

no special order of priority and henceforth, once the legislation comes into effect, maintenance orders should address all those objectives unless one of them does not apply.

The legislation will not impose hardship on those who cannot attain economic self-sufficiency. If, as I just mentioned, we were to discover that, contrary to our intention, this does occur, then I will certainly consider changes. That is, once it is proven, if it ever does happen to be proven.

We have to encourage those who are capable of attaining self-sufficiency to do so, so that the supporting spouse can continue on with his or her life. We cannot forget that approximately three-quarters of all divorced persons eventually remarry and we should not unnecessarily hinder remarriage. As well, during consideration of this Bill in committee, representations were made about barriers to remarriage which may apply to a conscientiously religious wife under Jewish religious law if the applicant for a divorce refuses to co-operate in the religious formalities required to permit her remarriage. Regrettably, the issue was raised late in the day.

There are a number of complex questions about the nature of this problem as well as matters of constitutional law which have to be resolved. I can advise the House that we have met with representatives of the communities affected. I have instructed my officials to establish an expeditious process of consultation with representatives of all the various interests in order to resolve those outstanding issues. We will give sympathetic and careful consideration to this issue and an equitable solution will be found if at all possible, as soon as possible.

The Bill recognizes that all arrangements regarding children should be made solely according to their best interests, having regard to all the circumstances. The Bill provides for that. We provide the power to award custody or access in favour of either or both spouses. Any award has to take into account that a child should have as much contact with each spouse as is consistent with the best interests of the child. The legislation stresses that maintenance of the children is a joint responsibility of the parents. I believe that fathers are being given some reasonable consideration as parents in this legislation and we will also be watching to see what happens in the future with respect to custody of children and how the system operates.

I think it is plain that there are many cases of unfair treatment with reference to fathers as parents in the previous situation. We are actively promoting reconciliation of spouses. I will not go into the details because the House is familiar with them. We are encouraging mediation of custody and support issues and will continue to do that. We are requiring that spouses be informed of any mediation facilities. I support voluntary mediation. We are supporting family mediation in Canada and we will continue to do that. We are distributing to family law practitioners a research report describing mediation services available in Canada. This will help the practitioners inform their clients of mediation services as required by the Act.

Bill C-48, an Act to provide for the release of information that may assist in locating defaulting spouses complements the provisions of the Divorce Act. Her Excellency the Governor

Divorce Act

General has been informed of the purport of that Bill and has given her consent, so far as Her Majesty's prerogatives are affected, to the consideration by Parliament of the Bill. She has said that Parliament may do therein as it thinks fit.

This is going to be a most useful Bill because of the two remedies which will assist in enforcing family orders and agreements. The first will allow a limited release of information from designated federal information banks to locate a missing spouse or child where there has been a breach of a support, custody or access provision. The second remedy will allow the garnishing of designated federal moneys where a support provision is in default. We have had a scandalous situation in this country for years with reference to maintenance orders, some 60 per cent to 80 per cent of which are not enforced, although statistics show that 80 per cent of all those involved have the ability to make the payments required. This tragedy and national scandal is going to be ended within a year when this legislation is fully operative. Due to the complications of computer systems and the like, it may well be the end of March, 1987 before we have both the tracing and garnishing provisions of this new legislation in full force and effect. However, once they are in full force and effect this national scandal and tragedy will be ended. I believe there will be a considerable saving to the taxpayer who spends at least \$1 billion annually to support dependent spouses and their children today, in part because maintenance orders cannot be satisfactorily enforced.

● (1610)

Finally, the new Divorce Act and the Enforcement Assistance Act are a humane step forward in handling the problems that beset the Canadian family. They provide opportunities for spouses to reconcile, to reduce the confrontation and dispute that surrounds divorce, and to concentrate on what is best for their children. That is what they should be concentrating on. It is up to each divorcing person, with the assistance of their lawyer and, hopefully, mediators and conciliators to take advantage of the opportunities that this legislation will provide to reduce the trauma of divorce for themselves and their children.

This legislation represents an important part of the commitment of the Government to social justice. I believe it to be one of the great social and, certainly, familiar pieces of legislation of this century. It compliments the steps that were taken in 1968 and helps to complete a social revolution. I believe that the legislation will result in women, children, and men all receiving better, fairer, more just, and more humane treatment in this area than has been possible in the past.

That is why I am pleased to have initiated this legislation by the Government with the willing support and backing of the Prime Minister (Mr. Mulroney) who, I would like to add, is very much interested in this, and who was very supportive on several occasions when support was needed. The Prime Minister believes in social justice. He gave his firm support when it was needed and I would like to thank him for that.