

*Divorce Act*

read the Bill and looked at the fine print, the clauses and the deficiencies of the Bill.

Let me give some examples of people who have objected to the legislation. The National Action Committee on the Status of Women, as I am sure the Minister will be aware, is an umbrella organization which encompasses 260 women's organizations from coast to coast and represents millions of women. It responded to the new legislation as follows:

Instead of improving the terrible situation of the victims of divorce such as mothers of young children and older housewives, it would worsen it by reducing their already meagre bargaining power while giving them nothing at all in exchange.

That is the reaction of the spokespersons for the National Action Committee on the Status of Women.

Other groups looked at the Bill and almost immediately after studying it voiced their objection. One such group was the Government's own Advisory Council on the Status of Women. It complained about the Bill, saying that it poses a threat to women and children involved in divorce proceedings. The council talked about a threat, and I think it is to this threat that we should address our remarks. We should determine why the council considered certain parts of the Bill a threat to wives and children. I hope that if we look at it from that point of view, we may get members of the Government to see that the need for divorce reform has to be examined through the eyes of the victims and not through the eyes of a Minister. He may think this is a very progressive piece of legislation which he can perhaps use to further his leadership drive. It is the people involved in divorce who should be able to offer some comment. That is the reason that many people who have already been through that traumatic situation object to this Bill.

● (1640)

I want to go further and illustrate why it is that so many women's organizations have in fact been so critical of this Bill and have labelled it as doing great injustice to women and children. Let me provide a few vital background statistics which point out just how badly the present system works. Only when the current danger is known do the difficulties this Bill presents become even clearer.

Sir, today, in 85 per cent of all cases of divorce, the mother is granted custody of the children. Not only has she the responsibility of raising the children, she also has the responsibility of providing for them financially as well as supporting them morally, since in most cases child support is rarely paid, if at all. That is one of the greatest tragedies in the many divorces which have taken place. In fact, five years after divorce, only one in four families gets child support. That is all. I have said that in 85 per cent of divorces the mother has the responsibility for her children; only one of four of those cases receives any kind of support after five years. In Ontario alone an incredible \$85 million is in arrears at the present time. Overall, 75 per cent of all maintenance orders do not get paid. Ten per cent of all divorcing wives, Sir, are over the age of 50 years. That is the figure for last year. These are people who, by and large, have spent most of their adult lives working

full time in the home. As a result of their assumption of the primary responsibility for the household and child rearing, these women have become financially dependent upon their husbands and they have lost career opportunities which they might otherwise have had. In other words, what happens is that these women—and I am speaking now of those who have been divorced at over the age of 50—are left with very little, and they are probably the most vulnerable group in society in the case of a divorce.

In the face of these very sobering statistics, Mr. Speaker, what do we have? We have the Minister of Justice (Mr. MacGuigan) proposing this Bill to the House of Commons and encouraging all Members to support it. Well, some of these proposals he puts forward are long overdue, and I can list a number of them that I want to see passed. But there are other aspects of the Bill which are only going to worsen an already bad situation. That is the last thing we should want to do, make matters worse for those who are indeed most vulnerable.

Much of the problem we have in this regard, at least I have myself, is to give a concept of a blanket approach to no-fault divorce. In an effort to streamline legal proceedings, the only grounds for divorce would be a one-year separation period. This may be acceptable in uncontested cases, and I do not have any difficulty with that whatsoever. But by no means at all am I sure that fault should be entirely eliminated. In the case of cruelty or desertion, a 12-month waiting period could be quite undesirable. One might want to have a divorce brought about sooner than that. Fault would also play a crucial role in the establishment of property and financial settlements.

I see you are about to rise, Mr. Speaker.

**The Acting Speaker (Mr. Herbert):** I am sorry to interrupt the Hon. Member.

## GOVERNMENT ORDERS

[Translation]

### CANADA HEALTH ACT

#### MEASURE TO AMEND

The House resumed consideration of the motion of Miss Bégin that Bill C-3, an Act relating to cash contributions by Canada in respect of insured health services provided under provincial health care insurance plans and amounts payable by Canada in respect of extended health care services and to amend and repeal certain Acts in consequence thereof, be read the third time and do pass.

**The Acting Speaker (Mr. Herbert):** Order, please. It being 4.45 p.m., pursuant to the order made earlier today, the House will now proceed to the deferred division of Bill C-3, an Act relating to cash contributions by Canada in respect of insured