

*Private Members' Business*

would receive would be in the way of the fine that was levied on the guilty party.

I go from memory but it seems to me that the fine in that area was somewhere around \$100,000 or \$150,000 of which \$10,000 was a penalty paid. We established a system where \$140,000 was distributed between all of the victims that suffered from that penalty and the crime.

What I am saying is that it worked in that particular proposal. The victims were very happy with the compensation.

I would like to recommend to my friend from Victoria that should this very fine legislation that he has presented today to compensate victims in his riding of Victoria go to committee, I would like to attend the committee hearings. I would like to bring and to augment his thoughts with the Victim-Offender Restitution Program.

**Mr. Geoff Wilson (Swift Current—Maple Creek—Asiniboia):** Mr. Speaker, I appreciate the opportunity to make a brief contribution to this private members' hour and specifically in regard to Bill C-310 which has been proposed by our colleague from Victoria and which deals with the victims of criminal aggression abroad.

The objective of Bill C-310 is one which I am sure members on all sides of the House support, the intent being to reduce the burden which has to be borne by Canadians who find themselves victims of criminal abuse or aggression outside the borders of the country. It is certainly not an unreasonable thought but, at the same time, it does obviously deal with areas of provincial jurisdiction.

The Canadian provinces have enacted legislation which makes possible a granting of financial compensation to the victims of criminal acts within the provinces. The provincial laws of course cannot have any extraterritorial application.

Under this Bill C-310 as proposed, the province that wishes to provide compensation to its citizens who have been the victims of criminal acts abroad could ask the federal government to enact legislation that would give extraterritorial effect to provincial criminal compensation legislation.

• (1140)

Bill C-310 is plausible in a judicial way but obviously, it does lack some practicality constitutionally. The adoption of such legislation by the federal government should be undertaken only after extensive consultations with all of the provinces to determine if there is, in fact, provincial support for the proposed legislation.

Adoption of Bill C-310 without provincial consent could be very difficult and indeed very delicate in the context of the current constitutional debate. Some provinces may not accept the adoption by the federal government of legislation which affects areas of provincial jurisdiction.

It is not unreasonable to point out some specific areas of concern which have to be noted in regard to this bill.

First, the bill would provide for extraterritorial application of Canadian legal powers. This is an area of sensitivity for all governments because it is seen as a potential infringement on a country's sovereignty. We would have to take extreme care to ensure that all efforts have been made to avoid any possible friction between Canada and other foreign governments.

Again, it should be stressed that a government cannot extend its legal authority outside its boundaries unless prior agreement is sought from the other state or states involved. It should be noted in this regard that Canada has regularly and vigorously opposed the extraterritorial application of foreign laws on Canadian soil and I am sure would view any such attempts with great concern.

Bill C-310 as drafted would require major legal revisions after consultation with the provinces. For example, the bill as drafted generates some confusion with regard to a certain category of people, that is those Canadian citizens who live abroad but are not residents of any province. There are citizens of this country, Canadians on assignment for long periods of time outside Canada, who are employed neither in the private nor public sectors.

Furthermore, clause 3(a) of this proposed bill would have to be reviewed to introduce more specificity in relation to the Criminal Code. Moreover, the use of the double criminality concept would have to be built in. For example, a criminal act under the Canadian Criminal