

I have experienced a great deal of resistance even among those who are on the Justice Committee who, because of their legal background, do not believe that conciliation has a structured process in the legal proceedings. Until they improve their own understanding of this, we will not be ready to ascribe the whole question of costs.

In answer to the Hon. Member, my personal opinion is that the costs should be borne both publicly and privately. I think the destruction of family life and the resulting divorce is a societal matter and not only a private concern. I think there is a great deal about marriage today, about its input into society and how it strengthens society, that has been lost by current standards. As to when this would be done with respect to the decree, the conciliation process should take place before.

Mr. Patterson: Mr. Speaker, I wish to commend the Hon. Member for the very careful and thoughtful presentation which he made today. With respect to the idea of mandatory mediation, there have been suggestions that there ought to be some consideration given to the feasibility of premarital counselling. Has the Hon. Member given any consideration to this in the discussions and research in which he has engaged?

Mr. Roche: Mr. Speaker, I have believed for some time that the divorce rate in our country would be lower if more attention were paid in a structured sense to premarriage instruction. This is also a controversial question which concerns, among other things, the rights of people.

We have lost sight of the marriage contract as a centrepiece of our society. As a result, there are huge manifestations and repercussions from that in our society. Therefore, the commitment of two people to stay together to weather the storm that inevitably enters any marriage is weakened to the extent that the centrality of the societal importance of it was not understood at the very beginning.

That brings us directly to premarriage counselling. Religions throughout our society have always advocated premarriage instruction. They do not always have the facilities to do so. While I would not suggest that it should only be religions that have this right, I believe that if there were greater fostering and a deeper understanding through the mediation process of the commitment of marriage and its continuation as a societal contract, there would then be a greater understanding of the need to enter into this contract. There would be a better understanding that society assumes its own responsibility for financing it.

The Acting Speaker (Mr. Herbert): If there are no further questions or comments, we will proceed to debate.

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, Bill C-10, the Divorce Bill, has the appearance of a reformed Bill. However, it does very little to reform the way society faces divorce in this country. It probably makes one important reform, a reform that has long been part of the New Democratic Party policy, that marriage breakdown is the sole grounds for divorce. Otherwise, this Bill is grossly deficient, particularly in the area of maintenance, particularly when it

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might worsen the economic situation of women, especially those who are long-term homemakers who face divorce.

• (1550)

There are many amendments within the federal jurisdiction that we would like to see introduced in this Bill. They also involve other pieces of legislation within the jurisdiction of the federal Government. Not only are we limited because this Bill deals just with the Divorce Act, but we think this is a particularly good time for the federal Government to look at the whole procedure and make some broader changes to the legislation. It would be interesting to put before this House, something which has probably been done before and will be done again, some quotations and items that have been put to the committee studying divorce. For instance, the Canadian Advisory Council on the status of Women, on January 20, 1984, said:

—the dignity conferred by non-adversarial divorce proceedings must be undermined by economic losses that could easily come about if fair and effective support enforcement procedures are not explicitly made into law.

This is a direct reference to some of the needs for changes in the Divorce Act. The Law Reform Commission of Canada's report on family law, *Enforcement of Maintenance Orders, 1976*, had this statement:

Reform involves two courses of action. First there must be an effort by government in Canada to improve individual laws and practices that deal directly with maintenance enforcement. Second, the whole body of marriage breakdown law must be thoroughly re-shaped. It is as much the traditional fault-and-adversary foundation of this law as it is the particular deficiencies in enforcement techniques that account for the appalling record of non-payment of maintenance obligations in Canada.

Bill C-10 deals with only half of the problem or less than half of the problem. The Minister in the introduction of this Bill suggested that the Bill involved broad, revised and comprehensive measures on maintenance. The Minister claimed that this Bill goes as far as the federal Government can possibly go, especially in terms of maintenance and its enforcement. But that is not true. One of the things that needs to be explored in committee is how far and in what areas the maintenance procedures can be strengthened.

In dealing with this Bill, Mr. Speaker, we do not intend to support it on second reading, but we do intend to try to bring before the committee a large number of possible changes and an appeal to the Government to take a broader look at the needs of people facing divorce in Canadian society.

I would like to spend the next few moments going over the Bill based on broad principle and pointing out where there are some areas which the Government and which we as a Parliament need to look at in an attempt to make it a much better Bill than it already is.

First, marriage breakdown as the sole ground for divorce is probably the most welcome provision in the divorce Bill. Making marriage breakdown the sole ground for divorce has been our Party policy since 1967. It has been a position that has been supported by a number of churches since about that time, or even before then. No-fault divorce, as it is sometimes called, is supported by most women's groups, social service