

*Transportation Accident Investigation Board*

realities of air transportation do not get one from one's riding through Toronto very quickly these days.

I want to start first by saying a few things about my colleague, the Member for Regina—Lumsden (Mr. Benjamin), who just joined us, who has been the NDP's transport critic for over 20 years. He has said, I told you so, to more Ministers of Transport than I think a lot of us could ever remember. And he has usually been right. When he has told the Government, whether it has been a Liberal Government or a Conservative Government, that they were going off on the wrong tangent, or they were doing the wrong things, time proved him correct. I think it is important that we listen to individuals like the Member for Regina—Lumsden, and thank him for his contribution to transportation, to air safety, to rail safety, to all forms of transportation in this country.

I am going to approach Bill C-2 on a fairly non-partisan basis. I think we have to recognize that we are in a point in history when we have to learn from our mistakes. The Hon. Member for Miramichi was castigating the Government over what they were doing, but in fact all the Government has done is to recreate the Canadian Aviation Safety Board legislation under the new Act. That CASB legislation, I want to remind Members, was a creation of the former Liberal Government. They were the ones who put in place the rules that we found so unworkable as we came to examine serious crashes in this country.

Let us be very clear, this is not a Bill that is there to quickly enhance safety in this country, whether it is safety in the air, safety on the rails, safety on the water, or safety in terms of moving commodities by pipelines. This is a Bill designed to pick up the pieces, to find out what went wrong, why it did not go right and who failed. That is the purpose of this Bill. It is an after the fact piece of legislation. Hopefully, because of the work done by the investigators and by the Board, we will find out the why, and be able to make recommendations so that that situation is not recreated on another rail line, on another aircraft, or another pipeline somewhere down the road.

The whole process is a confused one. It is a confused one within the Board itself as it existed under the CASB, which is now being recreated almost identically under the National Accident Investigation Board. There is confusion in terms of the relationship between the old BOARD, THE NEW Board, and the Minister. Is there a

conflict of interest? Is there a perceived conflict of interest?

What happens when it comes down to enacting the recommendations of the new Board? And let us say they are not disputed recommendations, that it is a unanimous recommendation that this went wrong and the Government should do this to prevent it in the future. What happens if the Government comes back and says, "Thank you very much, Board, but no, we cannot afford it, or we do not think you are right." It is a very confused relationship, and what I would like to do this morning is to outline some of the concerns and some of the questions that a number of people have with regard to how the CASB has operated, how they see the new multi-modal Board operating, and lay out some responsibilities and some possible roles for the transport committee to take this legislation, to hear from people in the know, people who have been involved in the CASB, people who are railroaders by lifestyle, by profession, who work on the ships, and the engineers, not just in the context of an aircraft engineer, a ship engineer or a pipeline engineer, but those specialists who have an understanding of how things fly, how things move, and what can affect their ability to get from point A to point B safely.

I want to take a look at what has gone on in the past. I think it is important that we reflect on the two studies that have been done for the former Minister of Transport, as it relates to the Canadian Aviation Safety Board and its operation, in particular, the apparent conflict between board members, who I might add were appointed both by the previous Liberal Government and by the current Conservative Government. Those two Parties have some responsibility for at least recognizing that they have had a say in how that Board would function, and who has been on it. I think we have to recognize that.

A counsel for Stikeman, Elliott in Toronto, now Justice Sopinka of the Supreme Court, in a letter to the then Minister of Transport, now Minister for International Trade (Mr. Crosbie) on February 3, 1988, wrote:

The main problem, generally stated, is that the CASB is not operating as a cohesive unit in pursuance of its objective of identifying safety deficiencies and making recommendations to remedy them". Rather, it has become fractious to the extent that some of its members are in open conflict with the Chairman and there is a rift between members and the accident investigators who view themselves as independent of the Board Members.