

Statutory Instruments

● (2050)

I think the committee has done good and valuable work, and what it has to say will no doubt lay a solid foundation for future contributions to our system of parliamentary democracy. As I have indicated, the beginning has not been perfect. I think I demonstrated that in my few comments this evening. As I said, my comments are offered as constructive criticism and advice. I hope they will help because this committee, in which I have enjoyed participating, has important work yet to do, and in order to do that work in the best way, and in order to discharge our mandate to parliament, and through parliament to the country, I think we should bear in mind the need to approach our task in a conscientious way and also in a practical way to ensure that in real terms we are discharging the mandate which has been given to us by the House of Commons and by the Senate.

Mr. Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, I have listened to the debate today as a layman wondering what this committee has been doing for the last while. I listened to the legal, dry-as-dust presentations on this great study, and every moment I listened I became angrier and angrier because here we are witnessing an effort by a very sincere group of people from all parties to find out about the injustice in our system, and there is injustice. They presented, in what I thought to be a very moderate way, some proposals which I did not hear discussed on the government side. I heard some statements today which shocked me, in view of this study about how these instruments or regulations—or whatever we want to call them—are being used as a method of injustice in a so-called democratic society. The Minister of Justice (Mr. Basford) stood up today and said he was here representing his clients, the people in his department. Why is he not here as an elected representative representing the people of Canada?

Some hon. Members: Hear, hear!

Mr. Hamilton (Qu'Appelle-Moose Mountain): The parliamentary secretary who just sat down sympathized with the ministers because officials at lower levels do things about which ministers do not know, and for which ministers are blamed. Why should they not be blamed? Ministers have the power to punish, dismiss, move sideways, upwards or downwards people who do harmful things, but the fact is that ministers, with the support of some spokesmen in the House today, are not doing anything to check and control the servants of the people. That is the essence of why it is important to look at these regulations to see if there is something we can do to take away the sting of their injustice and, when they are brought to light, to take countervailing action.

As this House knows, I have been in this fight for many years. I have fought as a minister and I have fought as a member of the opposition. In Canada in the last 40 years we have moved to the point where our so-called democratic institutions have turned over all effective power to civil servants who are not responsible to the people directly. If the Canadian people had been here last Friday when we were debating metric conversion, they would have realized that we were

[Mr. Goodale.]

debating an issue which should not even be a matter of controversial debate. We were debating whether we should put the system in arbitrarily, knowing the opposition of the people, or put it in slowly. One would think that would be a matter of judgment, but it is an article of faith to hon. members opposite that because the Metric Commission has said that in Australia it was adopted rapidly, we have to do it rapidly here. It is this attitude on the part of hon. members opposite that is getting to us, and I hope getting to the people of Canada.

I am going to give just two illustrations of what has been happening in recent years. I have gone to ministers privately, I have gone to senior civil servants privately, I have asked questions on the order paper and questions in the House orally, and these two cases are not the dry-as-dust type of cases a legal man faces when he appears before a supreme court justice. These are cases that hit your very guts.

Some years ago this parliament passed legislation, which was supported by all parties, providing that children up to age 16 should have the right to family allowances. Parliament said that whether a child's father is a millionaire or his mother is a millionaire, or whether they are paupers, that child should receive \$20 a month in family allowance, to ensure there was no injustice. Granted, in the case of those with wealthy fathers some of it would come back in taxes. As I say, this parliament, with all its majesty and power, passed a law providing that every child, regardless of the wealth of his parents, would get \$20 a month in family allowance.

What did the civil servants in the Department of National Health and Welfare do without telling parliament? What did they do without even telling the minister? They quietly slipped through regulations which said that every child up to the age of 16 shall have family allowances except one class of children, and that one class of children is made up of orphans. If any child, or group of children, loses both parents, under the regulations as they exist, and as drafted by civil servants in a room by themselves, and promulgated by order in council, that child or group of children loses the right which parliament gave of having family allowances. That exists today in Canada. When I raised this matter with the minister, he was shocked, as he should have been shocked. He said he would take it up with his civil servants, but the answer came back that that could not be changed because it is a regulation. The minister took the matter up with his civil servants, but they said it was a rational regulation, that every day people are dying, that when they die they leave estates, that whether a child is three, two, five or eight he gets the estate of his parents and that he is then an adult.

The regulation says that if a parent has an estate of \$1,600 or more, a child is no longer a child in this country; he is an adult as far as family allowances are concerned. That was not done by parliament; it was done by civil servants with a parliamentary secretary saying, "Yes, Sir; no, Sir; when shall I sit down, Sir; and how high shall I jump, Sir?" When I raised this matter with the minister and asked what the reward of the deputy minister involved would be, I learned that he was promoted. There is a place for the recommendations of a