

Alimony and Maintenance

simply with an issue that still has to be resolved. I must say in this regard that Quebec and Ontario have both taken major steps to help spouses with dependent children to support their family when the other spouse does not keep up his payments.

I must congratulate the provincial legislators for taking such action. Yet, Mr. Speaker, while these measures are relatively effective, 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.

In addition, Mr. Speaker, the Supreme Court made a ruling recently. In fact, this is why I asked the Minister of Justice (Mr. MacGuigan) that my Bill be referred to the Committee on Justice and Legal Affairs. This ruling has just been made. It means that even if we could go before the courts, obtain an order and have it registered in another province, we would need a reciprocity agreement if the spouse leaves the country.

The case submitted to the Supreme Court involved a university professor who had left his province to live in Florida. He owed over \$100,000 in alimony, which means that he had practically never made a payment, and he finally left the province with an accumulated pension fund of over \$150,000. Under the present legislation, the Supreme Court was unable to seize the pension fund and to force compliance with the alimony order. The husband, who was responsible in this case for the maintenance payments, moved to Florida, a state with which we have no reciprocity agreement, which means that it is just about impossible to go through the whole process in Florida all over again and begin proceedings under private international law, which would be quite complex and costly.

Even in cases of this importance where an order called for up to \$100,000 in alimony, we can see that there is no compliance with the law and that thousands of rulings are not obeyed in this country, which I consider quite unacceptable.

Mr. Speaker, we took a first step in this House during this session to amend the present legislation concerning the recovery of alimony and maintenance. I feel this must still be stressed by addressing the issue, and I start with Bill C-38, an Act to provide for the garnishment and the diversion of pension.

Mr. Speaker, I must emphasize that it took Canada well over 100 years to allow for the diversion of pensions of every employee within the Canadian government. We may have been slow to act in this respect, but at any rate it is a reflection of our times that the Government, the Parliament of Canada has taken action, as the Bill already has been enacted.

My proposal, Mr. Speaker, does respect the arrangements that may have been agreed upon between spouses, because in cases of separation there may be an arrangement, and where there is a divorce, of course, there is a court decision. But in all cases there is failure on the part of individuals to comply with the arrangement of court order.

Over these last few months, according to the information provided by the Department of Justice, the Federal-Provincial Committee dealing with the implementation of these procedures has been meeting regularly, but if my Bill could be considered by our learned colleagues from the ten provincial legislatures and territories, we could ensure a little more dignity for single parent families, and a little more respect for our laws and our courts.

I am afraid it is too easy to get caught in legal wrangles, the reference being that this is a provincial matter, but as a member of this House, Mr. Speaker, I cannot indulge in federal-provincial bickerings that penalize families, the children and ultimately, the future of thousands of individuals. I cannot accept that.

I would ask my colleagues to consider very seriously the proposals now before them, and if I am so allowed, I would also invite at a later date, the Committee on Justice and Legal Affairs, of which I am a member, also to consider very seriously my proposals and even to bring in amendments in order to help solve the problem that exists regarding alimony and all monies that may be affected.

Mr. Speaker, when we enshrined the Charter of Rights in the Constitution, when we enacted a clause on equality, I submit that what was intended was both equality of rights and equality of responsibilities.

Mr. Speaker, we must realize that in this country, there has been no dearth of responsibilities for heads of single parent families. Those have been very great, and indeed the Canadian people as a whole have been called upon to assume part of those responsibilities when the spouse failed to do so. I believe, Mr. Speaker, that we maintain single parents in a totally unacceptable situation simply by forcing them to show up at welfare offices to be harassed, as is often the case, by allowing legal action to be taken against them or simply by perpetuating the long-standing controversy within the family unit, which has already been dismantled. Mr. Speaker, such a situation should not be allowed to continue in a modern, responsible and advanced society such as Canada.

Therefore, Mr. Speaker, I would ask my colleagues to forget about the situation of relatives or friends for they might be tempted to pass judgment. I am not passing judgment on any of those thousands of divorces. I simply recognize that there is a problem we must address. We are faced with 600,000 family units which all have an equal right to respect and dignity, yet there can be no respect without a decent income. Mr. Speaker, I believe everyone of us will recognize that in order to raise children, one must at least have a minimum of resources which means providing them with the food, clothing and lodging they need. And I do not think that we can no longer tolerate that the great many women who are heads of single-parent families should live for 20 years in a state of permanent anxiety because 50 per cent of all orders to pay alimony are not enforced. And, as I said, the situation is the same, whether