers to organize democratically, to bargain collectively and to strike peacefully. We also support the harmonization of labour-management relations and reject the view that labour and management must constitute warring camps.

Personally, many of my own economic views are influenced by the social teachings of the Catholic church. I have been heavily influenced by the encyclical letter *Rerum Novarum* on the dignity of human labour. I understand and appreciate the right of workers to work together, to bargain collectively and the freedom to associate and the freedom to strike peacefully.

That is why we have had difficulty with the approach of the government on this issue. We would prefer to see final offer binding arbitration to the kind of destructive game we see being played here between the union and the government.

Could the hon. member comment on whether he sees that kind of final offer binding arbitration as a possible constructive alternative to the kind of adversarial relationship that is destructive to the interests of both the workers and, in this case, the farmers whose product is being held up?

Mr. Pat Martin: Mr. Speaker, I appreciate the question because the issue of final offer selection has been raised as a possible solution for this impasse and others.

I have quite a bit of close personal knowledge of final offer selection. I have actually used it in my own negotiations. It was law in the province of Manitoba for a number of years. It was chucked out by the Tories when they got in. They thought it was weighted too much in favour of the union, which was not really true.

The thing one really needs to know about final offer selection is that it is not very effective unless both parties stipulate themselves to it, that both parties are willing participants. In other words we cannot legislate final offer selection by telling them they are going to settle their impasse by final offer. That puts a disadvantage.

It is also very difficult to use final offer selection for complicated matters other than strictly monetary issues. For instance, if rules of work or the organization of the workplace have some part in the impasse or the strike which is taking place, then it is very difficult because we cannot weigh apples to apples. When one party is asking for a 5% raise and the other one wants the washroom moved closer to the lunch room, how do we compare those two and how does the arbitrator make a selection?

Suppose it is Roger Maris dealing with his baseball team. Final offer selection originated with pro ball. If it is only about money and the company is offering $1 million and the player wants a $1.5 million, the arbitrator does not have that difficult a time. Both parties then try to temper their demands with reason, one would hope, and get closer to the centre until they are not that far part so that there are no real losers.

Those are my comments on final offer selection. It has its place. There is nothing precluding people from using it now if both parties stipulate themselves to it.

[*Translation*]

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, when the government leader says that it saddens him to have to act as he is acting today, I believe that there is also an element of shame involved.

I would like to know what my NDP colleague thinks of the attitude of the government leader in this respect. How does he feel about the introduction of this bill?

● (1635)

[*English*]

Mr. Pat Martin: Mr. Speaker, I am not sure I fully understand the question. The translation was a little questionable.

Our party's position is that it is fundamentally wrong. We are always opposed to back to work legislation. We are fundamentally opposed to taking away the rights of workers to withhold their services. I believe the comments of my leader have been consistent with that party policy.

One of the issues my leader, representing the riding of Halifax, was most concerned with was the regional pay issue. Some public servants are paid differently based on where they live.

It seems fundamentally wrong that skilled trades people doing exactly the same job but in two different parts of the country are paid differently. Members of parliament are not paid differently based on where they come from. Neither are members of the RCMP nor most civil servants.

It is only that group, the 14,500 blue collar workers, that suffers this inconsistency. It can be as much as $3 an hour from one coast to the other. We are not talking high wages to begin with but we are talking about a spread of $3 or $4 an hour for the same job. It is a pay equity issue, not dealing with gender this time but with geography. It is fundamentally wrong.

How sloppily crafted was this back to work legislation? Looking at the zones, the government left out Nunavut. How could we forget about Nunavut? It is in the papers. April 1 is the big day. The legislation must have been thrown together at midnight in a coal mine or something with no lights on because there are glaring omissions.

One of the omissions is in the translation. In the definition of common law spouse, the English language version talks about a relationship existing for a continuous period with the employee. It

contemplates same sex. In the French translation it says that the common law situation shall be a relationship between a man and a woman who have lived together for a certain length of time.

The government forgot to update its own bill which we are being asked to pass. On the basis of that omission alone, we should vote down this legislation because it is not consistent with the government's own policy to recognize same sex relationships when it comes to benefits.

Mr. Jake E. Hoeppner (Portage—Lisgar, Ref.): Mr. Speaker, I am quite interested in the comments by the hon. NDP member.

The member knows that in western Canada the grain issue and work stoppages have been going on for the last 30 years. I also run into a number of problems where workers are migrating from one part of the country to another.

If I am right, unemployment insurance is also discriminatory for some people who have worked in higher workfare areas such as B.C. and then have come to Manitoba and are unemployed. They are paid at a lower scale. There are a lot of inequities.

I liked his comment on final offer selection arbitration. We have talked to quite a few shippers in the last couple of years on transportation reform. This type of arbitration works quite well in some instances in other sectors such as the coal industry. There is some good in this. There should be enough common ground so that we can work toward the legislation and not have these interruptions any more. That is what western farmers want.

Mr. Pat Martin: Mr. Speaker, I am glad to have had this matter raised.

As we went through the amendments to Bill C-19, we did put in place some protection to make sure the grain would go through. Let us remember that is the Canada Labour Code. The workers who are at an impasse today are under the Public Service Staff Relations Act and therefore are not affected by that.

If the government were really sincere about never having the flow of grain interrupted again by anybody, the simple solution would be to let those public servants be covered by the Canada Labour Code, not the Public Service Staff Relations Act. This is exactly what they have been asking for for decades. The Public Service Alliance of Canada wants to be under the Canada Labour Code. We would not have any more grain problems because this would be covered under Bill C-19.

[*Translation*]

The Acting Speaker (Mr. McClelland): It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Pictou—Antigonish—Guysborough, APEC inquiry; the hon. member for Sackville—Musquodoboit Valley—Eastern Shore, Public Service; the hon member for Mississauga South, Poverty.

• (1640)

[*English*]

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, what I am about to say is very important. It has a lot of importance in reference to western Canada, particularly in the grain industry. We will deal with that.

I want to emphatically say that the blame here and this debate is happening today because of inactivity and inaction on behalf of the government of this country. Treasury Board has had two years to resolve this issue. Because of the inaction of Treasury Board and this government, members of PSAC table two were required to go on strike in order to get their message across to the President of the Treasury Board. It is inexcusable that labour-management relations have dropped so low that in two years they could not get to the bargaining table and come up with a resolution to a labour issue.

I speak from experience. I have had ample experience in dealing with numerous unions in a previous life. I can also stand here today in front of the House and say that in all of the negotiated settlements we had, not once did we require a strike mandate to get a settlement. Not once did we have our unions hit the bricks in order to get what they felt was a reasonable negotiated settlement from the corporation. That speaks to good, honest, equitable, in good faith negotiations between labour and management. That is something this government and the President of the Treasury Board do not understand, open honest negotiation, an honest negotiated settlement with their unions, in this case PSAC table two.

Let me talk about PSAC. I stood in the House not that long ago when PSAC was still on strike. It is still on strike today but perhaps not in the next couple of days. I said in a statement that it is unconscionable to have a unionized group of individuals who have not had a wage increase for seven years. Not to give a wage increase to any labour organization for seven years speaks to disaster.

Since 1991 we have all gone through some very tough economic times over the last seven years. There was a thing called the recession. I am sure most members will remember the recession of 1991-92. It is pointed out to us regularly when we talk about how after 1992 the economy got spurred along by a number of very major initiatives that the government of the day put into place. However, I digress just a bit. From that point on when those initiatives of that government were put into place, the economy did turn around. We are seeing the fruits of our labour today because of those initiatives taken in 1991-92.

Let us go back to PSAC's position. Since 1991 it has not had an increase.

The same circumstance faced us and we gave increases to our unions. They may very well have been small increases. They were half of 1%, three-quarters of 1% on an annual basis. The reason we did that as an employer is so we would not have to worry seven years later about trying to catch up. We did not have to worry seven years later about having a very disappointed and unhappy union that would go on strike. We never had that because we were logical in the way we faced labour-management relationships.

PSAC table two has not had an increase for seven years. Of course those workers frustrated. We would be frustrated if we had not had a wage increase for seven years. Members of the House gave raises to themselves. Mr. Speaker, you, me and members in the House got salary increases. We did it ourselves.

● (1645)

By the way, members of this party said we would rather see wage increases go to the RCMP, to PSAC and to those government employees who have not had salary increases for seven years. When we ran for office we knew what we were going to be paid. Those people have families like we do and they have to make sure they keep pace with inflation. They have not had it, but they should have a wage increase.

PSAC went back to the table for 14 days. On the last day the government decided that it would try to negotiate in good faith. Those negotiations lasted for three hours. Then the government walked away from the table. That is why we are here today, with a PSAC strike that is still ongoing and a government that is not prepared to negotiate honourably and fairly.

As I said, two years is a long time. Fourteen days of negotiations with nothing happening is a long time. The frustrations of PSAC came to a boiling point and it went on strike.

Unions have certain rights in negotiated agreements. PSAC has the right to strike. PSAC has the right to remove its services from the government, the employer that is paying its members. The PSAC membership has taken that strike vote and it has taken that strike to the streets. That is the right of PSAC and the unions.

I had the opportunity to meet quite a number of PSAC members in my office over the weekend when I was in my riding. They are like the rest of us. They have families, they have jobs, they have lives, they have mortgages and they want to go back to work. They actually want to go back to work. They would rather be working than not working and on strike. However, they want a settlement which is fair and equitable. I mention the strike vote because they have the right under their union agreement to take their services away from government.

Last week when the grain weighers went on strike they impacted another industry, an industry that is very important to me and my constituency in western Canada, and to Canada in general. In my opinion they crossed the line. They went too far. When I met with these people I mentioned that. I told them that I spoke on their behalf, that I believed the government and the President of the Treasury Board had not done what they were elected to do and that they had been negligent in their duties. But when these people took their services away and impacted the agricultural industry, they stepped over the line.

As members are well aware, the agricultural industry is in difficult straits. We have problems in trade relations with our major trading partners, the United States and Japan. We have problems with commodity prices worldwide. Western Canadian producers are getting the lowest commodity price they have had in generations. There is difficulty in the farming economy to the point where the government has put together the AIDA program, an aid program to give farmers the opportunity to plant their crops again this year.

We recognize that there are serious implications when the trade of that agricultural commodity is impacted. I told the PSAC members that, unfortunately, this could not happen.

I was very fortunate last month to travel with the agriculture committee to Washington. I was very fortunate this month to travel with the minister of agriculture to Japan. Two issues were always being put on the table by our major partners. The United States of America is our major trading partner and Japan is our second largest trading partner in agriculture. In both cases our trading partners told us that they would trade with us if and only if we could guarantee delivery of our product in a reliable fashion.

● (1650)

Remember what I just said. There are problems in the world with commodity prices. There are problems in the world with a number of other countries producing the product that we would like to sell to the open market. There is a lot of competition out there. We have good customers who depend on us. They depend on the delivery of that product. The delivery of that product has been impacted by the PSAC strike. That cannot be tolerated.

The best solution is not back to work legislation. The best solution is not to force people to do something they do not want to do. The best solution is to get the President of the Treasury Board back to the bargaining table, to sit down and negotiate a fair settlement with that organization, which in fact should be dealt with in a similar fashion as other members of that organization were dealt with previously.

They are not asking for anything totally out of the ordinary. They are asking for fair compensation. That is all they are asking for.

I said that they should not to be forced back to work. We will debate this legislation that is before us right now, the back to work legislation. However, I cannot in good conscience suggest that farmers in western Canada will be able to take this on the chin, a third party which has absolutely no opportunity of getting its grain moved without PSAC going back to work.

The process is something we would like to talk about. As I said earlier, this motion should never have been introduced. This should never have been an issue. It should never have been a problem. I again must repeat myself and say that I hold this government totally to blame for not solving this problem before it got here. The government had two years to solve the problem. It should never have come to the floor of this House. Now it is here. We will have to make sure that grain exports, grain handling and grain transportation are not impacted by this group of individuals in PSAC.

In my closing remarks to the union people whom I met with this weekend I told them quite emphatically that we cannot stand for what they are doing and how they are impacting grain. We will have to consider supporting back to work legislation if they are not able to get back to the bargaining table or back to work.

I am very disappointed that we have to be here today to speak on this issue. I will hopefully have an opportunity when we debate the legislation within the next day or two to explain why it is totally unfair that this government has not been able to come up with a negotiated settlement with this particular table of PSAC.

I would be more than happy to answer questions. I wish the motion would come forward quickly so that we could debate it.

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I listened with intent to my colleague from the Conservative Party. It almost sounds like he wants to have it both ways. However, I do agree with him on the fact that the government of the day is responsible for the current impasse. He is absolutely correct when he says that.

The only reason we are having this debate today is that when the back to work legislation was presented by the minister the NDP and the Bloc stood to force it. The Conservatives, Reform members and the Liberals all sat down. That is the reason we are having this debate. But that is another story and in my speech I will talk about it.

My question for the member from Manitoba is this. I am sure the hon. member is fully aware of the Liberal broken promise on regional rates of pay. He is sitting next to the member for Pictou—Antigonish—Guysborough who has briefed him on the regional rates of pay issue and the fact that the Liberals broke their promise on it. If they broke the promise they made in 1993, what makes him or his party think that this government has any credibility when it comes to fair bargaining with PSAC workers?

Mr. Peter Adams: Mr. Speaker, I rise on a point of order. It is my understanding that my colleague is not in fact the member for all of Manitoba. Although I understand that he has aspirations in that direction, he is actually the member for Brandon—Souris.

The Acting Speaker (Mr. McClelland): I am sure the hon. member for Brandon—Souris is very disappointed to hear of his new abridged responsibilities, but we will give him a chance to work up to them.

• (1655)

Mr. Rick Borotsik: Mr. Speaker, I thank the hon. member for, I suspect, some ambitions that I may have, although I was not aware of them. Maybe he could tell me where he has been getting these particular pieces of information. However, things are strange in this world of politics, so one never knows.

I am the member for Brandon—Souris and I accept that there are members from Manitoba who represent other ridings, perhaps not as well as Conservative members in Manitoba, but they do represent them all the same.

I will try to answer the question from the hon. member of the NDP. As he is probably aware, with respect to zones or regional rates of pay, an offer was placed on the table by Treasury Board. As I understand it, PSAC table two has even agreed to a massaging of the zones at the present time from ten zones to seven zones.

As to his other comments about breaking our promises, I would suspect that we have not broken as many promises as the Liberals have broken. We can talk about the GST, the NAFTA, the EH-101, Pearson airport and a lot of other things, but we do not break our promises. We negotiate honourably and sensibly and try to make it as best we can for labour-management relations.

Mr. Lee Morrison (Cypress Hills—Grasslands, Ref.): Mr. Speaker, I am glad that the hon. member for Brandon—Souris has seen through some of the Machiavellian aspects of this piece of legislation.

I have never, since I came to parliament, encountered a situation like this, where we have a national emergency of 70 people tying up the entire western agricultural economy. Everyone on this side wants to see that ended, as I am sure even hon. members from the party to my right would like to see that particular disruption ended.

What does this government do? It brings in this bloody piece of garbage that is going to take away the right to bargain by all—

Mr. Peter Adams: Mr. Speaker, I rise on a point of order. We have spoken about this with respect to the Reform Party before.

Intemperate language is not appropriate. There are children watching this program. I heard words from that member's mouth. I think this is the third time in a week that the Reform Party has been using language of this type and it is not appropriate when across the country children are watching.

The Acting Speaker (Mr. McClelland): The point of the government House leader is certainly well made. I will invite the hon. member for Cypress Hills—Grasslands to continue his dissertation.

Mr. Lee Morrison: Mr. Speaker, I thought I was being rather temperate under the circumstances.

The government has brought in a bill which is going to directly affect thousands of workers who have absolutely nothing to do with the emergency at hand and nothing to do with the problem which we are going to have to resolve. In effect, it is probably going to force a lot of people who would not otherwise want to do so to vote to relieve people of their bargaining rights to solve a problem in one corner of the labour movement.

This is absurd. It is wrong. It is mean and it is Machiavellian. That is the only way I can describe it. I hope the hon. member for Brandon—Souris really had that in mind. I think that is what I got out of his speech. I would like him to confirm that.

Mr. Rick Borotsik: Mr. Speaker, the hon. member is true to a point. There is no question that this is a huge hammer to use to try to resolve a problem that could be resolved in a better and more honourable fashion if the assurances were there that the grain would be moved.

The problem is that farmers are being used as the badminton bird in this game between management and labour. Do not use my farmers as that badminton bird or that pawn. If we make sure that the grain can be moved, then I would be very happy to continue with the negotiating process that has now been put on the table by treasury and the union. It is a terrible sledgehammer to use back to work legislation right now in order to resolve this problem.

● (1700)

When the union took the grain handlers out and used this particular gambit, it also knew it would get the government's attention because it was affecting an $18 billion industry, most of western Canada and probably all of Canada. The union knew when it did it that it would get the government's attention and that this would be the result.

Nobody has total right on his side. The hon. gentleman is right. It would be very nice to be able to resolve the situation without this piece of legislation, get them back to work and make sure there are no strikes on the grain handling side of it.

Bill C-19 should have spoken to a situation where we would not have any more tie-ups with Canadian grain moving to the marketplace.

Mr. Allan Kerpan (Blackstrap, Ref.): Mr. Speaker, I have been listening to what sounds like the government using a sledgehammer to kill a mosquito. It is too little too late in many cases.

I have in my riding a number of PSAC union members who work at the base in Dundurn for the Department of National Defence. They are actually situated in the same grouping as the grain workers. I have been in contact with them over the last few days. They are very upset that they will be taken out of the bargaining process for no reason other than the government wanting to wholesale everybody back to work. They think it is ridiculous. I feel for them. In fact, they have many concerns that I would personally support as a Reform Party member.

What are the thoughts of the member for Brandon—Souris on why the government would not have brought in final offer selection long ago to prevent these strikes or lockouts from ever happening in the first place?

Mr. Rick Borotsik: Mr. Speaker, I thank the hon. member for his question. To try to understand the logic of the government is impossible. To ask me how I think the government thinks, it is impossible for me to get to that level. I am sorry but I cannot answer that question. At some point in time when a member of the government stands to speak perhaps the question would be better directed to him or her.

I still go back to my original comment. I cannot believe that a negotiated settlement could not be achieved in two years of negotiating. That shot my wildest dreams. I do not know why the Liberals would not go to binding arbitration. I know that the union has put that on the table before and they have not taken binding arbitration. I do not know why it was not extended in Bill C-19 so that grain would not be affected.

We recognize this is the pawn. We recognize the unions will use it. Let us be fair about it. They will use anything they possibly can to get the attention of a government that is not prepared to sit down and negotiate.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I am pleased to rise to debate the motion introduced by the government.

The heavy handedness of the government goes beyond the pale in the way it thinks it can use its majority to impose its will not only in the House but right across the land. The motion introduced reads in part:

> That, notwithstanding any Standing Order or usual practice of this House, the bill standing in the name of the President of the Treasury Board, entitled an act to provide for the resumption and continuation of government services, shall be disposed of as follows:

1. Commencing when the said bill is read a first time and concluding when the said bill is read a third time, the House shall not adjourn—

They wanted us to give our consent, even before they had tabled the legislation, to rush the bill through first reading, second reading, third reading, hold our nose and presumably vote for it too without even having the courtesy of giving us the bill to tell us what they intended to do with the legislation. That type of attitude in this place cannot be tolerated and that is why the Reform Party says the government is very heavy handed.

We can think of other types of legislation that have been brought into the House.

● (1705)

I think of the hepatitis C debate we have had in the House wherein we talked about providing compassion and compensation for people who were infected with tainted blood. I have some people in my own riding, whom I know personally, that were tainted with hepatitis C. The member for Macleod is a physician and critic for the Reform Party on health matters. He has stated in the House many times that the government has an obligation to compensate these people because the Red Cross and those administering blood products were quite aware of the dangers in blood back in 1984 and before then. They had the capacity to test it and did nothing.

The government absolved itself of the responsibility. How did it do that? The Prime Minister cracked the whip and told everybody to get in line and support the legislation. Now it has taken it one step further. Now it is asking us to support the legislation before we even see the legislation. Surely that is too much.

An hon. member: Do you know about grain handling?

Mr. John Williams: The government member is asking if we know about grain handlers on this side. Maybe they do not over there, but we know that farmers are hurting.

We commend the minister of agriculture because he brought in a package to help farmers in serious trouble. As we know, commodity prices have gone through the floor. When it comes to hog production, the faster farmers produce hogs the faster they lose money because the price of a hog is below the cost of production. Farmers are absolutely suffering a great deal.

Seventy people on the west coast who, because of the job they do weighing grain as it ends up at the coast, have been able to put a strangle hold on the prairie farm economy by stopping the movement of grain.

It is late March. A month from now farmers on the prairies will be wanting to be out in their fields to get this year's crop in. If last year's crop does not work, there is always next year. Farmers are always hoping for next year, and next year is just around the corner. They will have to pay for more grain, fertilizer, fuel and soon thereafter the cost of spraying that grain crop. These things are just over the horizon for farmers, and 70 people on the west coast have put a strangle hold on the entire farming economy on the prairies at the very time they need it most.

The cash is no good for them in late May. They need it to buy the seed that has to go in the ground in the springtime, not later. The seed cannot be put in any later. It has to be planted in the spring or it does not grow. It is that simple. We all know that.

It is the most opportune time to put the squeeze on the government. That is one of the reasons we as Reformers feel the motion deserves serious consideration. There is an emergency and that is why we feel the motion deserves serious consideration.

That does not mean to say that we like it. That does not mean to say that we like the way the government has introduced it. It has had opportunities to negotiate in good faith. It knows these contracts expire. There are five different tables of ongoing negotiations with PSAC. There are these different unions and they all expire at different times. The governments knows that ahead of time.

I think of computer specialists. They have a contract that expires at the end of April. That is only six weeks from now. This year we have the Y2K problem coming up. If we do not get the Y2K problem fixed before January 1, 2000, we will have a problem. The government knew that years ago. Yet it negotiated a contract with computer technicians that will expire on April 30, 1999, knowing full well that they have the potential to move into a strike position if they cannot get what they want before the year 2000.

● (1710)

I can see a few months from now standing here again talking about back to work legislation for computer programmers because government negotiated a contract that expired on April 30, 1999 rather than on April 30, 2000. It does not take a rocket scientist to understand that we have given computer technicians a stranglehold on government operations by saying that if they go on strike the government will not be ready for January 1, 2000. If it is not ready by January 1, 2000, it is all going to shut down. That is incompetence by the government.

That is what we are talking about when we debate back to work legislation. If the government were to negotiate in good faith as an employer being able to offer a proper compensation package and the union had an understanding of its obligation to society, I am sure they could have come to an agreement before now.

Let look at the labour relations with the government. First it legislates no pay increases for six years. Then when it says they can have a pay increase it is only what it is prepared to give because they will not have the right to binding arbitration. It wonders why they are concerned when treated as something that can be legislated out of existence or legislated back to work any time the government wants.

Today Bill C-76 was introduced. We are only talking about 70 grain weighers in Vancouver, but the legislation wraps up the 14,000 people in the general labour and trade services, hospital services, fire fighters, heating and power, ship crews, lighthouse keepers, general services and grain weighers. I do not think these other people are on strike, but they will get wrapped up in the back to work legislation before they even go on strike.

The heavy handed government is not bothering to wait for them to go on strike. It expects they will because the relationship is so bad. Therefore it will not wait. It does it now by wrapping it up in one piece of legislation to get the job done. That is not right. It cannot be.

If the government wants a good relationship with its employees, how can it justify legislating 14,000 people back to work before they go on strike, before they even say they are going on strike, before they have even indicated they are going on strike?

As I explained there are 70 people and we feel 70 people should not have the right and the responsibility to hold up the entire farm economy on the prairies.

There have been all kinds of debates in the House about the wheat board, how it manipulates farm prices and how it should have and could have provided better incomes to farmers. Finally the government has opened the board a bit but not very much. We need to make sure the board is a lot more accountable to farmers. The government is stonewalling on that. The whole message of the government is stonewall, ignore, disregard. Then when people rise up and say ''you are trampling on my democratic rights and I want to push you around'', the government legislates them out of existence.

Therein is the problem. We have 70 people on strike and we want to do something for farmers. We want to ensure that they cannot hold these people to ransom. Yet the government takes 14,000 people and wraps them up in the same argument. We cannot deal with that.

• (1715)

The list goes on and on, whether it concerns hepatitis C, legislating that people cannot have a raise or the farmers. The government does not recognize and respect the democratic rights of very many people. The only thing it respects is the Prime Minister's whip, who says ''You will vote the way we tell you''. And when they vote the way they are told, the government gets what it wants.

Therefore, we will debate this issue as much as we can. Our hearts are with the people of this country. Our number one concern is for the people of this country, the taxpayers of this country, the people who built this country, the people who opened up the prairies and who make a livelihood as best they can, sometimes under very difficult conditions. I do not think the hundreds of thousands of people in the prairies deserve to have their livelihoods and their lifestyles held for ransom by 70 people. We oppose that. We are glad the government is doing something about it, but we are mightily upset that it has wrapped the rest of the people in at the same time.

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, my question is quite simple. The member is correct that this government has faltered quite seriously in its negotiation processes with the unions. However, I should remind the hon. member that it is more than just 70 members on the west coast who are on strike. Blue collar workers on the Atlantic coast are also staging rotating strikes.

The member made mention of these 70 people having a stranglehold on the Canadian economy. He makes it sound as if that is what these 70 members want to do. They want to go out on strike. They want to lose pay. They want to suffer through possible mortgage loss or possible car payment loss. Do people go through school, get educated and get a job so they can go on strike and put a stranglehold on the country?

I should remind the hon. member that this is not what they want to do. What they want to do, and I am sure the hon. member knows this, is to bargain in a fair collective bargaining process. If that fails, then a third party should become involved, an arbitrator, whose ruling would constitute binding arbitration, which would be the law.

This government has legislated away binding arbitration. This government also has not, even with the adjustment of the ten down to seven zones, gotten away with regional rates of pay. The personal love of the President of the Treasury Board is to have different pay scales across the country for the same work.

I hope the hon. member from the Reform Party does not believe that these 70 members on the west coast and the strikers on the east coast love to go on strike. I can assure the member that they do not.

Mr. John Williams: Mr. Speaker, obviously the member was not listening to my speech when I went into great lengths about how the government denied them a pay raise for six years and denied them the right to bargain, and that it had the right to impose a settlement rather than binding arbitration. The democratic rights of many people have been taken away, including the people who work for the government.

This government, if it wants to have a good working relationship with its employees, should bargain in good faith, rather than allow the situation to deteriorate to the point where we are now legislating them back to work.

It is not that these 70 people want to have a stranglehold on the economy, but the point is that they do. They do have a stranglehold on the economy. By virtue of the fact that those 70 people have gone on strike hundreds of thousands of people have had their livelihoods affected. Those hundreds of thousands of people have absolutely nothing to do with the dispute. They have no input in the

debate. They are the ones who are greatly at risk. That is why we have to think seriously about helping them.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, one of the strangest and oddest things about this back to work legislation has been the fact that the correction officers, who are being lumped into the back to work legislation, are not on strike. They are being ordered back to work even though they are not on strike. When the President of the Treasury Board was asked about that oddity, that strange set of circumstances, his reaction was that corrections officers are designated essential so they cannot strike. We all knew that, but there are 600 or 800 of them who somehow slipped through the cracks. The government is using this back to work legislation to plug that hole, to patch up that anomaly.

• (1720)

What does the hon. member think about trying to use back to work legislation as a vehicle to slide under the table or to sneak in other things which are not even related, which are completely secondary objectives? My personal feeling is, if the government wanted to designate these other workers as being essential, why did it not come in through the front door and do it honestly so we could have an open debate? It should not try to sneak it in under the table. I would ask the member to comment on that.

Mr. John Williams: Mr. Speaker, that is right. It is the arrogance of this government which is denying people their democratic right, which was the general theme of my speech. It does not matter who it is. The House of Commons has the democratic right to challenge and hold the government accountable, but it rams through its legislation because the Prime Minister says that what he wants he gets. That type of attitude has to be stopped. The member is absolutely right.

His question was: How can we have back to work legislation for people who have not gone on strike? If the government says it made a mistake and they were not designated as being essential, is that a problem for this side of the House? No, it is a problem over there, but the government is trying to co-opt us into fixing its mistakes. That is not our responsibility.

Our responsibility is to stand for the democratic rights of ourselves and others in this country. We all agree that these people have the democratic right to strike and to bargain freely, yet this government, through all the things it has done over the years, has not shown a great deal of good faith in dealing with its workers.

Here we are today having to deal with an issue in which the government and its employees are at a deadlock and people who have no control of the situation, who have no influence, are being held for ransom. That is the issue that we have to deal with.

Mr. Allan Kerpan (Blackstrap, Ref.): Mr. Speaker, I remember sitting in the House shortly after many of us were newly elected in 1993. I believe it was in the winter of 1994 when the government brought down its first back to work legislation on a strike which affected grain handlers and transportation workers.

The hon. member for Wetaskiwin stood to ask the government if it would take action so that this would not happen again. Here we are, five years later, and we are still doing the same old thing.

This government has abdicated its responsibility to a lot of people. It has abdicated its responsibility to the victims of strikes and lockouts, in this case farmers and the farm economy. It also has abdicated its responsibility to other groups. We have talked about corrections workers, for whom I happen to have a soft spot in my heart. Also, there are people whom I have just talked to in my riding at Dundurn who have some very serious concerns.

The government has abdicated its responsibility. It has done nothing in five years to change this.

Mr. Speaker, I am sure you have heard of the rock group ''Hootie and the Blowfish''. I am not sure which one Hootie is over there, but I can hear the blowfish.

I want to ask my hon. colleague from St. Albert if he remembers the day when the government promised it would take action. Does the hon. member remember the day when the government said it would take action, five years ago, so that these kinds of things would not happen again?

Mr. John Williams: Mr. Speaker, I remember the day well, but then of course promises are easy to come by from that side of the House because they will promise anything and they seldom deliver.

We just talked about the fact that the correctional services people are potentially going to go on strike, but they will be legislated back to work before they go on strike. I have not figured that one out yet.

Why are we dealing with the firefighters? I was not even aware they were talking about going on strike. Then we have the heating and power workers, ship crews and lighthouse keepers. I know they have a problem. As we have automated the lighthouses we have put them right out of business, completely and forever. We had to fight that on the west coast to try to maintain safety and to ensure that the people who travel up and down the coast do not run aground. As well, there are the general service workers. These are the people who have been wrapped up in this draconian piece of legislation.

• (1725)

My friend is perfectly correct in saying promises, promises, promises. The only thing the government did was balance the budget on the backs of taxpayers as it hiked revenues by 25%. The government did not tell us that it was going to hike revenues by 25% to balance the budget. It may get small credit for that, but it is

now manipulating the numbers to try to ensure that we pay more taxes and we do not get the services.

There is the millennium scholarship fund. The taxpayers have put $2.5 billion in the bank and there will be no benefit to students until next year. Then we have the $3.5 billion for health care, paid for by the taxpayers, and no money will be spent on health care until next year.

Those are the types of promises. The government stands and says it is doing wonderful things, but when we look at the fine print it does not work out.

[*Translation*]

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, it is a sad occurrence to again find the House of Commons involved in back to work legislation with a special bill entitled an act to provide for the resumption and continuation of government services.

This bill is also the subject of time allocation, so that there cannot even be any serious debate on the issue of this abruptly interrupted negotiation.

However, I have a great many questions. It seems to me, of what I know—and in the past I dealt with labour relations, I taught labour relations—that what cannot be regulated does not justify the bill as it is presented.

I would argue that the workers are on a legal strike. Not only are they on a legal strike, they are on a rotating strike. This is not a full general strike that will go on forever. It is a rotating strike, action taken by the workers in turn before the workday starts or after it finishes to get themselves talked about and of course to slow traffic. If they did not get themselves talked about, if they do not hold a full general strike, how do we know there is a problem?

There is a problem that strikes me as a fairly serious one. The problem, it must be repeated, is the fact that these workers have contributed their share to the deficit reduction. They have not had an increase in six years. Their collective agreement expired two years ago, or a little less. Some expired in June 1997, some in April 1997.

Are these highly paid workers? No. They can easily have 25 years' seniority and be earning $30,000. They are fathers and mothers. These are not people about whom we can say ''These government workers are choking the public''. No. For the most part, they are blue collar workers, with positions of responsibility.

● (1730)

Some of them, such as those who were with national defence and were relocated, may have ended up in a region where the salary is lower than in their original region. It must be pointed out that, not only have these workers not received any increase for six years, but—and, as far as I know, they are the only public servants in that situation—they are not paid the same salary in all regions, unlike members of parliament or judges.

The further west they are, the higher their salaries. Conversely, the further east they work, the lower their salaries. The gap can be as much as $3 per hour. So, since many of them are paid about $14 per hour, an hourly difference of $3 is very significant.

The workers who come under the Public Service Employment Act would like to be covered by the Canada Labour Code. Why? Because the rules concerning essential services are not the same. What is the problem in this House? It is that these workers, by using their legal right to go on strike, do not have to provide the essential services they are expected to provide. But do members realize that the Public Service Employment Act does not include the type of provisions on negotiating and providing essential services that were recently included in the Canada Labour Code?

Such provisions on essential services did not exist when railway workers went on strike, but now they do. But they do not apply in this case.

Another very serious concern is that, for these negotiations, the government has suspended these workers' right to arbitration. Not all workers in our society have the right to binding arbitration, but those in the public service do.

Why was this right suspended? The fact that these workers, who perform duties that can be compared to others, have not had an increase for six years, may well explain why the federal government thought it best to prevent them from going to arbitration. Why? Because they would have been wrong? Hardly. Why then? Because, on the contrary, arbitration would have given the workers much larger increases than what they were offered and than the offer that in one case was actually lower.

I have trouble seeing any goodwill in the federal government's actions, all the more so when I read Bill C-76, an act to provide for the resumption and continuation of government services. The operational services group includes firefighters, national defence and coast guard workers, and so on. What I see in the collective agreement section leaves me enraged on their behalf.

Negotiating a collective agreement is important for workers who are not entitled to arbitration.

● (1735)

What does this bill have to say? Under ''Collective Agreements'', clause 7 reads as follows:

> The Governor in Council may, on the recommendation of the Treasury Board, and taking into account collective agreements entered into by the employer in respect of bargaining units in the Public Service since the Public Sector Compensation Act ceased to apply to compensation plans applicable to them—

Thus, the government may, having examined the situation, may:

> —prescribe:
>
> (*a*) the terms and conditions of employment applicable to the employees: and
>
> (*b*) the period during which those terms and conditions of employment are applicable.

As I understand it, the government has not negotiated seriously and has refused mandatory arbitration, and now says ''Well then, the governor in council, very familiar with the good of the people, will be the one to decide''. One might well term this ''in lieu of a collective agreement'' But no, it states ''the collective agreement''.

It goes on:

> The Governor in Council may provide that any of the terms and conditions of employment is effective and binding on a day before or after the beginning of the period prescribed—

So there we have it, the governor in council knows what is good for the people.

> The terms of employment prescribed under paragraph (1)(*a*) constitute a single collective agreement binding on the bargaining units composed of the employees referred to in that paragraph.

The same thing goes for correctional services. In the correctional services negotiations, union members obtained a majority report. Who was the minority? The government.

Why does the government not comply with the majority report? It empowers itself to act otherwise than its own law tells it to. It gives itself the means to go against a process that is not only legitimate, but legal as well.

Some hon. members: Oh, oh.

Mrs. Francine Lalonde: The truth hurts, Mr. Speaker.

As regards table 2, those providing support or operating services, there was no majority report, because there are three different positions. There was no real bargaining. The spirit in these reports and in these facts is not a spirit conducive to agreements.

There are balances of power in the public sector and in the private sector. They must exist, in fact, because, if one party completely dominates the other in negotiations, the results will never be fair. That occurs in private life. That occurs among people. There must be a balance somewhere.

These workers took the means at their disposal, not illegal, but legal means. They did not take them excessively, even if a full general strike is not excessive, but in this case they did not go out on a general strike. It is a rotating strike. They used the means at their disposal under the law.

This then is why we have this bill, with a time limit. It is a total shame for this House, for which this is definitely not a first, for this House, which has seen the arrogance of this government in other matters, arrogance often in dealings with the provinces. This is the approach where the government says it knows what is good for others and it does it in their stead or, to coin a phrase, it knows what is ours and makes sure it will get it.

● (1740)

The best additional proof is that the hands of the government in this matter are not clean. It is including in the bill workers who have announced they would strike, that is, the federal corrections officers. That is something. Here we have a bill allegedly to correct something excessive, which makes no sense because, as I said earlier, this is a legal strike, but some people are not yet on strike and are being forced to go back to work before they have struck.

What is affected by this way of doing things is the bargaining process itself. But, more importantly, it is the relationship between the state, which is the employer, and its workers, to whom it is sending a message of contempt.

The federal government thinks this is the way to get the loyalty and services to which citizens are entitled. It did not look any further than its nose. The workers appear to want justice, since they have not had a raise in six years and some of them are paid based on the region where they work, which is not the case for other people around them. These workers are at their wits' end. They are resorting to legal means, not in an excessive fashion, and yet they are being forced to go back to work.

This is poor judgment on the government's part and it does not augur well for the years to come. I used to teach labour relations. Experts know that when there is real and deep dissatisfaction, it is always better that workers not necessarily always get everything they want, but that there be a negotiated settlement. Otherwise, they will not feel any incentive to work, to be helpful. This is true both in the private and the public sectors. Nowadays, the government can do better than this mess.

Again, I deeply regret that we are being put in this situation, since everything tends to give workers the impression that they are not being treated fairly, far from it, and that in fact the government only has contempt for them.

[*English*]

Mr. Jake E. Hoeppner (Portage—Lisgar, Ref.): Mr. Speaker, I listened with interest to the comments of the hon. member from the Bloc. I know agriculture is very important in Quebec. I agree with a lot of her comments about getting fairness and equality and about the arrogance of this Liberal government in dealing with some of these questions.

We in the west as farmers have known this for over three decades. In early 1970 when western farmers asked the prime minister of that day to help them market some of their wheat, they got the finger. That was how much the Liberals cared for agriculture.

● (1745)

I wonder what my hon. colleague would say to the farmers who have been continually losing through these strikes by paying huge demurrage charges and by losing sales. This year especially, when they already have an income crisis, they will be asked to bear again all these extra costs. They have no recourse; they are helpless. They have to accept these losses and they have no way to reclaim them by pricing their product higher.

What would the answer be to help these farmers because of the losses they have had to bear time and time again because of the arrogant government's attitude toward western grain farmers?

[*Translation*]

Mrs. Francine Lalonde: I will begin by recalling the rail strike.

This is something I remember very clearly, because I was opposition critic at the time. I remember that we did not have an easy time of it with western members. But what did we say back then? We said that the labour code was there for these workers. I said:

[*English*]

''If the Canadian economy cannot afford the Canadian Labour Code then change it''.

[*Translation*]

What happened was that the code was changed. As far as I know, workers were in agreement with these provisions. There was agreement on the essential services provisions.

The problem with this public service legislation is that it does not have the same provisions. I do not know exactly why these people are unhappy. We are told that 70 workers are involved. One thing is certain and that is that they cannot strike without substantial support. I wonder if the reason for this support is not precisely because they have been without increases for a long time, on top of the cost of living in the west, the flourishing businesses and so on?

If there was discontent, as there was a few years ago, I would imagine that ways would have been found to make their strike less frequent.

It is certainly not by taking the sort of action now being taken that the problem will be resolved for the next time around. It will only come back.

And that says nothing about how people who think they have been forced back to work unfairly will feel.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, I congratulate the member for Mercier on her presentation. I believe government members would be well advised to read it again.

It contained many references to the fact that the government does not seem to learn from its past mistakes. She mentioned the rail strike. Indeed it had several elements in common with the special back to work legislation the government wants us to debate today.

Worse yet, the stakes, the differences between the negotiating parties, the contentious issues are not as important as the ones in the rail strike. Are we not talking about a government that dilly-dallied during the negotiations? It chose this approach because of its power relationship with support staff, employees who are making demands. As a former personnel manager, I can say that the issue of regional pay scale, the fact that salaries vary from one province to another or from one economic region to another, should not be hard to settle at the negotiating table. I find it amazing that the government has not succeeded in settling this issue.

Finally I wonder if the chickens are not coming home to roost. For too long the federal government has ignored problems of its own doing, and now it wants to make its employees pay for its ineffectiveness as a government. This is an age-old trick: divide to conquer.

● (1750)

It has been said that this is hurting farmers and people who are not receiving their income tax returns. Why, then, should we let those workers exercise their right to strike?

In this case, I believe the government should have anticipated what is happening. If those workers are so important and significant to the government, did they not deserve to be better listened to at the bargaining table? At the end of the day, they would have come out with a negotiated collective agreement and adequate labour relations for several years to come.

Mrs. Francine Lalonde: Mr. Speaker, I appreciate my colleague's question, which already contains elements of answer. It is actually quite legitimate to ask why the federal government did not foresee the present situation.

Maybe we should ask the question differently. Maybe the government foresaw the strike and still wanted to impose a settlement, which will not solve the problems in any case. I think the answer is already contained in the question. Had the government understood the importance of the issue, it would have been careful to bargain seriously with those workers.

Besides, it is true that the government finds itself in the present situation because the Public Service Staff Relations Act does not provide anything for essential services. The government finds itself in a situation similar to the one it found itself in during the private sector strike, when the Canada Labour Code did not contain the provisions it now does.

But the government only has itself to blame, because it sets the legislative agenda and could have anticipated the situation we are in today. The government could listen to the Public Service Alliance, which would prefer to be under the Canada Labour Code rather than the Public Service Staff Relations Act.

[*English*]

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, it is a pleasure to take part in the debate and particularly to follow the member for Winnipeg Centre who gave a very cogent and comprehensive speech about the shortcomings of this onerous and odious legislation. He did it from the point of view of working people. I will at least begin my remarks by talking about the impact on farmers and the situation they find themselves in.

The strike by table two members of the Public Service Alliance of Canada has been in effect for a couple of months. There have been rotational strikes. It is the second time the 70 grain weighers have put up picket sides at the seven grain terminals on the west coast.

The last set of pickets has been in effect for some six days and has aroused a lot of the bluster from the other side on the impact of the anti-democratic legislation we have before us. The rationale is that the government is moving to do something about grain. However, when it is behind by one million income tax files and there are crocodile tears about income taxpayers not getting their refunds, I rather suspect it is the government not being able to collect the money and get it into the government coffers as fast as it would like to.

For people who are not from the prairies or who do not have a farm background, the movement of grain from the prairies to the west coast is quite a Byzantine world that in some cases almost defies description.

● (1755)

I would like to take a minute to explain what I think happens in this regard. The farmer grows the grain and stores it on his farm. We would think that was okay, that he or she was still accountable for it when it is on the farm. Then it is trucked to the country elevator or more likely to the inland terminal. We would think that maybe it is the people who truck the grain or the elevator operator who would then be responsible. That is not the case. The farmer is still on the hook for any problems that arise when it is at the elevator.

Then it goes by rail to the west coast or to Thunder Bay. Again we would think it is out of the farmer's hands, that he has no control over it so it must be the responsibility of Canadian National, Canadian Pacific or Omnitrax. However it is still the farmer. If there are any problems with it at the point it is the farmer who pays any of the demurrage or any damages.

It is not until the grain is actually loaded on the ship that the farmer's responsibility for his product ends even though his accountability and his ability to correct any problems ended when the product left his farm gate perhaps a couple of months earlier. It is clearly a Byzantine system.

The Estey report that came down in December on which the government is still not showing any leadership talks about the need for accountability and for those involved in the system to be responsible for it. While my caucus and I have many problems with the Estey report this is certainly not one of them. We think that Mr. Estey's comments on accountability and responsibility are extremely important.

This is a grim time particularly for farmers on the prairies. In December the government announced its so-called AIDA program, agricultural income disaster assistance. Farmers have other acronyms to describe it. It is not helping very many farmers in our region. I have yet to speak with a farmer who thinks that there will be any pay off or any relief for his or her operation at the end of the day.

The strike of grain weighers has added insult to injury. It would be true to say that many farmers out there believe that the disruption needs to be dealt with because they are in dire straits and sinking deeper. As has been mentioned by other speakers, spring seeding is just around the corner. It is a time of very quiet desperation and perhaps not so quiet desperation for farm families.

At the same time many farmers feel that what is before us today is inherently unfair. They implicitly recognize that the government is playing off farmers and workers. That in the long run gets nobody very far down the road.

In terms of the table two negotiators, I want to read into the record some references contained in a letter addressed to me on March 19 from a table two member in the riding of Palliser in Moose Jaw. This individual is employed at 15 Wing in Moose Jaw. The letter reads in part:

> I have been a loyal employee of the Federal Government of Canada for over twenty years and a member of the Public Service Alliance of Canada. As an employee represented at the PSAC table two-Treasury Board negotiations, I feel compelled to bring a few things to light, and hope the attached documents will shed some light on the ''real issues''.

The letter references the fact that the President of the Treasury Board stated that the government has accepted a conciliation board report when under the staff relations act the conciliation board has to have agreeing parties to substantiate a report.

● (1800)

The letter writer says that in the case of table two negotiations there was no agreement between the three members of the board,

thus the report is invalid. The letter also points out that the minister responsible for the Treasury Board has also stated: ''Unfortunately, at this point the union has been asking for things that are excessive and for which Canadian taxpayers do not want to pay''. He appended some tables that approximately 80% to 85% have already settled agreements with federal government employees and the table two requests are by no means out of line.

His third and final point is that in a review of comparable market rates, public service employees in Saskatchewan make an average of 70% of the going local market rate. He wrote ''Clearly, not only as public servants, but as folks from Saskatchewan, we are treated as the poor sister of Canada''.

He ends his letter by urging that we intercede to get Treasury Board back to the negotiating table. ''Treasury Board has come to a reasonable agreement with other groups, why not us? We deserve to be treated fairly and equitably''. We in this caucus agree very much with the sentiments expressed by that individual from the prairies.

There is also a letter from Nova Scotia. I want to zero in on the regional rates of pay. It is brought to light in the letter that the regional rates of pay discriminate against about 1,500 blue collar workers in Atlantic Canada and about 11,000 Public Service Alliance of Canada blue collar workers across the country.

According to the letter, 97% of federal government employees are paid national rates of pay. Only 3% are not.

The letter contends that Atlantic Canadian employees are paid the lowest rates in Canada. Treasury Board officials have consistently argued in the House and in the media that regional rates of pay cannot be paid to blue collar workers. They say the policy has been in effect since 1922 and was based on market comparability with private regional rates of pay when introduced. They argue the regional rates of pay cannot be eliminated because of regional costs of living.

This may have been true seven decades ago and may have remained true for many decades after that. However, for the past 20 years regional rates of pay have been amalgamated in an attempt to eliminate them gradually and regional rates of pay really no longer reflect regional markets. The question remains, if regional rates of pay were a cost of living issue, why does the policy apply today to only 3% of federal government employees and not the other 97%?

To follow up on that, in a letter to the federal government on behalf of the province of Nova Scotia, the labour minister for that province, Mr. MacKinnon, wrote to his Liberal counterpart: ''It is our view that the work Nova Scotians deliver is of equal quality and value to the work delivered by workers in other provinces. It would only seem just to consider wage parity for all Canadian government employees no matter what their classification''.

Mr. Chisholm, who many of us hope and expect will become the next premier of the province of Nova Scotia has written: ''Provincial workers in similar positions already make higher incomes than those affected by regional rates of pay. When 97% of federal workers already have uniform rates of pay, surely giving it to the other 3% would not lose unheralded inflationary pressures''.

These are some of the reasons that this party remains fundamentally opposed to the legislation before us this afternoon, which we will be debating and discussing over the next couple of days.

The wrap up of this individual's letter from Halifax said: ''The federal government's regional rates of pay policies discriminate against blue collar workers. Treasury Board's bargaining tactics have been counterproductive for the public service in Canada. Treasury Board manager Alain Jolicoeur suggested to the media in Ottawa that had we not been happy with our wages, we could have quit, entirely ignoring our real economic situation as modest wage earners and our commitment to serve the Canadian public. The government has treated us as though we are entirely worthless and disposable''.

• (1805)

And these are modest wage earners. It is fair to say that the average salary is in the neighbourhood of $26,000, hardly a king's ransom. As my colleague from Winnipeg Centre noted in his remarks, the pay scale does not compare with what folks earn in the private sector in provinces such as Saskatchewan or indeed Nova Scotia.

By way of concluding my remarks, it is my contention that had the government opposite negotiated in good faith, this rotating strike situation would be over in a day. We note that the public service employees, members of the Public Service Alliance of Canada, have not had a raise for some seven years. It was pointed out to me earlier that in some groups, not all in table two but in some, settlements have been imposed. It has really been 15 years since they have had any kind of meaningful increase. These people are not asking for the moon. They are asking for a wage increase of what will amount to less than 3% per annum.

It is our contention that this strike is fully and totally the responsibility of the government opposite. At the same time, as was noted in question period today, it is the farmers who are being hurt as a result of this. There is a grain backlog from the west coast terminals all the way back to the farm gate in Saskatchewan, Manitoba and Alberta.

While we are debating this legislation, it is noteworthy to point out that the strikers are back at work today. The government should have seized the opportunity when the pickets came down on Friday

morning to get back to the bargaining table and to have negotiated a full and final settlement over the weekend.

As a result of the government's bungling and total mishandling of this situation, it should pay Canadian farmers for the losses they are suffering due to this aforementioned bungling.

NOTICE OF CLOSURE MOTION

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I rise on a point of order.

Pursuant to Standing Order 57, I give notice that at the next sitting of the House, immediately before the order of the day is called for resuming debate on the motion, Government Orders, Government Business No. 21, and on any amendments thereto, I will move that the debate shall not be further adjourned.

GOVERNMENT BUSINESS NO. 21

Mr. Lee Morrison (Cypress Hills—Grasslands, Ref.): Mr. Speaker, I have a rather simple and direct question for the hon. member. Can the member see any reason, either in practicality or in law, why the government could not have brought in targeted legislation to keep the grain moving for the benefit of the western Canadian economy without involving thousands of other unionized workers who have absolutely nothing to do with the principal crisis that has caused us to be debating this today?

Mr. Dick Proctor: Mr. Speaker, I thank the hon. member for Cypress Hills—Grasslands for his question.

There is some merit in what the member is proposing. However, to have done that the government would have had to have brought the 70 grain weighers into the labour standards of Canada as opposed to the Public Service Staff Relations Act which they are currently under.

The more important question was noted by my colleague from Winnipeg Centre when he talked about the number of people that were brought in. I recall specifically the member talking about the prison guards who are not affected because they are essential workers, but nevertheless they have been drawn in under the terms of reference of this all-encompassing piece of legislation.

● (1810)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the member for Palliser mentioned the impact on farmers and on grain. I would like to share something with him which just happened outside in the lobby. I received a phone call from the leader of the grain handlers union who is very interested in the debate that is going on. I would like to share this with the member for Palliser.

He lamented the fact that this government enters into back to work legislation so lightly and so easily. The grain handlers union is thinking about the next time it goes to the bargaining table and what is going to happen to its members. Are they going to be legislated back to work?

Their union has come up with a very creative idea that I would like the member for Palliser to think about. Rather than going on strike, and perhaps being legislated back to work, they are thinking of taking a 70%—I should say a 30%—cut in pay and asking the companies to take a 30% cut in profit while they are at impasse. This money would be put into a pool to be donated to the farmers to offset their demurrage costs and charges.

It seems like a really sensitive and intelligent solution to an impasse. If they do not make any progress in two weeks, they bump it down another 20% to 50%, so that both sides suffer equally, share the pain and offset the inconvenience to the farm community.

I am wondering if the member would comment on creative solutions like that coming from the trade union movement.

Mr. Dick Proctor: Mr. Speaker, I thank my colleague for his question. When he talked about a 70% reduction, I thought he was going in the direction of the AIDA program because that has a 70% threshold.

It is this sort of creative solution that perhaps could work to put these things in perspective and result in the speedy resolution of labour-management difficulties.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I see the clock ticking and I am afraid I may not have enough time, but I promise you I will be here tomorrow morning to continue this debate.

What we are discussing here today is very important for workers. In fact, I hope there are a lot of workers watching us now on the parliamentary channel.

I think people will finally find out what is hidden behind the Liberals' mask. The Liberals are always saying how they work for the common good and how they try to stabilize the economy. But at whose expense do they do that? At the expense of workers.

I formally accuse the Liberals of continuing their crusade against the workers of Canada and Quebec. A lot of Quebeckers are victims of this bill, and I find it unacceptable.

People must understand what is hidden behind the Liberals' mask, and I intend to take about twenty minutes to try to describe it.

What I want to say is that the Liberal government wanted its employees to go on strike. They did, and now it wants to legislate

them back to work. And it is totally intentional. This problem did not come about suddenly. These people have been asking for salary increases for a long time.

As some of my colleagues mentioned, these people have not had a salary increase in six years. The government could have settled the issue over the last two years, but that is not what it has decided to do. It has been decided to wait until the very last minute. And now, they stand up and say ''We are going to protect Canada's and Quebec's economy. We will put an end to this''. But the problem is of their own making.

Maybe I should tell you a little bit about my own background. During 20 years, I was a trade unionist with the CSN before entering into politics. I have had the opportunity to see what a government employer is. It behaves like the Liberals do. They sit at the bargaining table, and have negotiations. When it does not work out, they pass a bill.

Just imagine the power they can wield. All they need to do is leave the bargaining table, make offers that are lower than the union demands, and they will end up saying the employees do not take up what is being offered. Employees have the right to strike, and the government knows that.

Once the employees have decided to go on strike, the government introduces a special legislation.

• (1815)

It is unfair, cynical and machiavellian. That is what the government is. It is not the first time we can see that. It has done the same thing with postal workers, railway workers and now, with specific groups that are amongst the lowest paid in the federal public service. They are the victims of a government that is legislating them back to work.

I do not hold that view only because I have been a trade unionist. Members of parliament are here to represent constituents. In my riding, between 400 and 500 people working at the military base will be legislated back to work. This probably represents a fairly high pay loss in my riding. The fact that the government did not want to adjust those salaries also meant a loss of revenue for several years now.

Not only has the Liberal government shut down the military college in my riding, totalling $32 million a year, but now we are stuck with a special bill because the government has decided it has had enough. Canada is supposedly on the brink of a major crisis, yet it is this very government that has driven the federal public servants of table 2 and table 4 to use their right to strike.

Maybe we ought to settle this fundamental issue once and for all with this government. Does the right to strike still exist in the federal public sector? Does it? Do employees have the legal right to say ''We have had enough of the proposals coming from the government, we have had enough on these never-ending discussions and negotiations, we have the legal right to decide to go on strike''?

What we have right now is a smoke screen, because as soon as the workers start using their right to strike, the government tells them ''You cannot go exercize your right to strike, because you are disrupting the economy''. This is what the government often does. They did it to the rail workers on strike, to the postal workers on strike, and now they are doing it to the federal public servants who are members of table 2 and table 4.

What we have to remember about the Liberal record is not only the way the government has been badly protecting and even persecuting the workers. We also have to look at what has been going on with wage parity. How long have women in the public service been demanding wage parity to ensure that they are properly paid for their services? Public servants, many members of the public, and myself, all believe these women deserve to be paid fairly. But not this government.

We see the same thing happening over and over again. They are going to wait for a decision to be brought down in another case before they alter their position. If the judgment is to the government's advantage, it will say ''We are now going to implement it''. If it is to the government's disadvantage, it will say ''We are going to ignore it and do things our own way''.

The government waited very long before settling the issue of pay equity for women in the federal public service. I hope people who are watching us this evening will remember that, because most of them are just coming home from work. These are people who pay taxes so that the Government of Canada and other governments throughout the country, including Quebec, can continue to operate.

But this is not what this government is doing. It is targeting workers. Again, if we look at the impact on a riding such as Saint-Jean, we can see that it is not negligible. It was estimated that the riding of Saint-Jean alone suffers an annual shortfall of about $2 million, because the government is taking so long to settle the pay equity issue.

The workers should get used to the idea that to vote for a Liberal government is to vote against workers. In Quebec, many have realized that. Who really looks after the interests of workers in this House? Who will oppose special legislation that adversely affect these workers? The Bloc Quebecois has always stood for these workers.

• (1820)

This is one of the reasons the Bloc Quebecois is so popular in Quebec. For sure the millionaires, the banks and the insurance companies dealing with billions of dollars do not contribute a red cent to the coffers of the Bloc Quebecois, because we are popularly funded. We do not want our hands tied.

It is true that, when it comes time to put an *x* beside the Bloc Quebecois in the booth, these people hesitate. But workers, for example, can see just who can rise in this place and defend them effectively.

Another example is the EI fund. Who pays for the EI fund? People will tell me it is partly paid for by employers, and I would agree. But workers put in a large amount. And with all the changes to the EI fund, all the amendments to the legislation since it was introduced, who has benefited? The government, which, in my opinion, is levying an indirect tax. Workers contribute every week.

In Quebec, we have workers who have paid EI premiums for 25 or 30 years. During the ice storm, to give one example, we asked the government to be more flexible, because people needed money. Workers needed money to cope during a major disaster. And the government said no.

This government continues to say no to workers, not just to those who are the victims of disasters. Members should take a look at the wording of the legislation. My colleague, the member for Kamouraska—Rivière-du-Loup—Témiscouta—Les Basques, is doing an excellent job, so that these inequities will be corrected.

Unfortunately, the government is turning a deaf ear, all the while accumulating billions of dollars in the fund and paying down its deficit. In the meantime, big corporations have it great in Canada. It is workers who are watching their salaries and living conditions slide ever downward. It is not for nothing that this Liberal government has been accused of going after workers. In my view, this is another blatant example.

There was another development recently. This goes back a few weeks.

A few years ago in the House, I raised the important issue of the Singer employees. I was told for two years, after I do not know how many questions, that the government had no responsibility in that case, whereas it was clearly stipulated in the contract that the government was a trustee, that it was the guardian of the plan and the fund.

It allowed Singer to stop paying premiums, taking the money from the fund surplus. Today, Singer workers, who are 83 years old on average, receive a monthly pension ranging from $20 to $50. There are people, like my father, who worked in that company for 45 years. We told the government ''Look, this does not make sense. You were a trustee of the fund. Why did you allow the company to take money from the fund?''

If we annualize the whole pension fund, what has been taken out of it from 1962 to today, plus the accumulated interest, we get around $8 million, which could greatly benefit the Singer pensioners.

And what has the government been planning for the past two years? It has watched the public service pension plan grow. It has been getting ready to put its hand on the surplus. Contrary to what the President of the Treasury Board often says, the surplus does not belong to the government. Public servants have been paying into this fund.

Today there is a surplus. It should be used to enhance the pension plan and not by the government saying ''This belongs to us now. Workers, you have contributed for 10, 15, 20 or 30 years. There is a surplus, but sorry, the plan will remain unchanged, while we are use it to eliminate the deficit, we are using your money for other purposes''. The money is used for purposes other than the one provided for in the act, namely to enhance these employees' pension plan.

• (1825)

I noticed that the former workers of the Singer Company have probably been the first victims of this government's intentions to reach into the pension funds of its own employees. The government will not admit that I am right and that it should help those 250 people who on average are now 83 years old. The government will not help those people by enhancing their pensions because this would put at risk its intention to dip into the federal public service employees pension fund.

For those workers who are listening today, I believe those are examples which should not be forgotten. Do we have to ask who the Liberal Party is defending? Is it defending workers, those who pay the bulk of taxes and income tax? I do not believe so. What has happened here today is despicable, but we could already feel it coming last week. I have had contacts with people on the Canadian forces base in my riding who are in touch with their union delegates. I told them that I had the feeling a special bill would be introduced in Ottawa.

I learned Friday that there had been two attempts to get the debate going rapidly. I believe workers sensed, knew what was coming. This is not to mention the way workers were treated. As far as I know, workers on strike have the right to put up picket lines and to protest in front of the offices of members of parliament or ministers.

By the way, the people who come to my riding office want to tell me about their concerns, not to protest in front of my office. They go do their picketing in front of the Liberals' offices, since they know these hon. members are responsible for the situation they are in, because, as I said, the government really wanted this strike to happen. Now that it is here, they want to quash it.

There is also the issue of privatization. I remind the House that less than a year ago this issue was very much on the agenda. The government wants to contract out to some agencies the work being done by several people at DND and throughout the federal public

service. For some years now, we have seen the government contracting out.

Listen to this. At CFB Saint-Jean, we have personnel with 20 years of service and officers who are retiring. These officers are paid. Those who have worked for 20 years get their full pension. They turn around and set up businesses, and they tell their employees ''Sorry, friends, I can rehire you, but you will not get $12 or $13 an hour. I can afford to pay you only $8 an hour''.

These officers are double dipping. They get their full pension from the Canadian army, they set up businesses, and they make profits by lowering the working and living conditions of workers.

What do we have before us today? When I say that this strike was planned, it is because the government is laughing at the workers when it says ''Special legislation is coming up. If you do not accept our offers, you will strike out because we will impose them on you''. The government is taking advantage of this special legislation to lower the terms and wages offered to the workers.

However, this is not all the government has up its sleeve. It is saying to these workers ''You are not skilled workers, anybody can do your work. So, if you do not accept our offers, we will impose special legislation on you''. Moreover, we often hear that employers say to their employees ''If you are not happy with what you are getting, you can resign, leave your job'', whereas they are the lowest paid in the public service. The government wants to make money on their backs, saying ''If you all resign, we will give the contract to the private sector, and we will make even more money''.

This is why I say that what is happening here today is really unfair and cynical. The Bloc will stand up because, to my knowledge, it is the only party that has been standing up for the workers, so far.

• (1830)

Mr. Ghislain Lebel: You are not mistaken.

Mr. Claude Bachand: My colleague from Chambly tells me I am not mistaken.

There are those who claim to be the defenders of the worker. I repeat, in the event of a rail strike, a postal strike, a federal public service strike, such as we have today, we are the only party to stand up for these workers, to stay on their side for as long as it takes. In my opinion, they are victims of this government, it is simple as that.

It is the federal Liberal government that is forcing these people to strike. Today, they face—

Some hon. members: Oh, oh.

The Deputy Speaker: Order, please. The hon. member for Saint-Jean will have two minutes left when the House resumes debate on this matter.

ADJOURNMENT PROCEEDINGS

[*English*]

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

APEC INQUIRY

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, it gives me great pleasure to rise and discuss this important matter. As the public complaints commission resumes its hearings today into the APEC security fiasco, it is my pleasure to speak to this matter.

On November 23, 1998, I asked the Prime Minister during question period when the government would call a complete independent judicial inquiry into the security at APEC, a relevant question then and now. Because the public complaints commission has never had a mandate under the RCMP act to investigate the Prime Minister's office, the public complaints commission has never had the opportunity to delve into allegations that the RCMP was only following government orders when it pepper sprayed protesters in 1997.

The embarrassing actions of the Liberal government and the solicitor general of the day to avoid broad accountability prompted some to call for the end of the RCMP public complaints commission. In the aftermath of resignations, indignation and media manipulations, the commission went into hibernation and only recently returned to the spotlight when the new committee chairman, Ted Hughes, a very able and learned jurist, was appointed.

Since his appointment by the Prime Minister, Mr. Hughes has shown his ability to make an impartial and fair process work. Mr. Hughes has stated that he will go where the evidence leads him and that his questions will be answered. Mr. Hughes must have the Liberals shaking in their boots with this attitude because as he has stated he will not rule out issuing a subpoena that might call for the testimony of the Prime Minister at this inquiry.

During question period in November the Prime Minister responded to my question by stating: ''The inquiry can ask on all subjects it wants of anybody in the bureaucracy and even in my office and not only of the RCMP''. I wonder how comfortable the Prime Minister is with that statement now that he does not control the commission like a puppet on a string.

Whether it is the public complaints commission or the building of summer cottage access roads, the Prime Minister likes to have his own way and people in place to control the outcome when he does not have his own way. This time, however, the process will not be easily manipulated. Canadians are left still wondering about the meaning behind the former solicitor general's famous comments

on his ill fated plane ride when he stated that Hughie would take the fall.

What is next? The RCMP has been directed to chase after dead ends in the Airbus scandal, so will the Liberal government make the RCMP again take the brunt of the criticism after the decisions of the Prime Minister's office which actually led to the APEC scandal? I am hopeful that this current version of the public complaints commission will have the mandate to look at what happened as a result of the PMO's direction should those events transpire and as it relates to the RCMP's handling of these protesters.

As I mentioned, I am cautiously optimistic that the commission will now be able to draft a report that will give us answers that get to the bottom of these important questions. This being said, I am hopeful that the public complaints commission will be able to make a proposal for the proper and meaningful retribution of student protesters involved in the APEC scandal.

These are questions Canadians deserve to have answers to. Now that the commission is back in full operation and is down to the business of looking at these issues as they are brought forward by lawyers like Cameron Ward for the protesters currently giving evidence, we are hopeful these answers will be carefully studied by the government. There is an opportunity here to perhaps restore some of the lost faith that came about as a result of the events in Vancouver.

• (1835)

As Mr. Speaker is a very ardent supporter of individual rights and has always taken an interest in transparency and openness in government, I am sure you would agree this is an ample opportunity for the government to do the right thing for a change, to have an opportunity to let the public see what is actually behind some of the inner workings of this government.

I thank the House very much for its indulgence and I am anxiously awaiting the response of government.

[*Translation*]

Mr. Jacques Saada (Parliamentary Secretary to Solicitor General of Canada, Lib.): Mr. Speaker, I thank my colleague for his intervention.

Some members of the opposition have been calling for a while for an end to the hearings by the RCMP public complaints commission and the holding of a judicial commission of inquiry in its place. Such a demand indicates a lack of understanding of the mandate and powers of the commission. It is simply not up to the federal government to call a halt to the hearings by this independent administrative tribunal. I repeat: it is not up to the government.

Established by parliament, the RCMP public complaints commission is an impartial and independent mechanism to which Canadians may direct complaints about the behaviour of members of the RCMP. The commission decided to hold a hearing as the result of complaints about the behaviour of members of the RCMP at the APEC conference in Vancouver.

The commission determined the parameters of the hearing. In December 1998, the commission named Ted Hughes, an experienced and a highly respected jurist, to hear the testimony of the complainants. The PCC will prepare a report at the end of the hearings and will publish the conclusions and recommendations of the committee. It will send this report to all complainants, to the solicitor general and to the commissioner of the RCMP.

Let me return to the mandate of the commissioner of the public complaints commission looking into complaints against the conduct of RCMP officers during the demonstrations at the APEC conference.

In fact, as the Prime Minister has repeatedly pointed out here in the House, Mr. Hughes has been given a very broad mandate. This mandate was established by the public complaints commission, not the government. As the public complaints commission said in its December 21, 1998, press release, Mr. Hughes will examine the events that occurred during the demonstrations that took place at that time and will submit a report. Mr. Hughes has already made it clear how broad a mandate this is in the decisions he has handed down.

If the public complaints commission is ever allowed to do its job, I am sure that the Canadian public will be much enlightened.

[*English*]

PUBLIC SERVICE

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, first of all I wish to thank all members of the House and of the Senate for the opportunity to change the name of our beautiful riding from Sackville—Eastern Shore to Sackville—Musquodoboit Valley—Eastern Shore. On behalf of the 83,000 we thank the House and the other place very much for that.

It is interesting that we are debating today the concern of my question on February 16 about the blue collars workers of the PSAC union. It is unfortunate that in 1993 this Liberal government broke its promise to end regional rates of pay which in my riding of Sackville—Musquodoboit Valley—Eastern Shore are a very major bone of contention for these hardworking Atlantic Canadians who are not paid equitably for the work they do compared to other workers with the same union across the country.

Today in the House we saw crocodile tears from the House leader of the Liberal Party who said how upset and how ashamed he was that these workers can actually hold hostage the people of Canada or the farmers of Canada. In all my years of labour negotiations and all my years in the union never once have I ever met a picketer who loved to be on a picket line. Never once have I

met a family that wanted its main earner to go on the picket line and lose income so it could end up losing the house, having to go further into debt, having to lose the car and so on. No one likes a picket line, especially farmers. No one likes a picket line, especially the workers who are on that picket line.

What they do want and what they have asked for time and time again is fair collective bargaining. In the event that bargaining process breaks down it is up to the two parties, in this case the government and PSAC, to bring in an arbitrator to make a ruling which is binding on both parties in this case. That arbitration was legislated out so the workers do not even have that opportunity.

I also wish to name two people, Mr. Howie West and Ms. Cathy Murphy, in Nova Scotia with the PSAC union who have done yeoman's work for their membership and for the citizens of Nova Scotia by bringing these issues to the forefront and displaying a very positive attitude as to how they can reach a settlement in this case.

● (1840)

The government refused to negotiate pay equity and now it is before the courts and they are appealing it one more time. Then it was regional rates of pay it refused to discuss. Now the government will go after its own workers' pension plan.

Three strikes and this government will be out. As my colleague for Winnipeg Centre said, the government is waking a sleeping giant it does not want to wake up. I can assure the House that from coast to coast to coast retired PSAC workers and current PSAC workers from all stripes will rise up in anger over the fact that this government is refusing to listen and has brought the morale of these workers to an all time low.

I have letter addressed to the President of the Treasury Board. It basically states if this government thinks it can legislate these workers back to work and replace the picket line outside and move the picket line inside, it is sadly mistaken because it is in for a lot of trouble it does not wish to have.

Mr. Tony Ianno (Parliamentary Secretary to President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, aside from saying that the NDP is not surprising anyone with its usual rhetorical lines, supporting regional rates of pay is not difficult to understand. The striking blue collar workers want one rate across Canada.

That would make it inequitable for many in the process. It would mean excessive income for some in certain areas while others would be underpaid in other areas. That is simply not fair.

The government has offered blue collar workers contracts in line with what it has provided other public servants in negotiated settlements while paying wages that reflect local market realities. In fact, 87% of PSAC has negotiated settlement. We believe in the negotiated settlement approach and collective bargaining.

The government has offered to reduce the number of regions where different rates apply from ten to seven. That is fair. If the government were to pay Vancouver rates to blue collar workers in Halifax, imagine the outcry. Small business would be competing for needed workers, not just the federal government but the corporations rich enough to match the higher rates. That would disrupt the local labour market.

Why do we pay higher wages in Vancouver? Quite simply, the cost of living on the west coast is much higher. Consider housing prices alone.

By paying regional rates, the federal government contributes to social and economic stability across Canada. That is why we should simply return to the central issue, passing a bill to end a strike that is hurting Canadians and threatening the trade so vital to our economy, exporters, grain producers, the many Canadians who desperately need their income tax refunds, et cetera. This government has responsibilities to ensure all Canadians work.

POVERTY

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I recently had the opportunity to ask a question of the Parliamentary Secretary to the Minister of Human Resources Development. It had to do with poverty measures.

By way of background, Statistics Canada has a measure called low income cutoff. It measures poverty on a relative basis, which basically means that Canadians are looked at as to how their requirements for food, clothing and shelter match up to the average Canadian expenditure.

The low income cutoff has measured poverty in Canada to be at a rate of 17%. In December of last year the United Nations committee dealing with such matters addressed poverty. With regard to Canada, even the Government of Canada made representations that it does not consider the low income cutoff to be an official poverty line.

As a result, the UN committee made a recommendation that Canada must adopt an official poverty line so that we can properly measure poverty in Canada in order to properly target our resources available and measure our progress.

I understand the federal and provincial governments are looking at another measure called the market basket measure. That is more an absolute measure of poverty. It looks at how much is required for basic necessities as well as certain provisions for participation in society so that Canadians would be able to fit in, as it were.

The proposed market basket measure right now would measure poverty in Canada at 12%. That is five percentage points lower than the LICO measure, or a 40% decline.

• (1845)

My concern would be that Canadians will start asking questions about whether we have reduced poverty in Canada simply by redefining what we mean by poverty. I do not believe that is the case. I hope the parliamentary secretary might be able to shed some light.

In 1989 the Campaign 2000 coalition identified that there were one million children living in poverty. In 1998 it reported a figure 50% higher, that 1.5 million children were living in poverty. That was used in the LICO measure.

If we look at the LICO measure we see that 40% of the people who are poor own their own homes. In addition, of those 50% do not even have mortgages. It is very clear to me that the low income cutoff measure is not an appropriate measure of poverty in Canada and that something more akin to a market basket measure may be appropriate.

Canadians should be engaged in a dialogue about what constitutes poverty in Canada. We need to define poverty so that we can better measure, target programs and convince Canadians that we have made progress and not fallen behind as shown by the low income cutoff.

Canadians have been exposed to what I think is called sympathy fatigue. If the numbers get far too large people do not believe them any more. For that reason I believe the UN committee is correct in recommending that Canada adopt an official poverty line. I am hopeful the government will look carefully at the proposition and engage Canadians so that when we establish a poverty line in Canada everybody understands it and accepts it.

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, like almost all industrial countries other than the U.S.A., Canada does not have an official measure of poverty.

Since the early sixties Statistics Canada low income cutoffs have often been used as measures of poverty by journalists and by advocacy groups. These cutoffs calculate low income as compared to the average family income.

In 1990 Statistics Canada introduced a second measure called the low income measure which calculates income levels both before and after income taxes relative to the median or middle income level. This is comparable to the way the United Nations calculates international comparisons of poverty.

Today many in Canada favour the development of a third measure, a market basket measure that takes into account the cost of people's essential needs like food, clothing, shelter and essential services.

To adopt an official measure of poverty in Canada, parliament would have to agree on the form such a measure would take and at what income level the measure would be set.

Currently there is no consensus about how to appropriately measure poverty. Most people seem to agree that we need to broaden our understanding of poverty. We believe it is prudent to have a number of complementary measures based on different concepts of poverty. Trends using these various measures can then be followed over time.

Any new measures that we would look at would complement, not replace, existing measures like the LICOs or the LIMs and would build on our knowledge of the real conditions of low income Canadians.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 o'clock pursuant to Standing Order 24(1).

(The House adjourned at 6.48 p.m.)

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