

*Adjournment Debate*

through publicity, and for the benefit of the general public—with more forthcoming co-operation from our provincial colleagues—we might try to make the Criminal Code more readily understandable.

Of course we must point out that the Law Reform Commission is doing very important research with respect to sentencing delimitation. Later this fall it will present a report on release in an attempt to simplify the system and make it easier for people to understand the whole process, so perhaps in this case the conclusion will be that when somebody is given a three-year sentence, indeed he should not be released after serving six months.

But this can only be done after consultation, including the work done by the Hon. Member as well his questions and comments, and then likely by next fall or sometime next year the Government, under its mandate, will be in a position to make certain recommendations which should considerably improve the system, and more particularly the public perception of the Canadian judiciary system.

● (1810)

[*English*]

THE CONSTITUTION—REQUEST FOR INCLUSION OF PROPERTY RIGHTS

**Mr. Jim Jepson (London East):** Mr. Speaker, in September 1985 and on March 11, 1987 I raised the question of the inclusion of property rights in the Charter concerning the very grave oversight on the part of the Liberal Government when it drew up the Charter revisions.

I do not think there is any Canadian living in Canada who would hold one particular right more dearly to his or her heart than the right to own property. There are many individuals who have chosen Canada as their new home because of the freedoms that we enjoy to work hard and to acquire wealth and property.

Now that we have been in office for two and a half years, I feel it is time to bring this important matter to the front burner. I urge the Minister to address this matter as quickly as possible with his provincial counterparts. We all know that to make this change requires the approval of the majority of the provinces.

In response to my question, the Minister of Justice and the Attorney General of Canada (Mr. Hnatyshyn) said he will be dealing with the matter, but the purpose of my speaking again this evening is to reinforce how important property rights are, not only to me as a Member of Parliament, but to my constituents and constituents right across the land. I urge the Minister to give this matter his urgent attention and include property rights in the Charter in order to make that Charter complete.

**Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada):** Mr. Speaker, I wish to assure the Hon. Member of our sympathy for the entrenchment of property rights in the Constitution. He is

aware of the long record of support of the Conservative Party for property rights. In 1960, the Progressive Conservative Government under the leadership of the late former Prime Minister, the Right Hon. John G. Diefenbaker, introduced the Canadian Bill of Rights. The Bill of Rights provides protections for property rights at the federal level. In particular, it protects the right of every individual to the enjoyment of property and the right not to be deprived thereof, except by due process of law. Since the introduction of the Canadian Bill of Rights, we have continued to advocate property rights. In the process leading up to the patriation of the Constitution and after, we pressed the Liberal Government to add property rights to the Constitution.

It was in this context that the previous Attorney General of Canada asked the Attorneys General of the provinces last year to establish a working group of officials to examine the entrenchment of property rights. The Attorneys General agreed, and a working group was established. Women's groups, aboriginal people, environment groups and provincial Governments have expressed concerns about the impact of entrenching property rights and about legal uncertainties relating to property rights. The working group is analysing these questions. I understand that the working group is making good progress and it will be reporting to the Attorneys General in due course.

Last August in their Edmonton declaration the provincial Premiers specifically asked that the question of Quebec and the Constitution be dealt with first before we deal with any other matters of constitutional reform and they specifically included in these the matter of property rights. At the conclusion of their annual conference in Vancouver last November, the First Ministers of the provinces reiterated their view that there should be another stage following the present round of discussions to deal with other matters, including property rights.

● (1815)

An amendment to the Constitution would require the assent of at least seven provinces and the assent of at least 50 per cent of the population of the provinces. The Hon. Member will appreciate that we wish to co-operate with the provinces as their agreement on the matter of property rights is essential. The current round of constitutional discussions is not over yet so we do not have a definite schedule for the next round of discussions. However, the matter of property rights is progressing with the efforts of the working group on property rights.

HUMAN RIGHTS—EAST TIMOR—INVASION BY INDONESIAN TROOPS. (B) REQUEST FOR REPRESENTATIONS TO UNITED NATIONS

**Mr. Roland de Corneille (Eglinton—Lawrence):** Mr. Speaker, on February 17, I asked the Secretary of State for External Affairs (Mr. Clark) a question on behalf of a pathetic, suffering, tortured population in a little section of a little island called East Timor and a little section of another little island called Irian Jaya, some 500 kilometres North of