

this for a long time, they feel that after they have been married, then divorced, they can then cop out. Somewhere along the line we must assume responsibility for those who refuse to be accountable and make them learn the lesson of accountability.

We have terms like "no fault insurance". Maybe there is a place for that kind of insurance, but I wonder about the name "no fault insurance". We have been teaching people that no one is at fault. We now have terms like "creative divorce". How can you have creative divorce when at least two people will be hurt? How can that be creative?

This bill puts the emphasis where it ought to be, on the person who has been directed by court order to pay child support or alimony and who is now trying to walk away from that responsibility. The hon. member for Capilano is doing us a service by bringing this matter to the attention of the country. I trust the government will see that this is not a political issue, but a very human one. I hope the government will allow the subject matter of this bill to be brought to the committee, whether it is justice and legal affairs or health and welfare. At this point that is not material. What is material is that we have an opportunity to study in depth the matter the member for Capilano has brought before us. This would allow the government to obtain the kind of evidence which is needed and later on a bill could be presented to the House, based on further evidence which could be built upon the work that the hon. member has already done.

[Translation]

Mrs. Céline Hervieux-Payette (Parliamentary Secretary to Solicitor General): First of all, Mr. Speaker, I should like to thank my colleagues for giving me this opportunity to speak on a topic which is dear to me. I must say how very happy I am to see that my Progressive Conservative colleagues are also concerned about social issues. They even want more bureaucrats to solve a problem. To my mind, they will certainly not settle it through a measure under which women will continue to be the victims of a system forcing them to appeal to the courts and behave like beggars asking for handouts to which they are fully entitled to begin with.

Mr. Speaker, Quebec's Bill 183, an act to promote the payment of support, with which I am more familiar, received royal assent on June 18, 1980, and is being enforced by a network of administrative offices throughout the province. I also know that Ontario has set up a similar organization and that the provinces are about to enter this field, since they recognize that the problem relates to social affairs and primarily falls under provincial jurisdiction.

So, Mr. Speaker, I am glad to see that my colleague is interested in the lot of divorced women and children generally. However, the bill ignores separated women and their children, as well as common-law wives and their children. That is why I suggest that this bill is woefully inadequate and does not meet the current needs of Canadian women. Without insisting on the jurisdictional aspect of the problem, just the same I should

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like to point out to my colleague that negotiations have been under way since 1979 to reach agreement with a view to transferring to the provinces legislative powers over divorce, and that question was also on the agenda during the intensive negotiations held last summer. The transfer of social affairs or family law to the provinces is still on the agenda.

Therefore, on the eve of an agreement with the provinces, I suggest it would be altogether premature to adopt a measure which in fact would do precious little other than create one more administrative organization at a time when two provinces whose residents constitute over half the people of Canada already have a system to ensure the payment of support.

● (1800)

[English]

I can inform the hon. member for Capilano (Mr. Huntington) that this system already exists in Quebec, where it is working very well. Many people are satisfied with the new legislation which has been introduced, which is more relevant to the civil code than to the jurisdiction of the federal government. I do not wish to protect women's rights through a new administrative mechanism, but I would like them to have the opportunity to collect money which in most cases is for their children and to be ensured they will receive that money regularly.

In fact, Germany has a minimum amount which is actually paid by the state. The spouse is required to pay the state the difference between the state minimum standard and the actual alimony or maintenance order payments. Denmark has a similar system. A minimum amount is paid for each child and that amount is ensured. Women do not have to beg for this money, nor is the court required to intervene. This system is working very well.

What we are dealing with is the very narrow scope of divorce. I hope the hon. member will take another route, perhaps through legislation that deals more with income security which has the effect of protecting all persons, and will take the advice of his colleague from British Columbia who says that we should not try to attain perfection. I am not trying to attain perfection, but I would like to see decent legislation which deals with the problem with which many women have been living for years.

I believe we are very close to solving this problem by having the provinces deal with the matter. Of course, the federal government can help by establishing the system in other provinces. I do not believe the Department of Justice will withdraw its support, but I presume that most of the provinces can as easily establish the same system which already exists in Ontario and Quebec to ensure the collection of maintenance. This would eliminate the need to establish an administrative body at the federal level, which would only have the effect of complicating the situation.

Because of the reciprocal agreement between Ontario and Quebec, women of either province may have their maintenance orders enforced if the spouse has moved from one province to