

Alimony and Maintenance

these women are separated or divorced. In cases of divorce, I do not think there are any problems, as far as jurisdiction is concerned.

The study I referred to a while ago dealt with the issue of alimonies granted following legal separations, which is a matter which comes under provincial jurisdiction. We will see, however, that matters can be worked out under the present Constitution because of a legislation which provides that 50 p. 100 of all social welfare funds everywhere in Canada come from the Federal Government and that these funds must finally be spent by the neighbour who, for all intent and purposes, assumes the responsibility of a particular family.

Mr. Speaker, I think we must see to it that all Canadian children grow up in the most healthy family environment possible. And I think also that both spouses share and should continue to share equal responsibilities in this regard, and the very purpose of this bill is to ensure that court orders are strictly enforced.

[*English*]

Hon. Ron Huntington (Capilano): Mr. Speaker, first I would like to congratulate the Hon. Member for Montreal-Mercier (Mrs. Hervieux-Payette) for bringing this important issue once again before the House.

● (1650)

I think Hon. Members might be interested in knowing some of the history of this issue and the dedication that backbench Members from all three Parties of the House have given to this issue. It remains an issue only because the Liberal Government of Canada apparently wishes to postpone this tragic issue and prevent its resolution, something which it could quite easily do if it had the will.

Let me go back to the Twenty-ninth Parliament when Mr. Danson, who subsequently became the Minister of National Defence in the Thirtieth Parliament, had a private Members' Bill in the House on this particular issue. His Bill died on the Order Paper. During the Thirtieth Parliament I went to Mr. Danson to ask him if he had any objection to my taking the spirit and thrust of his Private Members' Bill through the Order Paper again in a rewritten Bill. He encouraged me strongly.

The Hon. Member for Montreal-Mercier says that she has been very patient with respect to Bill C-364 since May 2, 1980. The point I am making is that this issue was debated in the twenty-ninth Parliament and again in the Thirtieth Parliament. At that time I brought in a Private Members' Bill, Bill C-203, which was extensively debated and talked out by the Government. On May 2, 1980, I brought in Bill C-250, an Act to amend the Divorce Act, alimony and maintenance orders, which has some six months of background work applied to it by outside lawyers who were interested in seeing a resolution to this most serious condition which exists across the country. The parliamentary counsel advising the Members worked over Bill C-250 of May 2, 1980, and put it in a form that would be

acceptable in the context of the procedures of the House and would be acceptable to the Government.

I noticed under the Clause dealing with amendments to the Divorce Act in Bill C-364, that the Hon. Member for Montreal-Mercier has thought well enough of the subject matter and amendments to the Divorce Act that were in my Bill, C-250, in May of 1980, to have taken Clauses 15 and 15.1 and incorporated them into her Bill as amendments to the Divorce Act. I am pleased that she has thought well enough of the work which was put into those Clauses to do so.

I also note that an essential element has been left out. It is the Clause concerning payments into court which states that moneys payable by Her Majesty are attachable. I assume that the Hon. Member believes that the other two Acts which she is seeking to amend cover the particular points in that Clause.

While I am still dwelling on the history of this much needed legislation, may I remind Hon. Members that when Bill C-250 was being debated in the House—I was advised just prior to its debate in Private Members Hour that the Government was going to talk it out—the present Minister of National Health and Welfare (Miss Bégin) was most disturbed that this subject matter would not be allowed to go through to the standing committee.

Mrs. Hervieux-Payette: That is not true.

Mr. Huntington: You were not here. Sit and listen. The Minister of National Health and Welfare was most anxious that the subject matter of Bill C-250 should go to the standing committee for discussion. However, the Minister of Justice at that time said that the Government would not let it go through because a Government omnibus Bill was to be introduced which would amend many of these issues and that this issue would be one of the items dealt with in that amending omnibus Bill. This happened back on February 10, 1981 when the then Minister of Justice, in my presence, gave that answer to the Minister of National Health and Welfare behind the curtains on the Government side. He said that this issue would be dealt with in an amending omnibus Bill and that the matter would be cleared up then.

It is now March 23, 1983, and this tragic issue still exists in every Province, city, town and other parts of Canada. It still exists in this "just society". There are spouses who are left alone as single parents and have as many as four children whom they are trying to educate, clothe and keep warm. All across the country there are court judgments for maintenance orders which last for one, two or three months and then cease, with no further payment to the spouse who is trying his or her best to bring their children up so that they may have a chance in this land of opportunity. There are companies that pay extra moneys to single parent employees because these court maintenance orders are not being enforced and children are being prevented from having a better opportunity to be educated, clothed and provided with shelter. There are people on the verge of nervous breakdowns every time that a maintenance cheque does not arrive because they do not know what to do.