

*Private Members' Business*

In raising these concerns I want to make it abundantly clear that we are not in any way suggesting it is unsafe at the present time to fly in Canada. That is not to say there are not a lot of things that can be done to improve the system and to ensure that further Drydens do not occur. That being said, I want to draw attention to the findings Mr. Justice Moshansky made, upon which he based his recommendations. These findings, if this were a court proceeding, would be the findings of fact from which he drew conclusions. They are very important in two ways.

First, he found with respect to the period of time in the mid-1980s when deregulation was coming into effect that, and I am reading from page 913 of his report: "Based on the information before this commission the Aviation Regulation Directorate was not adequately prepared to perform its functions in the latter 1980s. The warning flags raised early in the 1980s and repeatedly thereafter had seemingly negligible effect. The forecasts of safety assurance deficiencies were soundly based and progressively confirmed, yet there was no proper response by the senior management of Transport Canada in the form of urgent planning or action to meet the inevitable challenge".

Another finding: "It was known that significant increases in personnel would be required to meet demand, yet such increases were not authorized, let alone acquired". Finally: "Had the Transport Canada Aviation Regulation Directorate been in a position to discharge all of its responsibilities in an effective and timely manner some of the factors that contributed to the Dryden accident may not have arisen".

Even more devastatingly, in his press conference yesterday Mr. Justice Moshansky said that this disaster, which cost 24 lives, was allowed to happen. Allowed to happen by whom? In part, it was allowed to happen by the regulator, by Transport Canada, and by the Government of Canada.

Why the government? There has been a lot of discussion over the last couple of years about ministerial responsibility, about when ministers should be required to face the music for things that have happened in their departments. There has been an evolution in that doctrine in the time that this government has been in office. It has been repeatedly suggested that if something

happens at a lower level then the minister should only take steps to take corrective action and should not be held responsible for it.

In this case, I suggest that the judge in the inquiry has found that the responsibility for the problems that contributed to the Dryden air disaster lies at the top level, at the cabinet level.

Let me read some further findings from Justice Moshansky's report. On page 939 he writes: "The need for increased resources within the Aviation Regulation Directorate to meet the growth and demands expected to be generated by the policy of economic regulatory reform"—that is deregulation—"was predicted and well documented in several reports and studies in the period prior to 1984 and following. The Deputy Minister's internal audit review group in June of 1987 issued a report that stated that the Aviation Regulation Directorate was at that time unable to provide senior Transport Canada management with sufficient assurance that the aviation industry was in compliance with existing safety legislation, regulations and standards".

A further finding is that: "The effect of economic regulatory reform, combined with deficit reduction, created a synergy that in my opinion, based on the evidence before this commission, had an adverse impact on the effective application of safety standards".

Finally, and I think this is the most devastating critique of all, he says that: "It is not my intent to criticize the right of a government to embark on a policy of economic deregulation of the air carrier industry. Nor would I suggest that it is improper to attempt to reduce the size of the national deficit. It is the combined effects of these policies, as they relate to the safety of the public, that causes concern. The policies are not faulted in any way but their application and over-all administration left much to be desired".

• (1550)

These are the measured and carefully phrased words of a justice of the Supreme Court of Alberta. This is not political rhetoric. When we take these out of that context and recognize what this judge is saying, he is saying that the two main major policies which were policies of the cabinet collided in mid-air, the policy of airline deregulation on the one hand and the policy of deficit reduction