

who have just come in aware of the fact that there are guidance and counselling facilities available.

Mrs. Finestone: Mr. Speaker, I rise on a point of order. In light of what the Parliamentary Secretary has just said, although I find it extremely regrettable because the cost to the state could be greatly reduced if we had such a mandatory conference, I do understand the impossibility of the situation and, therefore, I withdraw the motion.

The Acting Speaker (Mr. Charest): Is there unanimous consent for the withdrawal of the motion?

Some Hon. Members: Agreed.

Motion No. 6 (Mrs. Finestone) withdrawn.

The Acting Speaker (Mr. Charest): We will then move on to the next grouping which is that of Motions Nos. 9 and 10.

Mr. Chris Speyer (for the Minister of Justice) moved:

Motion No. 9

That Bill C-47, be amended in Clause 11 by striking out lines 18 to 24 at page 8 and substituting the following therefor:

"arrangements have been made for the support of any children of the marriage and, if such arrangements have not been made, to stay the granting of the divorce until such arrangements are made; and"

Mrs. Finestone: Mr. Speaker, I rise on a point of order. I wish to withdraw Motion No. 10, but I will be bringing in a motion to amend Motion No. 9, if that is in agreement with you.

The Acting Speaker (Mr. Charest): Motion No. 10 will then be dropped. Consent is not needed, it not having been moved before the House. I understand that the Member now wishes to move an amendment to Motion No. 9. Is that correct?

Mrs. Finestone: Yes, Mr. Speaker.

The Acting Speaker (Mr. Charest): Does the Member wish to do it now, or in the course of debate?

Mrs. Finestone: I will do it in the course of debate, Mr. Speaker.

Mr. Speyer: Mr. Speaker, the thrust of Motion No. 9, as you can see, is that arrangements are to be made for the support of any children of the marriage, and if such arrangements have not been made, to stay the granting of the divorce until such arrangements are made. In other words, in the original Bill there was a provision whereby the courts could dismiss such an application if proper arrangements had not been made. As a result of a prestudy by the Senate, a recommendation was made to the Government dealing only with respect to children that, in those circumstances, as opposed to denying a divorce, it should be stayed.

We think that the Senate is right with respect to this and, as a result, the motion which was then presented to the House was one which had been approved and recommended by the Senate. The Government accepts the reasoning behind the Senate's proposal, in other words, the ability of the court to

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stay an action as opposed to dismissing it. I think that is eminently sensible.

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I appreciate the acceptance by the Minister of Justice (Mr. Crosbie) of the recommendation from the Senate. I understand the importance of the ability to stay the proceedings, but I do not think it should be only in the interest of the children. In a marriage breakdown my concern is for the spouses as well as for the children of the marriage. I think we must protect all the parties in a marriage breakdown while upholding the responsibility of those spouses. In order to ensure that a court will make an equitable and fair decision with regard to all, I think a variety of factors must be considered by the courts before rendering that decision. It may only be the time delay in which a pension comes due or the splitting of a pension.

● (1550)

There are a number of considerations. There is the consideration of the age of the spouse and the length of the marriage as well as the life-style and employment potential. Each spouse has a right to a dignified life-style after marriage breakdown and such a marriage breakdown should not relegate a spouse to penury. The life-style of both the spouse and of any child or children should continue, where judged possible, at a level similar to that enjoyed during that marriage.

It has been found that fathers in a marriage are rarely accorded many of the access benefits. I believe we must consider both spouses in our deliberations. It has also been found that the feminization of poverty often takes place after divorce. Therefore, we must be very careful to look at the financial support mechanisms before we move toward granting that divorce.

It has been found that after divorce the male standard of living has increased by 72 per cent while the female standard of living has decreased by 43 per cent. One must consider the implications for the spouse as well as the children when 43 per cent of single-parent families headed by women are living below the poverty line. The decision on support impacts both on the spouse and the child.

I cannot understand why we would allow the court to consider only the child and not the parent in this particular instance. I do not think it can be done in isolation. Therefore, I move:

That Bill C-47, an Act respecting divorce and corollary relief, be amended in Clause 11 by adding immediately after the word "of" in the first line of the motion, the words

"either spouse and".

Ms. Lynn McDonald (Broadview-Greenwood): Mr. Speaker, I am pleased to support this amendment. It deals with an extremely important issue. I believe the Government has been unnecessarily insensitive to the economic plight of divorced women and the difficulties they face in collecting maintenance and getting adequate settlements.

The proposed changes in the law mean that one final protection that divorcing wives previously had, the possibility