

*Government Orders*

There is also concern over setting a precedent by using the term sexual orientation in legislation and opening the door to future extension of many other items, those promoted by some of the members opposite.

I want to reassure my constituents that the use of the term of sexual orientation is not new in our justice system. In fact it has been around since 1977 and presently is included in the human rights legislation of eight provinces.

● (1930)

The second question I addressed to the minister was whether pedophilia and other sexual behaviour could be defined as sexual orientation. Again the minister replied in the negative. The Criminal Code clearly describes and provides for offenders.

The minister pointed out this is not new legislation; it is not ambiguous and does not include criminal acts such as pedophilia. I heard some of my church congregations in St. Catharines expressing some fear that freedom of speech might be removed. Again I was assured by the minister, quoting from his letter: "The provisions of the bill do not and cannot prohibit people from holding beliefs or from talking about them within their churches, congregations or communities. The bill deals with people who act on certain bias or hatred to commit crimes. It will not affect freedom of expression".

Recently one of the congregations wrote to the minister to express its concern and support concerning Bill C-41. I am reminded the church believes it is obligated to struggle against injustice. Its letter to the minister:

Our mandate is to support the church in God's mission of bringing about an inclusive and participatory church and society, striving to protect the rights and meet the needs of all, including those who are marginalized on grounds of race, culture, sex, family and economic status, age, belief, sexual orientation, and disability.

The focus of Bill C-41 is to improve our sentencing laws and define their purpose. The bill deals with victims, crimes motivated by hate, other rehabilitative provisions for some offenders like community service, and probation, fines and updating the rules of evidence and procedure.

Bill C-41 is particularly important to me because it deals with the rights of victims of violence. It is unfortunate but our justice system often seems to protect the offender while ignoring the victim. The bill takes important steps to outline the importance of respecting and protecting victims, one small step forward.

The bill deals with the protection and promotion of the rights of victims. The bill contains a statement of sentencing purposes. The

present Criminal Code does not contain a statement outlining the purpose and principles behind sentencing. The new bill would fill this void by including a statement providing direction to the courts on the fundamental purpose of sentencing.

The statement would include as part of the objectives of sentencing providing restitution to victims or the community. In addition, sentences should promote a sense of responsibility for offenders and include encouraging acknowledgement by offenders of the harm done to victims or to the community. The statement would outline the importance of maintaining a peaceful, safe society.

The second way the bill provides for the victims of violence is through victim impact statements. The bill allows victims the opportunity to speak of the harm done to them or the loss they have suffered because of the offender. These statements will impact the sentencing of offenders and in deciding whether an offender should be discharged in a section 745 parole hearing.

In the past the parole board has refused to allow victims to put forward information. This is important to me because as I am sure all will agree the information on harm done to a victim by the offender is relevant to the offender's parole. The victim's experience will be taken into account and they will have a chance to speak, which will have an important impact.

The third way the bill deals with the protection and promotion of the rights of victims is in the area of restitution. The bill helps to provide compensation in cases where there is family abuse. Costs for moving, temporary housing or child support may be awarded when the victim is a wife or family which must move from their place, for example when the father is the offender.

● (1935)

I would be remiss if I did not speak on this bill today. I understand and have experience with hate and discrimination and what it can do to an individual. It is a devastating, destructive force that must be dealt with very harshly. I have seen and lived through periods when a name like mine was something excluded, something different and dealt with differently. I understand what can happen in society as a result of having a name like mine.

We must start making the rights of victims a priority. I hope in the future the justice minister brings additional bills to the House to improve the consequences of what victims have to suffer in society as a result of violence taken.

I have noted that the chief of police in Ottawa-Carleton, this area, strongly supports it. The Federation of Canadian Municipalities have written in support of the bill.