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CTV: As part of a government effort announced yesterday to align federal laws with the Charter of Rights, workers in the public service will no longer be forced to retire at age 65. The legal overhaul also outlaws discrimination against homosexuals and suggests a greater role for women in the armed forces. The changes were unveiled yesterday by Justice Minister John Crosbie, and not surprisingly were met with mixed reaction. Mr. Crosbie joins us this morning from Ottawa. Good morning Mr. Crosbie.

CROSBIE: Good morning.

CTV: The parliamentary committee report that you were reacting to was called Equality For All. Your report is called Towards Equality. Are we to read in that title that you agree with the directions the committee recommended, but not with the pace

CROSBIE: I think that would be fair, although we've agreed

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h something like 61 of their 85 recommendations. Ten, I think or twelve we had to defer. Partly because they're being studied by other groups or because of the financial situation at the moment, I think and I think there were only 14 that we disagreed with.

CTV: Under the mandatory retirement provisions, that would abolish mandatory retirement in the federal public service immediately, as far as I understand. But it would be as long as a year before those provisions are enacted for federally regulated industries, like banking and transportation. You still have to work out some things with the private sector you say. What is still to be worked out?

CROSBIE: Well the private sector has its own arrangements, they have their own collective agreements and therefore it's more complicated. In the public service we've been heading in this direction for quite some time. So it won't be a revolutionary change there. Flexible retirement is what we think is best and achievable. We have to give the private sector time and we have to consult with them on this. So that'll take some months to do.

CTV: What about in the private sector overall, as opposed to private sector that comes under federal regulations?

CROSBIE: Well in some provinces this is already being legislated. If my memory serves me correct I believe Manitoba is one of them. And I think there are three or four provinces where this is the law at the moment. Others there has been no change

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yet.

CTV: Are you likely to try and put pressure on the provinces that have not enacted those changes yet?

CROSBIE: No we don't intend to pressure them. We've just made a decision for the Mulroney administration in our own jurisdiction. It's up to the provinces in theirs.

CTV: Certainly you must be hoping they will take the lead though, follow your lead?

CROSBIE: Yes, and the other thing that we are going to watch and be careful about is to try and make sure that this doesn't become an impediment to younger people and women and so on in obtaining jobs. We don't think this'll be a problem because the study of this issue shows that there aren't great numbers who wish to stay on and as long as pension arrangements and so on are reasonable and fair and comply with this we don't expect that there'll be any major change really in the numbers who stay on past sixty-five.

CTV: Those numbers, I gather, would be the current situation, but as the population ages is that likely to change? Is it likely to be even more of a difficult principle to stick with?

CROSBIE: No, I don't think so, because most people when they reach 65 feel they've worked enough during their lives and they have other plans. But for those who don't then they

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should be given that option. We should be flexible. This may particularly help women by the way, because many of them have started their working careers later than men and they haven't built up much by way of an adequate pension by the time they become sixty-five, so it's up to the individual.

CTV: So these mandatory retirement provisions then, just to be clear here, they would affect immediately all federal public servants, they would, within probably a year, affect all people who work in federally regulated industries. But for the private sector in provinces that don't have this provision then there is... there are no new changes in the works.

CROSBIE: Absolutely, that's correct.

CTV: Let's take a look now at the suggested larger role for women in the armed forces. How will what you are suggesting in the report change the situation now, for women who want to join the armed forces, or women who want to expand or move up within the armed forces?

CROSBIE: They will be treated the same as men. At the present time about 65 percent of all occupations in the armed forces are open to women and by the way the Canadian armed services have the third... we are the country... the third highest number of women in our armed forces in the world, by the way. I think it's just Israel and the U.S. have a higher proportion than us. Now what we're saying, our policy is to have all trades

and occupations open to women. If a woman, for example, can't do some particular job it would be the same criteria would apply as if she were a man. There'd be no arbitrary distinctions. But we have to leave it up to the leaders of our armed forces to decide how far they can go, how quickly. Because they've got to determine operational effectiveness in the interests of national security. So, ultimately it has to be carried out by them. But this is our policy and this is the principle that we'll be following.

CTV: The criticism of this particular aspect of your report, as you've probably heard, is that what this does, it just sanctions the kind of bias that exists in the military right now, that for example, women should not be allowed to have combat roles in the military.

CROSBIE: Well, you see this is a statement of principle and objectives by the government, for the first time in Canada, a clear statement. What its objectives are and principles are with the Prime Minister's endorsement that all occupations and trades are to be open to women as long as they're suited for them just the same as they're open to men. Some men are not physically up to it, some women may not be, and so on. Those criteria will still apply. But we've got to leave the operation effectiveness and those decisions in the hands of those who lead the armed forces, but that... our position is clear and it's been made clear to them. So I think it's a major breakthrough and a major step forward, I believe.

V: If the buck stops though, with the military and they have a bias and a bias that would not see women in combat roles, what you're doing it seems to me you're saying we believe in this principle, but in the final analysis it's up to you, the military leaders in this country.

CTV: The first thing I want is an effective military defence force for Canada and surely that's what we all must have in Canada or we'll have no human rights here at all. We'll have no democratic ... we'll have no rights. And I've got to trust the experts to determine what's in the interests of military efficiency and defence security and if we don't trust our leaders in the armed forces to do that for us then we're in a very bad way and I... they may be cautious about this, but I wouldn't blame them. It's still a major step forward and they know what the policy is.

CTV: Mr. Crosbie, you were mentioning a few moments ago tests, whether or not women, whether or not men would qualify under specific tests. Are the grounds for those tests, the physical tests, I'm thinking of, likely to be changed?

CROSBIE: There may well be. That's a detail that I couldn't deal with, but for example I wouldn't be fit or suited for certain positions in the military. Perhaps most of them. You know I'm getting over the hill and my eyesight is not the best or whatever. So I'll be treated the same as a woman. The tests would be no different. That's what we're saying. The tests... there's

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no arbitrary ruling women out of any position in the armed forces.

CTV: All right, let's just turn around because I think some feminists would argue that tests should be changed to compensate for, let's say a smaller size. Would they not be changed in order to make it fairer?

CROSBIE: Well suppose it's some kind of military vehicle and you've got to be a certain height or length in order to reach the peddles or whatever, to drive it. We can't change the standards for that. So that a short man and a short woman wouldn't be able to meet that particular qualification. I mean that kind of standard has to stay. But if it's a different thing then the tests will be changed. Nobody will be ruled out because they're a woman.

CTV: A different thing such as what?

CROSBIE: Well, I'm not expert enough to know what the various occupations are.

CTV: All right, let's take a look at the provision that would ban discrimination on the grounds of sexual preference. How might that effect... or I still want to talk about the armed forces and the RCMP, how might that effect, let's say the role of homosexuals in the RCMP or in the armed forces?

CROSBIE: Well this is simply a statement that that fact alone

ould not be sufficient to justify discrimination against those persons. It may be that in some occupations there's a bona fide occupation requirement that would rule somebody of that persuasion out. But we're saying it's the same as colour, race, sex or whatever. That kind of discrimination should be forbidden. Now with respect to the RCMP and national defence it will depend on whether there's a bona fide occupation requirement that you should not have that characteristic. That's still the law. That's in the human rights legislation now and we also had to remember when considering this issue that it's been the law in the province of Quebec, our second largest, if not the largest province since 1977. So what this means really is that you shouldn't be discriminated against in accomodation or in employment on that ground alone.

CTV: Will the Canadian Human Rights Act be amended to include sexual preference.

CTV: There will have to be legislative change. It might be in that direction or it might be some other way. We are reviewing the Canadian Human Rights Act now. It needs improvement and changes. And there's a major study under way there which should be completed by the end of the year.

CTV: Alex Kindy, an MP from Calgary said yesterday that a lot of these suggestions don't sit well with a certain part of the Tory caucus and Svend Robinson, the NDP justice critic yesterday said that the dinosaurs, as he called them aren't dancing. How difficult is it going to be to sell some of these

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your colleagues, who some might term dinosaurs.

CROSBIE: Well the dinosaurs happen to be in the NDP caucus.

They're opposed to any change, free trade, or any attempt to change anything that happens in modern society. There are people in our caucus, not dinosaurs, genuine people, who have genuine disagreement on the moral grounds, religious grounds or grounds of principle particularly with reference to the sexual orientation question. And we respect their opinions and we take them into account. But some of those people have genuine fears, worries and concerns about this and it has to be respected. And some of them might act in that manner if any particular thing involving their strong views come to a vote at any time.

CTV: Alex Kindy says he's going to be opposed, particularly to the homosexual or the sexual orientation provisions.

CROSBIE: Well I've noticed that, and on the other hand he feels strongly on that and he's entitled to his opinion, but I believe that our party will be the ... the great majority of our party will be supportive of this. This is... if the Prime Minister leads the administration and it's his final decision and he's a man who strongly believes in the absence of discrimination both in language areas and human rights areas, and we're trying to follow this in our response. It's a major... I don't know of any other parliamentary committee that's ever had such a full and complete response.

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Mr. Crosbie, it's been good talking to you. Thank you.

CROSBIE: Nice to be here.

CTV: John Crosbie is the federal Justice Minister.
