

across Canada expressing concerns that legislation has not been amended.

If there is one concern about which we have been told very strongly and clearly than any other, it is the concern that if equality is to be a reality, and if the possibility of the courts being the last refuge is to be a reality, the courts must not be restricted solely to those who can afford to pay. It is on that basis that I asked the Minister of Justice on February 1, 1985, to agree to establish a special fund which would assist in challenges under the provisions of Section 15 of the Charter of Rights. That was not something which had been dreamed up that week, it was a question in response to a solemn commitment which had been made by the then Leader of the Opposition, now the Prime Minister (Mr. Mulroney), on August 14, 1984, during the election campaign. The Prime Minister said:

A Progressive Conservative government will financially assist all Charter of Rights cases deemed to be of national importance. Cases involving the rights of the handicapped and disabled would certainly fall into this category.

There was only one amendment in the Government's legislative response to Section 15 which affected the rights of the disabled and the handicapped. That amendment changed the word "lunacy" to the words "mental disability" in the Canada Shipping Act. That was not the major pressing concern of more than two million disabled people in Canada.

Many other concerns were expressed by the disabled community, which resulted in the strengthening of the Charter of Rights to include physical and mental disability. Those concerns were reflected in the Obstacles Report. There was no shortage of recommendations. The Government did not make the legislation changes which were needed. Therefore, the only alternative, pending those legislative changes, is court challenges.

We have waited for the funding for those challenges. The corporate sector is already active in the courts defending its rights. It has unlimited resources. Generally speaking, victims of inequality tend to be economically unequal; they tend to be poor and powerless. It is those people who must be assisted financially.

We were told in February 1985, by the Minister of Justice that the Secretary of State (Mr. McLean) was considering the establishment of a fund to assist in court challenges. The Minister of Justice said that his colleague was a mighty volcano in Cabinet on the question. He said that the Secretary of State was ready to explode at any moment. He was considering the issue together with the Minister of Justice. Well, we are waiting for the Secretary of State to explode. We have been waiting for a little whimper from the Secretary of State. It is the Minister of Justice who has been doing the exploding recently.

This is an issue of fundamental importance. As Frank Scott said so eloquently, "The trappings of democracy hang loosely on an emaciated body politic". I hope, Mr. Speaker, that the Parliamentary Secretary to the Minister of Justice will stand in his place today and respond to the concerns of women's groups, the disabled, and other minorities, and announce that the Government will, in fact, make equality rights a reality, at

least to the extent that the people can challenge unjust laws in the courts. I call upon the Parliamentary Secretary on behalf of the Government to live up to the commitment which was made by the Prime Minister during the last federal election campaign, to live up to the commitments made by the Minister of Justice and that mighty volcano, the Secretary of State, and finally announce a court challenges' fund.

● (1815)

April 17 has come and gone and still this Government's promise remains unfulfilled. I hope that we might finally see some evidence of funding which will ensure that these challenges, so important in the absence of a meaningful legislative response, can in fact go forward.

Mr. Chris Speyer (Parliamentary Secretary to Minister of Justice): Mr. Speaker, I can tell the Hon. Member, seeing that brevity has its own rewards, that the whole matter of funding is under consideration by the Cabinet—

Mr. Robinson: How much longer?

Mr. Speyer: —and it will be announcing in due course its decision.

PENSIONS—MINISTER'S POSITION. (B) CONCEPT OF FAIRNESS

Mr. Bill Blaikie (Winnipeg-Birds Hill): Mr. Speaker, I would like to pursue a question I asked of the Minister of National Health and Welfare (Mr. Epp) last week. It concerns the discrepancy between the actions the Government has taken with respect to deindexing the old age security payment in the budget and some things the Minister of National Health and Welfare had to say prior to the introduction of that budget. I referred to a number of things, the first of which was the commitment made by the Minister of National Health and Welfare in the discussion paper released by him in January concerning social benefits, that there would be no change in the Old Age Security-Guaranteed Income Supplement system. That was a flat statement by the Minister in that document, that no change was required.

In fact, the Minister did not even seek out the opinions of the seniors with respect to the pension system, because he gave the impression in January that this was not even an issue. It was not even up for discussion. Yet when the budget finally came down we found that there was to be a radical change in the system, a deindexing of the Old Age Security payment which will affect seniors far and wide, no matter what part of the country they live in. I think, therefore, that the Minister needs to be called to task for saying one thing in January and allowing the Government, of which he is a part, to do another thing in the budget in May.

The Prime Minister (Mr. Mulroney) cannot hide behind the fact that the situation is other than what he expected it to be. It is often said by the Government, "Well, we said that when we were in opposition but we didn't know what a mess we would be left in by the Liberals". Yet I am talking about a commitment the Government made in January after it had