

*Statute Law Amendment Act*

disabled was an amendment to the Canada Shipping Act to change the word "lunacy" to "mental disability". Shameful, absolutely shameful. After years of study, after unanimous recommendations for change, after the disabled had got their hopes up that this Government might just take seriously its obligations—and I stress that, its obligations—to respond to the call for equality as set out in the Charter, what does this Government come forward with? An amendment to the Canada Shipping Act to change the word "lunacy" to "mental disability".

● (1700)

If I were a member of the disabled community today and looked back at the promises that were made, the hearings that were held and the recommendations that were made, I would ask how much longer we must wait, how many more studies there must be, and how many more hearings must be held before the Government will finally realize that a disabled person in the country is entitled to full equality rather than to having a single word in the Canada Shipping Act changed from "lunacy" to "mentally disabled". What a cynical cop-out on the part of a Government which purports to be concerned about the rights of the disabled.

The Official Opposition is urging all of the groups that appeared before the Constitution Committee to boycott the deliberations of the special committee on equality. Their official critic has actually sent out a letter to every group that appeared before the Constitution Committee urging them not to appear. I suggest that that response is totally wrong. Every group that appeared before the Constitution Committee in 1980 and 1981 and before the Special Committee on the Disabled and the Handicapped should appear once again before this committee. They should demand that the Government finally accept its responsibility to change laws to implement full equality for the disabled.

I suggest that that is a more appropriate response than that of the Official Opposition which is telling those groups to stay away and have nothing whatsoever to do with the committee. Those groups should come to the committee and demand that the Government explain to the disabled community why it refused to take action, why it labelled the disabled in the country as a grey area, and why it did not change the laws that it should have changed.

There have been other studies done by the House. A Special Committee on Visible Minorities in Canadian society was struck. It produced an excellent and very strong report clearly documenting the extent of discrimination against visible minorities in Canada. Your Honour was a prominent member of that committee and is well aware of the fact that that committee made many important recommendations for legislative change to improve the position of visible minorities in Canada. I looked with great care through the Bill that was tabled by the Government. There was not a single amendment which responded to the report, *Equality Now!* So much for the concern of the Government for the recommendations to improve the position of visible minorities. So much for the

concern of the Government to respond to the cry for equality from the disabled. So much for the response of the Government to the cry of Canadian women for equality. There was nothing, silence, abdication.

One of the recommendations that was made by the Special Committee on Visible Minorities, which held hearings across Canada, was that the War Measures Act be reviewed so that never again would 20,000 Canadians be uprooted from their homes and have their property confiscated as occurred during World War II to Canadians of Japanese origin. Never again at two o'clock or three o'clock in the morning would Canadians, who have broken no law whatsoever, be scooped from their homes in the Province of Quebec under the provisions of the War Measures Act. Where is the response of the Government to the suggested changes to the War Measures Act? There is silence, nothing at all.

Another recommendation made by the Special Committee on Visible Minorities was that the Canadian Human Rights Act be amended to cover systemic discrimination, in other words, discrimination which may not be intentional, but practices which might have the effect of discriminating against minorities in Canada. There are two cases, one of Bhinder and the other of O'Malley, before the Supreme Court. In both of those cases the federal Government stood deaf, dumb and mute and refused to say before the justices of the Supreme Court of Canada that it does not accept systemic discrimination and that it believes that that kind of discrimination should be barred by the provisions of the Canadian Human Rights Act.

I checked with care the legislation that was tabled by the Government hoping that it may have accepted the recommendation of the Committee on Visible Minorities to make it very clear that the Canadian Human Rights Act applies to systemic discrimination. You will know, Mr. Speaker, of the issues that I am referring to here such as job requirements in terms of height, for example, that might discriminate against women, or the wearing of a turban which might discriminate against Sikhs. I looked in vain. Nowhere did the Government deal with that question. Not only did the Government refuse to deal with the question in the context of this Bill, but it refused to stand before the court and argue in support of that broad interpretation of the Canadian Human Rights Act. In the event that the Supreme Court of Canada does uphold the decisions in the cases of Bhinder and O'Malley, I hope that the Government will move very quickly to amend the Canadian Human Rights Act.

The other very important issue which the Government has refused to come to grips with is that of financial aid for groups and individuals who want to challenge various federal legislation and policies as being in breach of the Charter of Rights and Freedoms. I am sure there will be many such challenges, because the Bill which was tabled in the House certainly has no substance. The effect of the Government's response to Section 15 of the Charter of Rights is to force minority groups and women into the courts to defend their rights and freedoms. Indeed, the Member for Etobicoke-Lakeshore (Mr. Boyer),