

Water Resources Programs

health of a very wide segment of our society than it is to be a drinking driver who threatens only those who happen to be driving on a narrow stretch of pavement. Both are grave offences, but I contend the damage to the environment is the greater of the two crimes. Therefore, in my opinion there is no reason why this question should not be brought under the criminal law.

I should like to refer to one of the presentations made to the Dominion-Provincial Conference last February. This was a presentation by the province of Alberta. Other provinces have pressed for a similar enactment. They asked this government to make certain that standards are made and maintained throughout the Dominion of Canada. They asked for broad national standards, and that the federal government enforce these standards on a national scale which, of course, would have to be done under the criminal law. The brief states that the question of how the national standards are made mandatory should be the responsibility of the province, but that the working relationship with the province should be similar to that which has long applied under criminal law. The brief states further:

The right to federal enforcement of national minimum standards is essential in the interest of preventing unfair industrial competition between provinces wherein there might be a temptation for a province to compromise on pollution standards. Not only would that approach place responsibility of pollution control directly on the offenders and hold the provinces responsible for primary enforcement, but it will also avoid the establishment of another expensive bureaucracy of the type envisaged under the proposed Canada Water Act.

A number of provinces have pointed this out to the government and the minister. They are worried unless national policies are enforced and set up all across this country. Last December the minister himself was thinking about bringing this legislation under the criminal law. A headline in the *Globe and Mail* for December, 1969, states, "Greene urges environment of Canada act to combat all pollution on a national scale." This is an excellent headline. If the minister is correctly quoted in the article, I would certainly congratulate him on the speech he made to the law students of Osgoode Hall on that date. He went on to point out as follows:

The proposed water pollution legislation (Canada Water Act) is a step in the right direction, but it is not the end of the journey. I suggest it should be seriously considered whether the next step should not be an environment of Canada act.

[Mr. Harding.]

The minister went on to point out that air and soil pollution is also part of the water pollution problem because of the fallout from the air and because of the drainoff from land and soil into the river systems of this nation. There is nothing wrong with that. I believe everyone here realizes this is one aspect of the pollution problem which affects this and every nation of the world. The article then states:

Mr. Greene suggested that polluting the environment be made a criminal offence under a new definition of Crown.

Some hon. Members: Hear, hear!

Mr. Harding: He went on to say:

I suggest to you that the pollution of our waterways to the detriment of man's health and well-being is essentially criminal in nature.

Here we have the minister himself only four months ago telling the students of Osgoode Hall that this should be a criminal offence. We are asking the minister to accept these amendments. We ask him why he does not move on this matter, especially when he told the law students what he thought about pollution problems generally. We are asking him now, in the name of common sense, in the chance that the legislation might be illegal in the way this clause is drafted, to make good his words to the law students when he spoke to them on December 4, 1969. We ask the minister to make this a criminal offence, to bring it under the criminal law of Canada and let the people of Canada know that we are not going to treat pollution with the rubber teeth which are in the act and which have to be changed.

● (9:30 p.m.)

The article goes on to say:

Criminal law, Mr. Greene said, was one of two constitutional pillars upon which the federal government could base anti-pollution legislation.

The other, he said, was the general power granted to the federal government under section 91 of the British North America Act to legislate for peace, order and good government.

I will not spend much more time on this clause. Some hon. members have spoken on it and others will speak on it. We are anxious to have the minister tell us why his department is unwilling to take this step and to put real teeth into the act. As I said earlier, the people of Canada are expecting this House really to attack the pollution problems in Canada. We will not do it unless the minister puts teeth in the act. To accept this amendment is one way of doing that, and we urge him to accept it.