

Government Orders

In the criminal justice system though inconsistency exists in the system it is controlled by the appeal process. If mistakes have been made at the lower level, at the court of first instance, the appeal system is there to correct the inconsistencies or the mistakes that were made.

• (1140)

In the unemployment insurance system decisions from one employment centre to another can differ greatly. Appeals are also localized and potentially inconsistent. There is very little one can do about it, if anything.

Again under the criminal justice system if an appeal process is too lengthy the court may drop charges against the defendant. That happened in the province of Ontario a couple of years ago. Many charges, some of them fairly serious, were stayed simply because the courts were technically unable to receive and do their job. They were backlogged to the point where the Supreme Court of Canada said that it was not fair to keep the charges outstanding and therefore they were stayed.

Under the unemployment insurance system there are no regulations which proclaim a minimum appeal time in favour of the claimant.

Again I go back to the sexual harassment aspect of an unemployment insurance appeal. Why should a woman who says that she was sexually harassed and therefore was forced to quit her job have to wait for months, even up to two years to get justice in the unemployment insurance system and at the same time receive no benefits if in the criminal justice system there are prescribed limits of time after which the charges must be stayed? Justice delayed is justice denied. Surely the same principle should apply in the unemployment insurance system.

Finally, in the criminal justice system the defendant cannot be excluded from his or her trial except in cases of extreme misbehaviour in the actual court proceedings. Under the unemployment insurance system, Bill C-113 allows the chair of an appeal board to exclude the claimant while hearing evidence from the employer.

For some or all of those reasons, I am voting against Bill C-113.

Mr. George S. Rideout (Moncton): Mr. Speaker, it is a pleasure in some respects to at least stand and discuss this particular bill and point out some of the errors the government has made with respect to UI legislation.

I think all of us when we first heard that a bill was coming down—I think it was Bill C-105—looked at the general intent and said it was a good idea to look at unemployment insurance. We could see if there were ways to improve the system to make it work better and to make sure that it was not being defrauded or abused.

When we finally had a chance to analyse the bill it became very clear the bill was lacking. In fact the government knew it was lacking as well because it withdrew the bill and made many amendments and changes to try to make it look better.

The optics of correcting abuse in the UI system is always great. Anybody who works hates to think that their tax dollars are going to somebody who is freeloading or abusing the system or who is actually taking from the system unjustifiably.

It is great optics from the government's point of view to proceed on that basis and introduce this legislation, but it knew it was wrong. The government made changes. It has now brought back another bills which is what we are debating today, and the same problems are still there.

I think the government now is a little worried that the optics have gone a little sour. In fact, when we really analyse what has happened here the government is saying that it has a major political problem. There are 1.6 million Canadians out of work and of those about 400,000 are youth. The government is saying: "We cannot deal with it. We do not have any answers. We are stuck. We are finished. We do not understand. We cannot do anything. What do we do? Rather than trying to deal with the situation let us take a look at the optics again and see if we can come up with something that is just a little neater and divert people's attention".

I am sure everyone is familiar with the old shell game where you hide the pea and try to divert people's attention away from what is going on so that they cannot figure out where the pea is.