

Criminal Code

a lot of money, to return a child who has been abducted, notwithstanding that it is in the best interests of the child. To act in a civil action is both expensive and lengthy and, if there is a question of jurisdiction, in many cases ineffective.

Moreover, the wronged parent does not have access to police investigation under what we have now, and the parent who has abducted the child can move very short distances, especially in large metropolitan centres, and virtually disappear. The parent cannot disappear forever, but in the interim period there can be serious effects on the child.

In the interim—and that is what we are talking about—there must be more protection than there is now. We must be concerned about the welfare of the child, and we must be much more concerned about the parent who loses that child. I doubt if what my hon. friend is putting forward will keep any more marriages together, but it will certainly ensure more fairness in those cases where abduction occurs.

Although it is difficult to estimate the number of abductions in Canada, there are some figures as to propensity, and there are figures which show potential abductions by reason of the increase in the number of family breakdowns. As I indicated, I do not have Canadian figures, but I suspect that per capita percentage increases are similar in Canada to those in our neighbour, the United States. The recent paper "Parental Child Stealing: Participants and the Victimization Process", presented August 20 to 24, 1980, by Michael W. Agopian, assistant professor in the administration of justice department of the California Lutheran College, points out, and I quote:

Divorce is rapidly increasing in America. In 1978 Americans divorced 1,122,000 times.

The rate of divorce has increased steadily, and from the 1960 rate of 2.2 divorces per 100,000 population, the divorce rate peaked at 5.1 per 100,000 in 1978.

The number of children involved in divorce has nearly tripled between 1960 and 1976, increasing from 463,000 to 1,117,000 children.

Today almost two million children live in one-parent families.

And recently, more fathers have become desirous of custody of their children.

Single fatherhood increased 32 per cent between 1970 and 1978 in America, with nearly one million children under the age of 18 living with their male parents.

Such a rapid increase in the divorce rate signals the potential for an epidemic of parental child stealing.

These changing and fluid times make legislation such as the hon. member is proposing that much more imperative. In looking back over the years during which I practised law, it was more the problem of parental abduction within Canada, from province to province, than abduction from Canada to a foreign country, that concerned me. When this occurred within Canada, the repercussions of returning the child were staggering, even from province to province. Facing abduction from country to country was like facing a brick wall. Almost invariably the wronged parent would have to go to the other country and, in essence, kidnap the child back. One can well imagine the effect this tug of war between two persons the child loves would ultimately have on the child, and both parents would love the child because both would be trying to get custody.

To ensure some international order, I am pleased to say that Canada is at the forefront of countries pushing for international rules. At The Hague conference of 1980 and The Hague conference of 1979 Canada forcefully put forward suggestions for international rules. Twenty-three nations worked to prepare "The Hague Draft Convention on International Child Abduction", and from this draft a formal convention was approved. On October 25, 1980, Canada, France, Greece and Switzerland were the first countries to sign this international convention.

In conclusion, Mr. Speaker, may I say that I have been with parents who have experienced parental child abduction. I have witnessed the utter frustration and utter helplessness of these parents. I have seen how ineffective our courts have been in these cases, simply because we have not given them the tools, I have spoken to Crown attorneys and police officers who wanted to help but could not.

Having seen this and experienced this, I applaud the hon. member's efforts. I hope it will be the prod that prompts the government to move quickly.

Mr. Bob Ogle (Saskatoon East): Mr. Speaker, I would like to add my remarks to those which have been made by the hon. member for Surrey-White Rock-North Delta (Mr. Friesen) and the hon. member for Sault Ste. Marie (Mr. Irwin) on this modern social problem which has such devastating effects upon innocent children. I suspect that pretty well every hon. member in the House at some time has been approached by somebody in his or her constituency, or by some other party, with respect to this problem.

● (1720)

As a member of Parliament I have had the problem brought to my attention on numerous occasions, and speaking from my pastoral experience as a parish priest, I know how profoundly devastating is the situation in those cases which were brought to my attention. Our society has changed radically, as I think most people will agree.

As is indicated in the statistics given by the hon. member for Sault Ste. Marie, what has changed most profoundly in present-day society in Canada, and in north America as a whole, is the stability of marriage. It is marriage breakdown, and marriage instability which occurs so frequently nowadays, which bring this problem to our attention.

I can say that in my pastoral experience I have officiated in 1,000 marriage ceremonies, which is many people and many new marriages. Each time that I prepared myself for that very serious moment in people's lives I always stood back in my own mind and asked myself whether a really good thing was happening, whether the two people being married were really ready to be married. Of course, one could not answer that with absolute certainty.

I know from close personal experience that many young people today approaching marriage—I make a clear distinction between the word "marriage" and the word "wedding" because people prepare themselves for weddings but sometimes