

*Legal Assistance*

correct the "blues" to make sure that the word "democracy" is not associated with Chile. Perhaps we might not have heard that if the previous Liberal Government had not been so co-operative with Chile.

The failure of the previous Liberal Government to negotiate effectively with the U.S. is clearly evident when we have matters such as this before us. My colleague from Burnaby indicated that in this situation the Liberals and Conservatives were largely in bed together on their failure to negotiate effectively with the U.S. Yet it is to the credit of the previous Government that we did not see a sell-out on such a massive scale as we see with the present Government in its effort to obtain a free trade agreement. Canadians are not prepared to see that continue. If you look at the polls you can see that the record of the Government is very dismal in the eyes of Canadians. It is time to turn things around, and this legislation could be an example.

We are certainly prepared to pass acceptable legislation. That acceptability can be worked out in committee. However, there are certain irritants and even severe problems in our relationship with the U.S. which, as I said, could be dealt with in order to reach an understanding. I think that concludes my remarks, Mr. Speaker.

**The Acting Speaker (Mr. Paproski):** Questions or comments.

**Mr. Epp (Thunder Bay—Nipigon):** Mr. Speaker, it was interesting to hear the observations of my friend from Comox—Powell River on various aspects of this Bill. He has outlined the dangers on the side of political pursuits and I would ask him to expand on that. He also was concerned about the possibility of mutual legal assistance in family matters. These of course are two different problems. I suppose the latter is not, strictly speaking, a matter of criminal law but it could have potential value in the pursuit of mutual legal assistance.

I wonder whether he could tell us something about the British Columbia experience with general criminal matters. I have a vague memory and a more recent memory of specific cases in that province where co-operation between Canada and U.S. enforcement authorities occurred. Since he has referred to some of the dangers inherent in this legislation as well as its unrealized potential, I wonder if he could offer some observations on the extent to which operations over the last few years have reassured him or otherwise about the way in which the authorities actually do operate and how they might operate under this new legislation?

**Mr. Skelly:** Mr. Speaker, the difficulties in family matters and the cases involving disappeared children is a matter of record. One parent takes the children to the U.S. and the other parent begins a search. As has been demonstrated in a number of cases, it is extremely difficult to obtain what I would call serious effort by American law enforcement agencies in the search for those individuals. I know the task at hand is very large, but so are the law enforcement agency resources, and I

think the agreement between the President and the Prime Minister could have explored that particular issue much more.

How can we become more effective in recovering missing children on both sides of the border? How can we apply the strength of our law enforcement agencies and bring in other resources in support of them? When this legislation goes to committee those are items I would like to see raised. I intend to pursue the matter vigorously through our critic, or directly if I participate on the committee. It is a logical place to do it and I would hope other Members with the same experience will pursue it as well.

Another aspect of that same problem is the situation where a parent has obligations imposed by the courts for maintenance of the family and then moves to the U.S. For all intents and purposes that could be defined as criminal activity, because that person is failing to live up to an obligation imposed by the court. I think arrangements to deal with that problem should be pursued. Probably every Member of this House has had experience at one time or another with that kind of situation. It is almost futile to pursue it unless the individual involved has a large amount of money. This particular legislative mechanism would be appropriate in dealing with that problem as well. That is an item which I would like to flag for attention in committee in order that the legislation can be expanded or made more precise to include this matter.

• (1250)

I am not certain which incidents in British Columbia the Member speaks about, but a number come to mind in which law enforcement co-operation between the two countries has been a little too informal and may need some legislative action. The FBI in Seattle has phoned the RCMP in Vancouver asking them to pick up and drop off in Blaine one of their "nasties" who was living in Vancouver, this without benefit of a court appearance. We have experienced that a number of times. That is certainly not acceptable under our system of justice. People have a right to a day in court. The RCMP has participated in such completely unacceptable activity.

With regard to the political situation, I do not think there are many Members of this House who have not been confronted with the problem of assisting refugees from regimes such as those in El Salvador and Chile. These people often have difficulties dealing with immigration. The immigration people say that if they have a criminal record or criminal charges pending in their country of origin they cannot enter this country. It would be very difficult to check with a regime such as that in Chile to determine whether a refugee has a criminal record.

It is dead wrong to allow the Cabinet of Canada to expand the list of countries which could enjoy the powers of this legislation without reference to Parliament. We should work at every stage of this Bill to stop that. Conceivably the Soviet