

*Criminal Code*

who he was. That boy has been scarred for life as a result of that experience. Cases of this kind have occurred over and over again across Canada and throughout the world. To this day my office is receiving notices of additional cases which have come to light.

There has been some progress made since the introduction of this bill four years ago. Across Canada, with the exception of two provinces, there is reciprocity regarding the matter of child custody. If a child is abducted in British Columbia and taken to Manitoba, the Manitoba courts will now recognize the custody order granted in British Columbia. The big problem is in finding the children. As the law stands now it is not strong enough to support custody orders.

Several organizations have come forward to give approval to the provisions of this bill, and I might mention the National Council of Women as well as a new organization called Abducted Children's Rights of Canada. Mrs. Lilia Karu of Ontario has formed this new organization to advocate this kind of protection. I believe one of the members on the government side who will speak in support of this bill is that lady's member of Parliament. The organization sponsored by Lois Preston, Parents of Kidnapped Children, has been advocating this principle for a number of years.

Just about a year and a half ago I attended the Interparliamentary Union Conference in Caracas, Venezuela. At that time I spoke to a motion asking that union to pass a motion urging governments to grant reciprocity of custody around the world. That motion was unanimously adopted by the interparliamentary union. Just a month or two ago Canada became a signatory to The Hague Convention by which western European and North American countries are to grant reciprocity of custody. So there has been some progress.

There has also been some stagnation. As I have pointed out several times, this matter is now four years old, and since I first introduced the subject matter in the form of a bill there have been countless more children kidnapped by parents, and their security has been jeopardized in those intervening four years because of our negligence in passing this kind of protective legislation.

I might add that most of the cases involving these abducted children on our flies four years ago have still not been resolved, specifically because of this lack of protection. Consequently the security needs of the most vulnerable children of our land are not being met. The irony is that at this time the constitutional committee is debating a charter of rights and freedoms for our people, yet the most vulnerable in our land really do not have security of person because of our failure to put teeth into the legislation.

It seems to me all we lack in this country is the political will to resolve this problem and end the inherent anguish in these human tragedies scattered across our land. There is great torment to those parents who wonder where their children are, and there is great anguish on the part of those children who wonder if they will ever see their other parents again and where their next home will be. It seems to me what we need is

some political resolve to end the anguish these children are experiencing.

• (1710)

**Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development):** Mr. Speaker, I wish to address a few remarks to Bill C-219, a private member's bill sponsored by the hon. member for Surrey-White Rock-North Delta (Mr. Friesen). This is a very important bill which has been put forward in similar form in the past by the government but for one reason or another has never been passed. It was first introduced on May 1, 1978, as Bill C-51, but lapsed because of the adjournment of the House. It was reintroduced on November 21, 1978, as Bill C-21, but again was not dealt with because an election was called.

As I have indicated, both Bill C-51 and Bill C-21 were government bills. It is apparent that the government and the hon. member are of similar mind when it comes to the problem of child abuse. On two occasions this subject matter was sent to the Standing Committee on Health, Welfare and Social Affairs. These were in March of 1977 and February of 1978. In May and July of 1977 the committee heard several expert witnesses.

I have read carefully the wording of Bill C-21 and the hon. member's Bill C-219, and they appear to be identical, right down to the explanatory notes.

One of the most traumatic, if not the most traumatic experience is the breaking up of a family. Usually the most difficult part of separation is not the division of money, of the furniture of the house but, rather, the access to and custody of the children of the marriage. In most cases the desire of each parent to keep the child or, at the very least, to have regular access, is motivated by deep affection for the child. Notwithstanding the rancour and the time involved, the overwhelming majority of cases are solved either by mutual consent and a separation agreement, by a court order, or a combination of both. Notwithstanding the difficulty and tension involved in reaching a mutual understanding, which often continues even beyond the formalization of an agreement, very seldom is there child abduction.

Although we are dealing here today with situations which technically would include denial of access, or prolonged access where one parent denies access to the other parent or keeps the child too long, these matters can still be dealt with in the civil courts.

What the hon. member's bill would do would be to go a long way toward alleviating the tragic experience of having a child kidnapped by one of the parents, to the utter despair of the wronged parent. I hope once we pass a measure similar to what the hon. member is proposing—and I am sure we will—the deterrent alone, namely, making child abduction a criminal offence, will be sufficient to prevent most extreme cases.

What we have now, in both legal and technical terms, is a situation which is quite unsatisfactory. Without a civil court order there is nothing that can be done quickly, unless one has