

Alimony and Maintenance

assured me that the Government was vitally interested in the issue and was going to take action on it. Unfortunately, because of the short life of that Government, this did not occur.

In this Parliament the Hon. Member for Capilano once again submitted the Bill, this time as Bill C-250. It came up for debate on February 10, 1981 and was talked out by the Parliamentary Secretary to the Minister of Justice, also the former Member for Broadview-Greenwood, and the Hon. Member for Montreal-Mercier, the present Minister of State for Fitness and Amateur Sport (Mrs. Hervieux-Payette). It is interesting that the Liberal and NDP Members who profess to care so much about suffering have seen fit to impede the passage of this legislation.

One notes that the present Minister of State for Fitness and Amateur Sport, the same Member who talked out Bill C-250 in 1981, put a similar Bill, C-364, on the Order Paper. Ironically, she thought so highly of the Bill before us today that she incorporated two of its clauses, clauses 15 and 15.1, into her Bill. When her Bill C-364 came up for debate on March 23 of this year, the Member had the good fortune of having an amendment adopted that referred the subject matter of the Bill to the Standing Committee on Justice and Legal Affairs. What has happened since then, according to what I can ascertain, is noting. What is the use of having the subject matter of Bills referred to committee if nothing is to happen? It is a farce.

I should add too that on October 15, 1979 another Liberal Member, the Hon. Member for York South-Weston (Mrs. Appolloni) moved a Standing Order 43 requesting that the Standing Committee on Justice and Legal Affairs consider an immediate review of the history of default and consider the advisability of instituting public means of enforcement. This also resulted in no action.

On February 25, 1983, the Conservative Member for Vancouver Centre (Mrs. Carney) raised this issue under Standing Order 21, thereby demonstrating her support for the principle of enforcing maintenance orders.

For over eight years, the Hon. Member for Capilano has been attempting to have this legislation approved by the House. He deserves the praise of all Members for his tenacity in this long struggle. I have briefly outlined the sad history of a number of initiatives that have come before this House in an attempt to enforce maintenance payments to divorced spouses. Everyone appears to agree that there is injustice and indignity being perpetrated on divorced spouses by a system which tolerates default in maintenance and support payments. I have talked to many Hon. Members in the House who belong to all Parties and have found no one who is against the substance of this legislation.

● (1530)

The Law Reform Commission reports that as many as 75 per cent of maintenance payments are not being made to deserted or divorced spouses and their children. That is a national disgrace and a black mark upon a court system which

brings down maintenance orders and then allows them to go unpaid. It is a shameful situation and one which obviously begs for correction.

This correction must be made here in the House, and the fact that this legislation has been stalled and stonewalled for 11 years is a clear indication of how desperately we require the reform of this institution. That this legislation, which is so clearly and urgently needed, has been tangled in a political and bureaucratic web for over ten years should shame every Member of the House. Perhaps there is hope for this Bill today because the powers that be have now seen fit to allow it to be debated for a second time in Parliament.

The subject of family law has been under continual study in the country for years and improvements have been slow in coming. There is no doubt that the passage of the Bill C-38 on June 18, 1982, by the House was a step in the right direction. That legislation now permits the garnishment of salaries paid to federal employees for court order payments. However, that is only a very small part of the answer to the ongoing and growing problem of unpaid maintenance orders.

With divorce rates continuing to reach new highs according to every published set of statistics, it is urgent, it is mandatory that the matter before us here today be properly addressed. If nothing else, surely we have an obligation to the children who are innocently caught up in the stressful and tragic experience of broken marriages and homes.

Another point to consider in this debate is the submission made by the Hon. Member for Montreal-Mercier in defence of Bill C-364. She stated, and I quote from *Hansard* of March 23, 1983:

—hundreds of millions of dollars are still being paid through the welfare system because the spouse has moved to another Province and cannot be reached.

This point has also been mentioned in every speech concerning this Bill that has been made by my colleague, the Hon. Member for Capilano. One would think that this fact alone would spur Governments to action, seeing how hungry they are for revenue these days.

I could go on and list more reasons why this legislation should be adopted. It has all been said far too many times before. Surely Government Members can see the need for this legislation. The Hon. Member for Capilano, when debating this same Bill on February 10, 1981, over two years ago, stated:

My hope is that the Government will see fit to have the Bill withdrawn and send its subject matter to committee where we can bring in the experts of the land and where we could probably start debate on an amendment to Section 15 of the Divorce Act, as is outlined in the Bill.

Surely, Mr. Speaker, that hope must be the same hope of any reasonable, compassionate and conscientious Member of Parliament.

Hon. Roger Simmons (Burin-St. George's): Mr. Speaker, I would first like to commend the Hon. Member for Capilano (Mr. Huntington) for taking the initiative to bring this Bill before the House. I submit that in doing so, he does a service to all of us who are concerned about this issue and especially