

This Bill is a balanced and fair piece of legislation which does not contain some of the excesses seen in previous legislation. It is one in which the rights of parties are fully respected. There is an effective mechanism for getting at the illicit proceeds of crime. It does not expand itself to the extent that it is done in the United States. I think this is the Canadian way. We want to make sure, when we are attacking the proceeds of crime, that we do so in a fair way respecting the rights of individuals to ownership of property legitimately obtained.

I commend this legislation at third reading. I hope it will receive the unanimous consent of all Parties. I thank Hon. Members who have been so helpful in their deliberations, especially the Parliamentary Secretary, the Hon. Member for Chambly (Mr. Grisé), who has been in the forefront of the legislative committee's work on Bill C-58 and to whom I owe a great debt of gratitude. He is an outstanding parliamentarian, a man who commands respect of Members on both sides of the House and who does a lot of work for me. I appreciate the great assistance that he gives.

**Ms. Marion Dewar (Hamilton Mountain):** Madam Speaker, I only wish this Bill contained all the great attributes to which the Hon. Minister has alluded. But we are very disappointed on this side of the House. It could have been a much better Bill.

First, I think this kind of legislation is long overdue in Canada. It is something that we must see implemented. I want to commend the Minister and the Parliamentary Secretary for the amendment which they accepted in recognizing that if a person were found innocent the Government would be required to see that he or she was compensated for loss. That is very important. I also commend the Hon. Member for Burnaby (Mr. Robinson) for putting the amendment forward.

I am disappointed with some of the inclusions. I refer particularly to procurement and bawdy houses. It has been very clear in studies done in this country over the last decade—the latest one being the Fraser Commission Report—is that no direct connections have been made between organized crime and prostitution. We recognize that prostitution is not legal in Canada. But it has not been tied to organized crime. Some prostitutes have been seen to be operating very much in an entrepreneurial sense. The money they have acquired has been money which they have invested and used to look after families and this kind of thing. The Fraser Commission was very clear that if something specific were put in this legislation it would drive prostitutes into organized crime networks and connections. That is something about which we are very concerned. Evidence was brought forward in the committee and it was addressed at that time.

I am very disappointed that the Conservative Government did the royal cave-in to the banks. You can drive a truck full of money to a bank and unload it with no accountability as to where those proceeds came from. Even the administration in

### *Proceeds of Crime*

the United States that we on this side of the House have often criticized made U.S. banks accountable. It is a shame and a disgrace that the Government has not made the banks accountable for this kind of thing. Many things will be whitewashed if you cannot trace them through the financial institutions.

The Minister has not rushed with this Bill. We had first reading of the Bill in 1987. Here we are at the last minute in an extended session trying to pass the Bill. The Minister has had plenty of time to recognize that the banks should be held accountable.

In 1981 the Government asked that a study be done. The report to the Justice Department in 1983 said:

—Without clear track and identify the movement of profits by sophisticated criminals, it will be hard for police and the courts to effectively use the—"freeze and seize" provisions.

Without clear powers to identify and track the proceeds of crime, it is difficult to connect the proceeds to a particular offence or to a particular criminal.

Given this obstacle, it follows that it would be equally difficult to apply provisions for freezing, seizure and forfeiture of criminal proceeds.

It will be very difficult to implement the objectives of the Bill before us. The senior counsel at the Bank of Nova Scotia said:

We're efficient at what we do. As such we're a good target of money launderers.

The bank is admitting to laundering, yet the Government has chosen to do nothing about it and has not made the banks accountable. My understanding is that the banks objected to the large amount of paper work. If that is the kind of thing that we are accepting as a legitimate excuse to not make the banks accountable, we should be ashamed of ourselves.

For the record, Madam Speaker, I would like to quote Mr. Rocky Pollack of the Canadian Bar Association. The Bar Association was very concerned. Mr. Pollack said:

I must say that everyone to whom I spoke, and it is not a representative population, was amazed that, as was reported I think in the paper last week, you can literally back up a truck to a Canadian bank, unload all those dollar bills in the back of the truck, and get a deposit slip, and so on, and it is all private and secret; nobody knows about it. That is rather amazing. That is my only comment.

We had the Hon. Member for Kitchener (Mr. Reimer) saying that he too felt strongly that the Bill had major loopholes and he wished the Government would amend it. When we get those kinds of comments from government Members, surely we must recognize that the Government has done a royal cave-in to the banks. Under no circumstances must the Government ask the banks to be accountable.

That is not the kind of thing New Democrats like to see in legislation. New Democrats believe that all Canadians should be accountable. We think it is very nice to draft legislation, but we will be unable to implement the intent of it because of grand loopholes like those found in tax reform.