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Chair: The Honourable Hedy Fry



Standing Committee on Canadian Heritage

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• (1535)

[English]

The Vice-Chair (Mr. Kevin Waugh (Saskatoon—Grasswood, CPC)): I call the meeting to order.

Good afternoon, everyone. Welcome to meeting number 117 of the House of Commons Standing Committee on Canadian Heritage.

Pursuant to the order of reference of Wednesday, November 22, 2023, the committee is resuming its consideration of Bill C-316, an act to amend the Canadian Heritage Act (Court Challenges Program).

Now, as of Monday, when this was announced in the House, we are trying to avoid audio feedback. Before we begin, I would like to remind all members and other meeting participants in the room, if we have any, of the following important preventive measures to prevent disruptive and potentially harmful audio feedback incidents that can cause injuries.

All in-person participants are reminded to keep their earpieces away from the microphones at all times. As indicated in the communiqué from the Speaker to the members on Monday, April 29, the following measures have been taken to help prevent audio feedback incidents.

All earpieces have been replaced by a model that greatly reduces the probability of audio feedback. The new earpieces that you have in front of you, of course, are black. The former grey earpieces are gone. Use only the black ones. By default, all unused earpieces will be unplugged at the start of the meeting.

When you are not using your earpiece, please place it face down on the middle of the sticker for this purpose, which you will find on the table as indicated. Please consult the cards on the table for the guidelines to prevent audio feedback incidents.

The room layout, as you have noticed, has been adjusted to increase the distance between microphones and reduce the chance of feedback from the earpieces.

These measures are in place so that we conduct our business without interruption and to protect the health and safety of all participants, including our interpreters here.

Again, thank you for the co-operation.

In accordance with the committee's routine motion concerning connection tests for witnesses, I'm informing the committee that all of our online witnesses today are in compliance and we're ready to go.

The Acting Chair (Mr. Kevin Waugh) I want to mention something that has been the case at the heritage committee. I'm just going to flag it.

Two weeks ago today, we asked for the agreement from the University of Ottawa. I've asked the clerk for it a couple of times, but we still haven't received it, to my knowledge. The department officials were here two weeks ago today. They came with only French scripts on the agreement. I asked them for the English version. We still don't have it. I think it's pertinent. We've had three out of four committee meetings, including today. I would like to see that English agreement by Monday, May 6, at the latest so that we can go through it—at least, those of us who don't follow French as well as we should. I would like to see the department officials get the English agreement from the University of Ottawa into our hands by Monday, May 6.

The other item I want to flag is Bell Media. They were here some two to three weeks ago. We've asked for documents. I would also like those documents by Monday, May 6, and here's why: On May 7, we have—I think they've agreed to come—the president of the CBC, Ms. Tait. A number of us would like those documents from Bell Media in order to compare public-private agreements so that we can ask questions on Tuesday.

I don't think it's too much to ask. We've had two weeks in advance on the one dealing with the Court Challenges Program, and it's been at least three weeks with Bell Media.

Clerk, I would like to see if we can get those documents by Monday, May 6, so we can finish next week—deal with the CBC on Tuesday and then deal with the Court Challenges Program next Thursday. I am personally asking you to get those documents. If we can get them by Monday, May 6, it would really help prepare us for next week.

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): I have a point of order, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): Ms. Ashton, please go ahead.

Ms. Niki Ashton: Okay.

I'm raising a point of order because, in terms of our list of witnesses today, I see we have one witness, Mr. Brodie, who's been invited back. I'm wondering what led to this situation. We had five witnesses last week who were all impacted by delays and technicalities. None of them has been invited back.

I'm wondering how we got to this point, and I'd also like to express a concern regarding this situation.

The Vice-Chair (Mr. Kevin Waugh): Okay, Ms. Ashton.

I know the clerk did not have a full agenda for witnesses today. Since we only went through one round last Tuesday, Mr. Brodie agreed to come back today. He will not do a five-minute segment like he did on Tuesday. He will be here to answer questions only. There's no need for Mr. Brodie, a professor at the University of Calgary, to go through the five-minute remarks he would normally do. He's just agreed, Ms. Ashton, to answer questions that weren't asked of him on Tuesday, because we only did the one round.

• (1540)

Mr. Michael Coteau (Don Valley East, Lib.): Can I ask a question?

The Vice-Chair (Mr. Kevin Waugh): Mr. Coteau, hold on.

Ms. Ashton, is that fine?

Ms. Niki Ashton: Well, it's not fine. While I appreciate that the five-minute part won't be shared, none of our witnesses, including the only NDP witness—the main witness we invited last week—had a second round. I am concerned that we are not fair in the treatment of all witnesses from the last session. I would like to extend this to all of our witnesses, frankly, at this point.

I've actually never seen something like this happen before in my 16 years of being on committee. I'm quite concerned that there's been a lack of fairness because we don't all have the same number of witnesses that we suggested.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Ashton, for bringing this up.

I'm going to let the clerk answer this. We were talking just seconds ago.

If you don't mind, clerk, could you give clarification on Mr. Brodie?

The Clerk of the Committee (Ms. Geneviève Desjardins): It is certainly up to the committee how they would like to move forward with additional witnesses. For Mr. Brodie specifically, the party that put him forward requested to reinvite him since they have more questions, and he counts as one of their witness slots.

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mr. Coteau.

Mr. Michael Coteau: Does that mean there is more than witness with us today who was invited by the Conservatives? Is this the only witness?

The Vice-Chair (Mr. Kevin Waugh): Yes.

Go ahead, Mr. Noormohamed.

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): Mr. Chair, I am concerned because I had questions I wanted to ask of the organization out of British Columbia and a couple of the other

witnesses who were here. I'm not sure how this played out in terms of our deciding....

I'm still speaking. I have the floor, Ms. Thomas.

Mrs. Rachael Thomas (Lethbridge, CPC): Mr. Chair, I was just talking to my colleague.

Mr. Taleeb Noormohamed: No, you weren't. I mean, you have a reputation of—

Mr. Philip Lawrence (Northumberland—Peterborough South, CPC): Whoa, that's enough. On a point of order, it's inappropriate to attack someone's reputation. That is wacko.

Voices: Oh, oh!

Mr. Taleeb Noormohamed: Before I finish my sentence, you're going to use the word “wacko”. Is that the clip you need, Philip? Is that the clip you need?

The Vice-Chair (Mr. Kevin Waugh): Hold on.

Mr. Philip Lawrence: You just got yours, so....

A voice: The wacko clip—

Mr. Taleeb Noormohamed: There you go. There's the wacko clip for the day. Whoever has that on their bingo sheet, mark it up, guys.

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed, please—

Mr. Taleeb Noormohamed: I had the floor, Mr. Chair, but they didn't like it.

The Vice-Chair (Mr. Kevin Waugh): Yes, but there's been a point of order here by Mr. Lawrence. I'm going to deal with—

Mr. Philip Lawrence: Apologize.

Mr. Taleeb Noormohamed: Let's hear the point of order, Mr. Chair, please.

The Vice-Chair (Mr. Kevin Waugh): Can we hear the point of order, please?

Mr. Philip Lawrence: Yes, it is unparliamentary to impugn the reputation—

Mr. Taleeb Noormohamed: On a point of order, Mr. Chair—

Mr. Philip Lawrence: You can't “point of order” a point of order.

Mr. Taleeb Noormohamed: Well, if you're going to accuse me of impugning—

Mr. Philip Lawrence: You can't “point of order” a point of order. You're going to hurt the interpreters. Do not crosstalk, sir.

Mr. Taleeb Noormohamed: Is this the clip you need right here?

Mr. Philip Lawrence: You can't “point of order” a point of order. Do not crosstalk. You are breaking the rules, sir, and you are hurting the interpreters.

The Vice-Chair (Mr. Kevin Waugh): Mr. Lawrence—

Mr. Taleeb Noormohamed: Do you care about somebody other than yourself or—

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed, we'll give the floor to Mr. Lawrence here, and then, if you wish, we'll go back to you.

Mr. Lawrence, please go ahead.

Mr. Philip Lawrence: That was completely inappropriate to... It's childishness. He's rolling his eyes. He's saying that I don't care about anyone else but myself. This is childishness. To impugn the reputation of another honourable member is unparliamentary. It's in the green book, and he should apologize and withdraw.

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed, go ahead.

Mr. Taleeb Noormohamed: Mr. Chair, I invite you to look at the blues to see what I actually said before you.... You didn't even let me finish my statement.

The Vice-Chair (Mr. Kevin Waugh): No, I didn't, because there was a point of order.

Mr. Taleeb Noormohamed: That's right. Did you hear what I said, Mr. Chair?

The Vice-Chair (Mr. Kevin Waugh): I didn't.

Mr. Taleeb Noormohamed: Okay. Therefore, I invite the clerk or anybody to go back and to hear what I said, because I actually wasn't allowed to finish. Ms. Thomas, in the middle of my comments, started to speak at me, and then made an assertion, while speaking to me, that she was speaking to her colleague. If you let me go back to what I was saying at the beginning of this, I'd appreciate that.

The Vice-Chair (Mr. Kevin Waugh): Fire away.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): You don't have to ask Mr. Brodie any questions.

Mr. Taleeb Noormohamed: No, and I understand that, Mr. Chair, but there were other witnesses we wanted to question. To selectively bring one witness back—and Ms. Ashton makes a very good point—to bring back one witness so that we then have one witness...and then what are we going to do with the rest of this meeting? Are we going to go to clause-by-clause consideration? I'm not sure. What is the plan for the rest of the meeting? Are we going to end the meeting after that round?

The Vice-Chair (Mr. Kevin Waugh): No. We have several guests here. We're going to hear them and then we'll go around.

Mr. Taleeb Noormohamed: Okay. The question earlier was, "Do we have other witnesses?" The answer was no. I think that's where the confusion resides.

The Vice-Chair (Mr. Kevin Waugh): Can we go through our witness list today? Starting with five minutes, it will be Egale Canada first.

• (1545)

Mr. Taleeb Noormohamed: We do have other witnesses, then, just to be clear.

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed, I have four groups in front of me, along with Mr. Brodie.

Mr. Taleeb Noormohamed: Mr. Chair, the question that was asked earlier was, "What else do we have?" The answer Mr. Coteau got was, "That was it."

The Vice-Chair (Mr. Kevin Waugh): We have them right in front of us. Can we go ahead and do our meeting?

Mr. Taleeb Noormohamed: If Ms. Ashton's point has been addressed and she's going to have an opportunity to find time for her witnesses, I think that's reasonable.

The Vice-Chair (Mr. Kevin Waugh): Okay. We'll go ahead with today then, if you don't mind my chairing this.

Egale Canada is with....

Do you have your hand up? Okay. Go ahead, Ms. Thomas. I'm sorry.

Mrs. Rachael Thomas: I'm sorry. Thank you. There's been quite a bit of drama around this table.

Look, I think the clerk made it really clear: Each party around this table gets a certain allocation of witnesses. Conservatives decided to bring one witness forward twice. That counts as two slots. If other parties wish to bring one witness forward for two slots, they are welcome to do the same. I'm not sure why there is such venom being exchanged at this table when those rules apply equally to all parties.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Thomas.

We move on. With us today—

I'm sorry; go ahead, Ms. Ashton. You have your hand up.

Ms. Niki Ashton: Yes, just quickly, if we're going to throw words around—and I am certainly not here for any of this—the word "venom"... Quite honestly, this committee is quite something.

What I would say as the person who initially brought up this point of order is that this option was not made known to those of us who also didn't get to fully hear from our witnesses—recognizing that we have proportional time, obviously, given party status—and so while I appreciate that you're using your slot, my concern is that we also didn't hear from our witnesses—and in the case of the NDP, our main witness—fully as a result of the time change, which obviously impacts your witness. I stand by my concern and appreciate that you're using your slot again.

I certainly would appreciate that we not use words like "venom" to characterize legitimate points of order that people raise. My goodness, I believe we're above that.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Ashton.

You of course also know we have a meeting next Thursday to invite your people back, if you didn't get the one you wanted back here on Tuesday and Thursday.

Go ahead, Ms. Lattanzio.

Ms. Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chair.

May I suggest that next time, if we do get into the situation of adjourning a meeting because of a vote—obviously that cuts into the testimony of certain witnesses—can we perhaps have the clerk advise the parties as to whether or not they want to re-invite those same individuals for the subsequent meeting, or at another meeting, so that this does not happen again?

Thank you.

The Vice-Chair (Mr. Kevin Waugh): We tried to extend the meeting. It was quite late, with Ms. Ashton asking questions. We had the room until six o'clock and then we had it until seven o'clock. We actually had the room until seven o'clock, but I hear what you're saying.

Mr. Serré, you had your hand up.

[*Translation*]

Mr. Marc Serré (Nickel Belt, Lib.): Mr. Chair, I'm new to the committee, but I've been an MP for eight years, and I've never seen a witness come back and testify before a committee a second time without that committee's consent. The decision was made by the chair and by a party without discussing the matter with the other committee members.

I just want to say that there's usually more co-operation in informing committee members of procedural changes. It would be really good if we could ensure that there's dialogue among all the parties, Mr. Chair.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We will get to our guests, who are all on video conference today.

We have, from Egale Canada, Mr. Bennet Jensen, director of legal.

We have, from the Fédération des associations de juristes d'expression française de common law inc., Justin Kingston, president, and Rénaud Rémillard, director general.

We have, from the Fédération des communautés francophones et acadienne du Canada, Liane Roy, president. You're with us on video conference.

We have, from the Canadian Bar Association, Jennifer Khor, chair, access to justice subcommittee.

You have five minutes to give your opening statements.

Justin and Rénaud, you both can go, but you have to share your time of five minutes.

Mr. Brodie, as we said, you've already made your five-minute statement. You will be available for questions and answers.

We'll start with Mr. Jensen from Egale Canada. You have five minutes to address the heritage committee here this afternoon.

Thank you.

• (1550)

Mr. Bennett Jensen (Director of Legal, Egale Canada): Thank you very much, Mr. Chair.

Good afternoon, everyone.

My name is Bennett Jensen, I use he/him pronouns and I'm the director of legal for Egale Canada.

Egale is Canada's leading 2SLGBTQI organization. Founded in 1986, Egale has been at the forefront of advancing and defending the rights of 2SLGBTQI people since that time.

Particularly in the early years of the charter, the Court Challenges Program was essential in Egale's ability to obtain legal recognition of queer people. I appear today on behalf of Egale in support of Bill C-316.

I will be addressing three brief points. The first is the role of the Court Challenges Program to date, the second is the particular vulnerability of 2SLGBTQI people and the third is the need for a robust challenge function in a healthy democracy.

On my first point, as members of this committee likely know, section 15 of the charter does not expressly list sexual orientation as a prohibited ground of discrimination. This protection was obtained through the courts. The courts reasoned that sexual orientation was analogous in nature to the immutable characteristics protected under section 15, such as race and religion.

This recognition was achieved through litigation. Specifically, the Court Challenges Program provided funding for Egale's interventions in landmark cases such as Rosenberg and Canada, Egan and Canada, and M. and H., which led to the recognition of same-sex relationships and specifically the conclusion that section 15 prohibited discrimination on the basis of sexual orientation, a finding that has enabled broader acceptance and dignity for queer people in Canada.

Currently at Egale, we are grateful to have received court challenges funding to pursue protection for the rights of another historically marginalized community: intersex people. Egale has initiated litigation challenging provisions of the Criminal Code that permit unnecessary surgeries to so-called normalize the appearance of intersex infants' genitals, in violation of their charter rights.

On my second point, the members of this committee will also appreciate that litigation is very expensive. For equity-denied groups, the very discrimination for which they require legal services is often a factor in their inability to afford those services, with 64.5% per cent of 2SLGBTQI people in Canada earning less than \$40,000 a year. Discrimination in housing, employment and education contribute to higher poverty rates. Courts and human rights tribunals in this country have recognized that gender-diverse people in Canada in particular are in a unique position of disadvantage.

On my final point, in order for the charter to play its part in promoting equity and justice in Canada, those in minority communities must be able to access the courts to challenge the constitutionality of legislation passed by the majority. The Court Challenges Program is the vehicle that makes this more possible.

I note that this is a politically neutral position. The rights guaranteed by our charter apply to all.

When the legislative branch of the government fails to protect the charter rights of marginalized social groups, litigation is the avenue by which the government can be held accountable to its obligations. Without financial support for litigation, this avenue is closed to groups relying on charter claims to overcome systemic and systematic discrimination.

This is a crucial moment for gender-diverse people in particular. By “gender-diverse”, I mean two-spirit, trans, non-binary and gender-nonconforming people. As elected governments and major political parties take aim at the rights of gender-diverse people, particularly the rights of young people, it is essential that our communities are able to access the justice system.

As the Supreme Court of Canada recognized last year in *Hansman and Neufeld*, a core disadvantage facing gender-diverse people in Canada is the politicization and denial of legitimacy of trans identities and lives. This is precisely the kind of disadvantage that demands well-functioning checks and balances within our legal and political systems.

In conclusion, Egale strongly supports the strengthening of the Court Challenges Program through its entrenchment in legislation. This will help to counteract the financial difficulties faced by equity-denied communities, including ours, in asserting their charter rights before the courts and ensure that all of us benefit from the protections of our Constitution.

Thank you.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Jensen.

We'll move to Mr. Kingston and Mr. Rémillard.

You have five minutes. You can share your five minutes or one person can take the entire time. It's up to you.

Go ahead.

• (1555)

[*Translation*]

Mr. Justin E. Kingston (President, Fédération des associations de juristes d'expression française de common law inc.): Thank you, Mr. Chair.

My name is Justin Kingston, and I am the president of the Fédération des associations de juristes d'expression française de common law, or FAJEF. I am accompanied by Rénald Rémillard, who is the director general of FAJEF and is also appearing by video conference.

FAJEF's mission is to promote access to justice in French in the majority anglophone provinces and territories of Canada. FAJEF represents the associations of French-speaking lawyers of seven provinces: the four western provinces, plus Ontario, New

Brunswick and Nova Scotia. Our members also include the francophone representative organizations of the three territories and Newfoundland and Labrador and Prince Edward Island. It is also a member of the Fédération des communautés francophones et acadienne du Canada, whose president is also attending today's meeting.

FAJEF unreservedly supports Bill C-316 for the following six reasons.

First, a court challenges program is essential in guaranteeing access to justice and honouring francophone minority language rights. Here are a few examples of the tangible consequences that have directly and indirectly resulted from various cases funded by the court challenges program over the years. French schools have been established in the three territories and in six provinces: Newfoundland and Labrador, Nova Scotia, Prince Edward Island, Saskatchewan, Alberta and British Columbia. There are 28 school boards and 740 schools—

[*English*]

The Vice-Chair (Mr. Kevin Waugh): I'm sorry. We're going to suspend for a second. I'm hearing that the people online are not getting the translation.

We're going to stop the clock here for you. You still have three and a half minutes. We'll pick it up in a moment. We're just hearing the floor language. We're not hearing the translation.

• (1555)

(Pause)

• (1555)

The Vice-Chair (Mr. Kevin Waugh): We're back.

Proceed, if you don't mind, for three and a half minutes.

• (1600)

[*Translation*]

Mr. Justin E. Kingston: Thank you, Mr. Chair.

The courts have recognized the right to manage minority language schools, and that has led to the creation of many francophone school boards in the provinces and territories outside Quebec. The courts have also acknowledged the principle of broad and liberal interpretation of constitutional and legislative language rights.

That's the first reason.

Second, in the next few years, the court challenges program will be essential in guaranteeing full implementation of the new provisions of Canada's Official Languages Act, a quasi-constitutional statute that was modernized in 2023 and that has been supported by all political parties. Since there are inevitable ambiguities in the modernized Official Languages Act, it will sooner or later be challenged in the courts. Litigation to determine the scope of the act is fundamental because, in a democratic society, the legislator legislates and judges, who enjoy judicial independence, interpret the scope of the statutes.

Third, in a collective law context such as that of language rights, it is intolerable that an individual should be compelled to bear the often significant monetary costs involved, sometimes running into the hundreds of thousands of dollars, to defend a necessarily collective right. Public funding is essential in the circumstances.

Fourth, anglophone Canadians who live in provinces and territories where their language is the majority language enjoy, perhaps unconsciously, the protection that a majority in a democratic system affords. This is the invisible benefit of the weight of numbers. Conversely, the absence of such a weight undermines the language rights of francophones living in minority communities. The court challenges program thus reduces the legal and monetary risks for francophones in minority communities. There are simply no such risks for members of the linguistic majority.

Fifth, the fact that the court challenges program promotes language rights in Canada, particularly in education, also has positive economic consequences because it promotes francophone mobility in Canada. For example, if there is a French-language school in an anglophone majority region, it's much easier for a francophone family immigrating or coming from elsewhere in Canada to move there.

Sixth, the very existence of the court challenges program may have a deterrent effect on any government that might wish to attack francophone minority language rights. By granting minorities access to monetary resources for the purpose of court challenges, the government guarantees that deterrent effect, which is not negligible. Furthermore, the court challenges program guarantees communities, francophone communities in particular, access to a minimum level of legal resources with which to affirm their language rights before the courts and to defend themselves against government organizations that enjoy far greater monetary resources.

Thank you.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Kingston.

We'll go now to the Fédération des communautés francophones et acadienne du Canada. Liane Roy is the president.

Liane, you have five minutes, please.

[*Translation*]

Ms. Liane Roy (President, Fédération des communautés francophones et acadienne du Canada): Good afternoon, Mr. Chair and members of the committee. I want to thank you for inviting us to appear before you today together with our colleagues from the FAJEF.

The Fédération des communautés francophones et acadienne du Canada, or FCFA, is the national voice of 2.8 million French-speaking Canadians living in minority communities in 9 provinces and 3 territories. Our organization heads up a national network of some 900 French-language organizations and institutions across the country.

Our communities are determined to live in French and work hard to do so every day. Over the years, they have established more than 700 French-language schools, some 20 francophone and bilingual

colleges and universities, health services, community and cultural centres, as well as media outlets. Those institutions didn't just materialize out of thin air. In many cases, minority francophones had to go before the courts to secure them or to defend their existence.

Even though the Canadian Charter of Rights and Freedoms has established very clear language rights, having those rights honoured has proven to be quite another matter. In many cases, in many places across the country, we have had to take legal action that lasted years.

In 1984, a group of Franco-Albertan parents filed suit because they felt they had a charter right to manage their own schools and doggedly pursued the matter to the Supreme Court, where they won their case in 1990, six years later.

I could tell you about Summerside, Prince Edward Island, where children had to travel two hours by school bus every day to go to school in French. After years spent in the courts, those Acadian parents won their case in 2000.

Then there's the five-year struggle in the courts that was required to prevent the closure of Montfort Hospital, the only francophone university hospital in western Quebec.

Lastly, I should mention the long and recent struggle by the Fédération des francophones de la Colombie-Britannique to restore French-language employment assistance services in their community.

The court challenges program provided the support that made those victories possible. It's thanks to this program that there are now 42 francophone schools in Alberta, and the same is true of the cases brought to provide French-language education in the territories that are still before the courts today.

It has to be understood that court challenges are not simple matters. They require time and resources over many years. It's the individuals and groups, dedicated people, who dream, for themselves and their children, about being able to live in French, who go to bat in these struggles, showing immense courage and tenacity in defending their community's collective rights. The court challenges program enabled those people to go all the way.

Let me be clear: The fact that our communities are determined and thriving today is largely due to the many cases we have brought as a result of the court challenges program. We owe many of the institutions that enable us to live in French, as the charter promises, to this program.

That is why the FCFA has always defended the court challenges program because we know all too well how closely its existence is connected to what allows us to live in French. The court challenges program is linked to our sense of belonging and our francophone identity.

Our communities are now increasingly diversified. Just as francophones still encounter barriers in exercising their language rights, so are many francophones facing discrimination based on race or sexual orientation and identity. Living in French is a language rights and human rights issue, and the court challenges program is now more important than ever. Which is why we have resolutely come here today to support Bill C-316.

Thank you for your attention. I will be happy to answer your questions.

• (1605)

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Roy. You were right on time.

Finally, we have the Canadian Bar Association.

Jennifer Khor is chair of the access to justice subcommittee. Ms. Khor, go ahead for five minutes, please.

Ms. Jennifer Khor (Chair, Access to Justice subcommittee, The Canadian Bar Association): Thank you, Mr. Chair.

Thank you to the committee for the invitation to be here today.

My name is Jennifer Khor. I use the pronouns she/her. I'm the Canadian Bar Association's chair for the access to justice subcommittee.

I'm pleased to be joining you today from the traditional unceded territories of the Mi'kmaq and Wolastoqiyik people in Nova Scotia.

The Canadian Bar Association is the national association of 38,000 lawyers, Quebec notaries, law teachers and students, with a mandate to promote improvements in the law and the administration of justice. The access to justice subcommittee strives to improve and promote access to justice for poor and middle-class people in Canada.

The Court Challenges Program has experienced a series of cancellations and revivals, which underscore the program's inherent instability and emphasize the necessity of an independently administered program. The Canadian Bar Association is a long-time supporter of the program's objectives to advance constitutional rights and freedoms by funding test case litigation and cases of national significance in the areas of equality and official language rights.

In fact, the Canadian Bar Association recommends the expansion of the program's mandate to also include equality challenges with national implications to provincial and territorial laws, policies and practices, claims of discrimination by historically disadvantaged groups under the Canadian Human Rights Act, and dedicated resources for aboriginal and treaty rights and federal responsibilities to indigenous peoples.

Governments have significantly more resources at their disposal, compared to individuals or advocacy groups. This resource asymmetry can manifest in various forms, including access to legal expertise, financial resources for litigation and institutional support. As a result, individuals and smaller organizations face significant barriers when attempting to challenge laws or government policies in court.

In 2006, the Canadian Bar Association passed a resolution with respect to the Court Challenges Program. In that, we asserted that "it is a fundamental premise of the Canadian Constitution and system of justice that, in order to be effective, rights must be able to be exercised".

The clarification of constitutional rights benefits all Canadians, and the Court Challenges Program has a vital role in increasing access to justice for marginalized and vulnerable groups. The program makes a unique and important contribution to democratic values and citizenship, particularly given the rising costs of charter litigation and the complexity of such litigation.

In the CBA's 2013 "Reaching Equal Justice" report, which sets out a plan to create a more accessible and equitable legal system, the CBA called for a rights culture in which individuals and groups are empowered to know and enforce their rights through strengthening legal capabilities.

In 2016, when the CBA commented on the proposed reinstatement and modernization of the program, we stated that the program "should be run by an organization independent of government."

Ultimately, a stable, well-funded program is one that can hold the government accountable for its actions by providing a mechanism and a more level playing field through which individuals can challenge laws that may be unconstitutional or infringe on their rights and freedoms. This helps to maintain a healthy balance of power between the government and the people it serves. Enshrining the Court Challenges Program into legislation ensures more equitable access to justice for all.

Thank you.

• (1610)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Khor, from the Canadian Bar Association.

Each party has six minutes in the first round. Up first will be the Conservative Party.

Mr. Gourde, you have six minutes.

[*Translation*]

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Thank you, Mr. Chair.

My first question is for Ian Brodie.

First of all, I would like to thank him for all his years of service in the last Conservative government. A top-level adviser, Mr. Brodie counselled the former prime minister and many ministers in a government that left Canada in very good condition in 2015. As we all know, it's a different story today.

I sincerely want to thank you, Mr. Brodie.

That being said, today the National Assembly of Quebec passed Bill 52, which preserves the use of the override provision to protect the Act respecting the laicity of the State, Bill 21, from court challenges. Four Quebec associations have now indicated their intent to challenge the bill in the Supreme Court. I believe those four associations are eligible for the court challenges program.

Do you think it's fair to allow federal government money to fund challenges to both a bill passed by a majority in the National Assembly of Quebec and a provincial statute of Quebec?

• (1615)

[*English*]

Mr. Ian Brodie (Professor, University of Calgary, As an Individual): I want to clarify off the top that while I appreciate the member's comments, I'm here not in my previous political capacity but because of my long-standing academic work on the Court Challenges Program.

In the written submission I sent to the committee a week or so ago, I think I set out that there was a continuing problem with the Court Challenges Program in having a federally funded organization funding challenges to provincial legislation. I have a long-standing view on the propriety of using the federal spending power in areas of provincial jurisdiction. I extend that view to this issue on the Court Challenges Program here. If the federal government—the current one or some future one—decides that it wants to intervene in a court case in order to bring additional legal arguments before the courts, of course it's always open to the Attorney General of Canada to intervene in a court case and to bring public interest arguments forward, but to be in the business of effectively subsidizing and encouraging court cases against provincial legislation—or, for that matter, municipal actions—I think is a violation of the principles of the spending power.

[*Translation*]

Mr. Jacques Gourde: Mr. Brodie, based on your knowledge of Canadian and international statutes, have any other countries in the world been inspired by the court challenges program? If not, how do other countries operate in similar cases?

[*English*]

Mr. Ian Brodie: I should say, Mr. Chair, that when I travel internationally, I'm often asked about this because of my academic work on the Court Challenges Program. I have difficulty explaining, either to legal activists or to government officials in other countries, how it came to be that the federal government pays organizations or individuals to sue in court for these kinds of rights issues.

There's a long tradition of public interest litigation challenging legislation and government action in the United States and in other countries. This goes back—we're in 2024—at least 100 years. I'll note that the great advances made on behalf of the black civil rights movement in the United States in court were entirely privately financed by donors and by charitable trust funds established by wealthy donors in the United States. In the signature cases that advanced desegregation of the U.S. universities and the U.S. public school systems, there was no similar Court Challenges Program and there was no similar federal funding of any of those cases.

It is certainly possible, and there are lots of examples around the world. In most of the examples of public interest litigation against government legislation or government policy in the world with functioning constitutions, it's relatively recently and only in Canada that the litigation was financed with the support of government subsidies like this.

The Vice-Chair (Mr. Kevin Waugh): Just like Tuesday, Mr. Brodie, please mute yourself after you answer.

To our other guests, after you answer a question, please mute yourself. If there's a second question to you, you can answer it and then mute yourself again. This is due to the feedback issues we're having here. Mr. Brodie was reminded of that today because of Tuesday, but for the rest of you, when you answer a question, just put yourself on mute afterwards.

Mr. Gourde, we did stop the clock. You have a total of 51 seconds left. Go ahead.

[*Translation*]

Mr. Jacques Gourde: Thank you, Mr. Chair.

Mr. Brodie, should the court challenges program be more transparent?

It's currently administered by a third party at the University of Ottawa, but we don't know how many organizations receive funding under the program, what amounts each one receives, or what cases that funding is used for. Four or five Quebec organizations may be challenging a Quebec statute without us knowing how much funding they'll receive from the program for that purpose.

Do you think that's fair and reasonable?

[*English*]

Mr. Ian Brodie: Absolutely. The Court Challenges Program existed for almost 20 years when it had to disclose who it funded and how much money it sent to each court case. I know that there was some argument at the last committee meeting about that, but I think that's a policy that should be returned to under future contribution agreements. If the law is going to be amended here, it should be clear that that this will be a requirement under the Court Challenges Program.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Brodie, and thank you, Mr. Gourde.

We'll go to the Liberal Party now.

Mr. Noormohamed, you have six minutes. Go ahead.

• (1620)

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

I would like to thank the witnesses for being here.

Mr. Jensen, I'd like to start with a couple of questions to you. From 1984 to 1993, during Progressive Conservative governments, 24 equality rights challenges were brought before the Supreme Court. Of those, nine had party or intervenor status and were funded by the Court Challenges Program. The vast majority of those were successful.

I think these are important things to note, because I would argue that had those challenges not been funded, they would never have seen the light of day.

Could you briefly give me your assessment of what the impact would be had programs like those, in that era, not had the funding from the CCP to advance equality rights?

Mr. Bennett Jensen: I think the question has laid out the key factors at play, which are really that the Court Challenges Program facilitated access to the courts, and continues to, for groups and voices that are not properly or adequately represented otherwise and whose perspectives wouldn't reach there otherwise.

With respect, I think it is actually critical that there is federal support in establishing functioning checks and balances within a robust constitutional democracy, for the bringing of challenges to test the constitutionality of legislation and to have that done before the appropriate body in our system, which is the judiciary.

We have to understand that of course the federal government provides extensive funding in defence of legislation. It funds the court system. What we're talking about with the Court Challenges Program is a very, very modest amount of money that facilitates an opening of the door to groups that might otherwise not be able to be there.

The period of time that you're speaking to was when the courts were grappling with, for instance, what it meant to recognize sexual and gender diversity. What did it mean to recognize the rights of women? What did it mean to recognize groups of people who hadn't been at the table historically? It was critical in our understanding as a country and in the development of constitutional law that recognizes all of us.

Mr. Taleeb Noormohamed: Thank you, Mr. Jensen.

Mr. Chair, during the time that I still have, which I think is about three and a half minutes, I would like to put forward a motion. It reads as follows:

That, pursuant to Standing Order 108(2), the committee undertake a study of no less than four meetings to study the concerning rise in far-right extremism in Canada; that the study include how far-right extremism plays a role in misinformation and disinformation; how to better support preventive measures for ideologically motivated extremism in Canada and the connection between far-right extremism and harassment towards journalists, women, indigenous peoples, Black, and racialized communities, members of the 2SLGBTQI+ community and religious minorities; that the committee report its findings and recommendations to the House; and that pursuant to Standing Order 109, the committee request that the government table a comprehensive response to the report.

I have the motion translated in both languages. I request unanimous consent of this committee to adopt the motion.

Mr. Marc Serré: His clock has stopped also.

The Vice-Chair (Mr. Kevin Waugh): What did you say at the end, Mr. Noormohamed?

Mr. Taleeb Noormohamed: I asked for unanimous consent to adopt the motion.

The Vice-Chair (Mr. Kevin Waugh): We don't have the 48 hours' notice, as you know.

Mr. Taleeb Noormohamed: That's why I'm asking for unanimous consent.

The Vice-Chair (Mr. Kevin Waugh): Do we have unanimous consent?

No, we do not.

We're going to Ms. Ashton, I believe. I don't know if it was you. Your hand's not up, but I did hear your voice. Go ahead.

Ms. Niki Ashton: It was. I got timed out. I had my hand up before the conversation with the clerk. I didn't want to interrupt, but I did want to make an amendment to the motion—

Mrs. Rachael Thomas: I will raise a point of order.

Ms. Niki Ashton: I would like to do that, recognizing that you are in discussion.

The Vice-Chair (Mr. Kevin Waugh): Yes, we are, Ms. Ashton.

I'm going to go to Mrs. Thomas on a point of order here.

Mrs. Rachael Thomas: Thank you.

I'm just seeking clarification. This motion hasn't been tabled.

The Vice-Chair (Mr. Kevin Waugh): It has not been tabled.

Mrs. Rachael Thomas: An amendment cannot be moved to a motion that has not been tabled. I will seek clarification from the clerk on that, just to confirm.

• (1625)

The Vice-Chair (Mr. Kevin Waugh): You're correct.

Mrs. Rachael Thomas: Ms. Ashton would be out of order right now.

The Vice-Chair (Mr. Kevin Waugh): I'm sorry, Ms. Ashton. You would be out of order.

We do not have UC motion on this. When I asked—

Mr. Michael Coteau: I'm sorry. I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mr. Coteau.

Mr. Michael Coteau: You didn't ask the question very clearly. I did not hear anyone say yes or no.

Please, Mr. Chair, can you ask the question again?

Mr. Philip Lawrence: Mr. Chair, it has already been asked.

The Vice-Chair (Mr. Kevin Waugh): I'm going to ask if there is—

Mr. Taleeb Noormohamed: Mr. Chair—

The Vice-Chair (Mr. Kevin Waugh): Can I finish, for once?

Mr. Coteau asked me to make a ruling here.

Do we have unanimous consent, even though we did not receive 48 hours' notice on this motion, yes or no?

No. We don't.

Can we move on, Mr. Noormohamed?

Mr. Michael Coteau: Mr. Chair, can I speak to what just took place?

The Vice-Chair (Mr. Kevin Waugh): Yes.

Mr. Michael Coteau: Here we have a very simple motion—

Mr. Philip Lawrence: I have a point of order.

The motion was not moved. We should go back to the questions.

Mr. Michael Coteau: I would like to ask a question, if that's okay, Mr. Chair.

Mr. Philip Lawrence: This is not in order.

The Vice-Chair (Mr. Kevin Waugh): No.

Mr. Michael Coteau: Mr. Chair, would it be possible for me to ask a question?

The Vice-Chair (Mr. Kevin Waugh): Not on this, it isn't. We had the vote and someone said no, so we're going to move on now with the remaining two minutes.

Mr. Michael Coteau: I have a point of order, then, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): Go ahead on a point of order, Mr. Coteau.

Mr. Michael Coteau: I just want to make it very clear that there was a motion asking to study items like far-right extremism and the Conservative Party said no.

The Vice-Chair (Mr. Kevin Waugh): Mr. Coteau, we're going to move on now.

Mr. Michael Coteau: I just want to make sure that's what happened. It's a point of clarification. Is that right?

The Vice-Chair (Mr. Kevin Waugh): We had the vote, Mr. Coteau. We've asked it, somebody said no and now we're moving on.

There are two minutes and 20 seconds left for Mr. Noormohamed.

Mr. Michael Coteau: Mr. Chair, I just asked a question.

The Vice-Chair (Mr. Kevin Waugh): Yes, and I'm just telling you what happened here. I asked if there was unanimous consent. It was no, so now we're moving on for two minutes and 20 seconds. Is that fine?

Mr. Michael Coteau: Thank you, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): You have two minutes and 20 seconds left.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

I'm sure that the blues and the video, Mr. Coteau, would confirm that Mrs. Thomas, Mr. Lawrence and Mr. Gourde specifically said no. Mr. Gourde held up a sign saying no as well. It's all recorded.

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed, please—

Mr. Taleeb Noormohamed: Mr. Chair, I have the floor.

The Vice-Chair (Mr. Kevin Waugh): Yes. Go.

Mr. Taleeb Noormohamed: You have interrupted me now, so I would like to have five seconds back.

The Vice-Chair (Mr. Kevin Waugh): I have interrupted you. I asked you to continue—

Mr. Taleeb Noormohamed: I would like what is now my 10 seconds back, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): You've got it. Away you go.

Mr. Taleeb Noormohamed: Thank you very much, Mr. Chair.

I would like to now go back to Mr. Jensen.

You raised a really important point about the validity... In your comments you spoke about the defence of charter rights and the importance of defending charter rights.

Last week, the Leader of the Opposition, in speaking about charter rights, said that he would use the notwithstanding clause to override civil liberties and minority rights.

Can you speak to the concern that your organization would have about that and what Canadians should be worried about in the context of what we're talking about today, when a leader of any political party talks about using the notwithstanding clause to take away—

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Mrs. Thomas has a point of order. We'll stop the clock.

Mrs. Rachael Thomas: Mr. Noormohamed just threw out an accusation that actually is not substantiated. He's putting words in the leader's mouth. I would just ask, through you, Mr. Chair, that he stick to the facts.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mrs. Thomas.

Yes, Mr. Noormohamed, please continue. Stick to the facts of our guests here today and stick to Bill C-316, if you don't mind.

Mr. Taleeb Noormohamed: Mr. Chair, I get to ask the questions, not you.

The Vice-Chair (Mr. Kevin Waugh): I also get to rule. When you're kind of crossing the line, which you just did, I also, as the chair, get to rule on this situation.

Mr. Taleeb Noormohamed: Mr. Chair, I asked a very specific question in respect to the testimony of the witness. Would you like me to repeat the question?

The Vice-Chair (Mr. Kevin Waugh): On Bill C-316, go ahead.

Mr. Taleeb Noormohamed: The witness, in his testimony, Mr. Chair, spoke to the importance of defending charter rights and of this program's ability to defend charter rights. My question was a very specific one.

When leaders of political parties speak about overriding the constitutional rights that this individual spoke of in his testimony by using the notwithstanding clause, my question to the witness is as follows: What are the consequences and implications of the use of the notwithstanding clause to override those same minority rights?

The Vice-Chair (Mr. Kevin Waugh): Let's move on, then. Who was it directed to, again? Was it Mr. Kingston?

Mr. Taleeb Noormohamed: It was Mr. Jensen.

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mr. Jensen, please.

Mr. Bennett Jensen: Thank you, Mr. Chair. Thank you for the question.

Simply put, it's devastating. It's devastating that we are in a moment in this country at which the notwithstanding clause is being used increasingly to limit the rights of the most vulnerable members of our society.

Our position at Egale is the same with respect to the notwithstanding clause as it is with respect to the Court Challenges Program, which is that it is for courts to determine the constitutionality of our legislation and that it is critical for our society, so that it can protect all of its members, that the courts retain that role.

• (1630)

Mr. Taleeb Noormohamed: Thank you, Mr. Jensen.

Mr. Chair, I believe I have about one minute left.

The Vice-Chair (Mr. Kevin Waugh): Very well. Go ahead.

Mr. Taleeb Noormohamed: Perfect. Thank you, Mr. Chair.

Mr. Jensen, I'd like to go back again to a period of time when the Court Challenges Program was cut by the Harper government. You heard Mr. Brodie speak as well.

What have been the impacts on minority communities, the LGBTQ2S+ community and other communities, when they haven't had access to that funding? What were some of the specific interactions that you might be able to speak to during that time in which the rights of minorities to defend themselves were substantially curtailed?

Mr. Bennett Jensen: Thank you for the question.

I may not be able to point to specific examples during that period because I wasn't yet in my role, but what I will say is that I cannot emphasize enough the barriers that exist in accessing the court system in general. What that means is that marginalized communities are simply without recourse.

As members will appreciate and as other witnesses have spoken to, litigation is tremendously expensive. The Court Challenges Program makes a dent in that, but it does not support all of the funding by any stretch. It simply means that rights can be violated by a majority government with no recourse for the minority.

Again, it has devastating consequences.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Jensen. We're over time now.

Thank you, Mr. Noormohamed.

We welcome, from the Bloc, Mr. Beaulieu. You have six minutes, sir.

[*Translation*]

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Thank you, Mr. Chair.

Thanks to our guests for being with us. My first question is for Mr. Brodie.

You wrote a long time ago that the court challenges program had become the legal arm of the federal government in attacking the Parti Québécois agenda. I think you referred to the charter of the French language.

Do you still think that's the case as regards the part on language rights in Quebec?

[*English*]

Mr. Ian Brodie: The charter of rights obviously applies to both the federal jurisdiction and provincial jurisdictions, as well as municipal jurisdictions. I think I can speak to the history of the program, and I think it's clear from the cabinet records that have now been released that Mr. Trudeau's government—the government of Pierre Trudeau, the first Trudeau—was seized with the issue of Bill 101, or what we now refer to as Bill 101, the Parti Québécois' language legislation. They were concerned that parts of that language legislation were unconstitutional or would cause other problems for the federal government, and they considered simply having the Attorney General launch a challenge on behalf of the federal government.

I think it's clear also from those records that the federal government cabinet considered using the disallowance power to disallow the legislation altogether but found that it would be in its political interest not to pursue either of those avenues for challenging the legislation, and therefore the Court Challenges Program was originally conceived of as a way of achieving what either disallowance or a lawsuit on behalf of the federal government against the Government of Quebec would achieve but without incurring the political costs that a direct challenge or direct use of the disallowance power would have meant.

[*Translation*]

Mr. Mario Beaulieu: Quebec is a minority nation. Is it fair for the Canadian majority to impose programs like the court challenges program on the Quebec nation in order to defeat indirectly statutes that it passes to protect its linguistic specificity?

Everyone may answer that question.

[*English*]

Mr. Ian Brodie: Mr. Chair, in responding to Mr. Gourde, I think I made my views clear on the use of the federal spending power to challenge provincial legislation here.

[*Translation*]

Mr. Mario Beaulieu: I'd like to add a comment on the subject.

We know that Bill 101 was passed in 1977 and that the court challenges program was introduced in 1978 to defeat the charter of the French language.

The Quebec government has recently passed legislation to reinforce Bill 101. I'll be careful here not to pass judgment on its validity. However, the budget of the court challenges program has suddenly been doubled for 2023–2024.

Can there be a connection between the two?

• (1635)

[English]

Mr. Ian Brodie: I don't know. I don't follow the debates about language legislation in Quebec any further. I suspect there are other people testifying today who might be able to better speak to that. I'm afraid I'm not in a very good position to respond.

[Translation]

Mr. Mario Beaulieu: That's fine.

My next question is for Ms. Roy.

We want to make one thing quite clear: We aren't questioning the relevance of the court challenges program for francophone and Acadian communities or for human rights. However, how can you assure us that the court challenges program can be used to defend the rights of the francophone and Acadian communities without undermining French in Quebec? I don't know whether you have any thoughts on that.

Ms. Liane Roy: As you know, our role at the FCFA is really to represent the 2.8 million French-speaking Canadians who live outside Quebec. For those people, the court challenges program is crucially important to the health and survival of their community. That's really what I want to say today.

Mr. Mario Beaulieu: On another topic, as we all know, the government doesn't disclose the organizations to which the court challenges program grants funding or report the cases that funding is used to defend. It's quite troubling to see this because these are public funds.

I know the FCFA had opposed this at one point. Let's suppose that information was disclosed once the cases had been heard. Would you be opposed to there being more transparency of that sort?

Ms. Liane Roy: We're always in favour of transparency regarding national programs.

In its current form, the court challenges program is required to prepare annual reports and is held to quite a high degree of accountability. Given those factors, I think enough information is being published or made public regarding the program for the moment.

Mr. Mario Beaulieu: In any case—

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Beaulieu. Your six minutes are up.

[Translation]

Mr. Mario Beaulieu: Oh, it goes so quickly.

Thank you.

[English]

The Vice-Chair (Mr. Kevin Waugh): We'll go to the New Democratic Party. Ms. Ashton, you have six minutes, please.

[Translation]

Ms. Niki Ashton: Thanks very much to the witnesses for being with us.

My first question is for Ms. Roy.

You clearly explained the gains that francophones across Canada have made thanks to the court challenges program.

I want to take another look at what happened in 2006. What would happen, for example, if the Canadian government one day decided to stop funding the court challenges program, as former prime minister Stephen Harper did in 2006? We know that the Commissioner of Official Languages at the time, Graham Fraser, declared that the decision violated the Official Languages Act.

What would the impact be on francophone rights if the program lost all its funding overnight?

Ms. Liane Roy: To save the committee's time today, I'll respond that I entirely agree with what Mr. Jensen said in response to a similar question earlier. I think the situation would be devastating for francophone communities.

As you know, the francophonie is now a rich and varied space that embraces individuals of various origins and orientations. It welcomes racialized persons, members of the LGBTQ2S+ community and other groups that constantly struggle to defend their rights. What we want is to guarantee all those groups fair access to justice. The court challenges program is therefore very important for us because it helps guarantee respect for the rights of our communities. It's very important that the court challenges program be maintained and that it continue.

Ms. Niki Ashton: Thank you for your very clear message, Ms. Roy. You cited some specific examples of the progress and gains that have been made thanks to this program. The results of the program have helped support and strengthen francophone communities. In particular, it has enabled my community to access French-language education.

[English]

My next question is to Mr. Jensen.

We are in a committee where we've heard now from a number of witnesses—including you—about how critical this program has been. In fact, I first got involved in politics because of the fight for gay marriage, while recognizing the long struggle by Egale and other organizations to make gains, whether through the courts or in our Parliament, etc. We hear loud and clear to what extent the Court Challenges Program is critical to the work you do and to the struggle for justice when it comes to LGBTQ rights.

We're also in the context of a committee where we've heard from Mr. Brodie, who was former Prime Minister Harper's chief of staff when the Conservatives last decided to abolish the Court Challenges Program. I think it's a pretty clear indication that the current group of Conservatives would repeat the same mistakes Stephen Harper made.

I want to quote from his book, *Friends of the Court*, where he dismisses the Court Challenges Program, reducing its role to one of community outreach to encourage litigation and create new interest groups—as if communities standing up for themselves is just “community outreach”. He even describes how “the Charter has led...unions, [common] native groups, [common] language minorities, gay and lesbian groups and others' to import American-style public interest litigation techniques into Canada.”

I find these comments profoundly disrespectful. They miss the point of what makes Canada unique and the way forward that we ought to be pursuing when it comes to justice. It's not “American-style politics” for communities to fight for their fundamental rights.

If we want a better example of importing American-style politics into Canada, I think we could look at the pro-billionaire, anti-LGBT, Islamophobic, anti-indigenous politics, and the policing of women's bodies, that we've seen from Trump and other right-wingers in the States. We're seeing so much of that among today's Conservatives here in Canada.

Bluntly speaking, the elimination of the Court Challenges Program set communities back in our country. It's clear what the Conservatives want. We need to enshrine this program. That's what this bill is all about.

What would the elimination of the Court Challenges Program mean for the communities Egale fights for?

• (1640)

Mr. Bennett Jensen: Thank you for the question.

It would mean the further marginalization and elimination of the ability to assert one's rights in court. I think you named how broad an impact that would be.

Of course, I'm focused in large part on the communities Egale represents. However, as I said in my remarks, our position is politically neutral. We believe that Canada, as a constitutional democracy, requires robust checks and balances in the system, and that the rights of minorities, unpopular social groups and those with unpopular opinions should not be left to majoritarian rule. That's not how our system is set up. This is a small step the government has taken that needs to be protected to make sure those checks and balances in the system stay functional.

In order to ensure our constitutional rights belong to us and can be enjoyed by all in our country, the Court Challenges Program needs to be protected.

The Vice-Chair (Mr. Kevin Waugh): You have 10 seconds left.

Ms. Niki Ashton: Thank you, Mr. Jensen.

Do you have any final words for the committee about how important this bill is?

Mr. Bennett Jensen: I would simply reiterate that our position is this: It is critical that the Constitution exists for all of us, not simply those who are in favour at a particular political moment. This program is a critical check and balance to ensure a robust constitutional democracy.

The Vice-Chair (Mr. Kevin Waugh): Thank you. Thank you, Ms. Ashton.

This is the second round. It is five minutes long.

Conservative Party and Mrs. Thomas, you're up.

Mrs. Rachael Thomas: Thank you, Chair.

Mr. Brodie, I have a quick question here for you to start off with.

It's clear that with regard to the Court Challenges Program, there's no specificity in terms of how directors and officers are selected and there's no transparency in that process.

Should it be specified? Should it be transparent? Why or why not?

Mr. Ian Brodie: I tried to set out in my written submission to the committee a week ago that the Court Challenges Program has been on this kind of roller coaster existence of being created and being abolished. The Harper government announced it would abolish it, but never did, and the Court Challenges Program has continued on since 1994 in various forms.

Part of the challenge the Court Challenges Program has as an organization, and part of the challenge that the groups who get subsidies from the Court Challenges Program have, is that it has such a narrow political and, over time, partisan base. In the written submission, I tried to make the argument that the program can be stabilized by bringing the parties of the House of Commons into the governance structure—not by having it answer to Parliament, but by having each of the parties nominate people for appointment to the Court Challenges Program board of directors in an effort to broaden out the scope of the organization and therefore really broaden out the funding of the Court Challenges Program.

I would just note that over the course of the past three years, we went through a period of extraordinary repression of basic civil liberties and provisions of the Charter of Rights under the rubric of a pandemic response. I'm not going to get into whether that is a legitimate use of government power or not. All I'm suggesting is that a variety of groups and individuals challenged a number of the COVID-era rulings by both the provincial government and the federal government, all of which were privately financed, as far as I can tell. Certainly the Court Challenges Program has not released any details of funding they gave to any of those challenges. None of the groups represented here or before your committee in these hearings was involved in any of those challenges. Those were issues that were legitimately brought before the courts and were entirely financed by private fundraising efforts.

If we're going to stabilize the Court Challenges Program into the future, I think the Court Challenges Program has to broaden itself out into financing some of these types of challenges as well.

• (1645)

Mrs. Rachael Thomas: Mr. Brodie, thank you very much for answering that question and for giving such a thorough account.

At this point in time, I wish to move a motion.

The Vice-Chair (Mr. Kevin Waugh): Go ahead.

Mrs. Rachael Thomas: Thank you, Mr. Chair.

Notice was given of this motion on April 18, and the motion reads as follows. I move that,

Given that, according to a National Post article published on April 17, a York University faculty committee has presented a list of anti-Semitic recommendations that include labelling the support of Israel as "anti-Palestinian racism"; classifying anyone who supports Israel as "anti-Palestinian, Islamophobic, and anti-Arab"; granting academic freedom and free speech to pro-Palestinian students, while revoking these same rights from Jewish students and anyone supportive of Israel; and identifying Zionism as "a settler colonial project and ethno-religious ideology" that should be isolated and destroyed, and that

the Government of Canada has committed to the Canada anti-racism strategy, and that

the Minister of Canadian Heritage is responsible for "fostering and promoting Canadian identity and values, cultural development, and heritage," and that the 2024 Canadian universities anti-Semitism report highlights the "serious problems our universities have with antisemitism, anti-Zionism and anti-Jewish hate",

the committee unequivocally condemn the anti-Semitic conduct of this faculty committee at York University and report this to the House.

Mr. Chair, it is important to note that the motion I have just read into the record does call on this committee to unequivocally condemn the anti-Semitic conduct of the anti-Jew faculty committee at York University.

I gave notice of this motion on April 18. However, since then, in just those few weeks, anti-Jewish rhetoric and actions on campuses across this country have only grown in number. In fact, it is out of control and altogether vile and disgusting. It is inexcusable, and this committee has an opportunity to do something about it.

Jewish students should not fear going to class, writing their final exams or attending their convocation, but that is in fact where we are at as a country.

Anti-Jew mobs are active at McGill University, the University of Ottawa, Western University, Carleton University, and now, as of this morning, the University of Toronto.

This government has signed off on and committed to the Canada anti-racism strategy, which is led by the Minister of Heritage, and it is incumbent upon her to abide by her mandate.

Today we have another opportunity here at this table, and it seems an opportunity that should elicit the collaboration of those here. The hatred facing Jews in Canada should be condemned in the strongest terms possible. We cannot sit idly by and be silent as those within our community are suffering.

I sincerely hope that my Liberal colleagues, especially, will not try to water down or equivocate the motion I am moving and its purpose to help Jews who are experiencing real terror.

All of us should agree that it is wrong to perpetuate hate toward the Jewish community in Canada, which is why I was confused and grieved as to why my desire to seek unanimous consent to see the motion moved and adopted at the last committee meeting was rejected. However, it does remain tabled, so I do wish to move it today. I remain hopeful that my colleagues across the way will have had a change of heart and will perhaps see the light and vote in favour of this motion. I would ask that it be voted on at this time.

• (1650)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mrs. Thomas.

Go ahead, Mr. Coteau.

Mr. Michael Coteau: Thank you very much, Mr. Chair.

I think everyone at this committee agrees that in this country there's no room for hate.

The member opposite who proposed this just said that she hopes we have a change of heart at this committee. I want to bring some clarity to this, because when it was first introduced.... I think it was about a week and a half ago. Is that correct, Mr. Chair?

The Vice-Chair (Mr. Kevin Waugh): It was April 18.

Mr. Michael Coteau: I had some phone calls and some emails and some text messages about this, because immediately after it was introduced, the member opposite went onto social media and made the claim that we were standing in the way of fighting anti-Semitism. That was really disheartening for me as someone who's dedicated most of his professional career in politics to fighting racism and all forms of hate.

I just want to bring clarity to this issue, because we're not playing games here. These are real-life situations in which people are being hurt and people are being discriminated against. The toxic level of hate is rising in this country. I need to speak to this, because what happened was that a week and a half ago, the member introduced this motion out of nowhere in the middle of a study we were doing. I believe it was a study. In the motion, there were some questions that one would naturally ask. For example, it makes reference to policies at York University. I have never seen these policies at York University. I know that there's a current lawsuit. I did some research. There's a current lawsuit that's being aimed at York University about this issue, and there are probably lots of documents that speak to these issues.

For the member to ask me to condemn a university without seeing any of the information.... This was a National Post article I saw that the member referred to. The first time I ever heard of it was the day that the member opposite introduced it—

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Go ahead on a point of order, Mrs. Thomas.

Mrs. Rachael Thomas: Just for the record, the motion asks to condemn anti-Semitism. I've noticed that the member across the way refuses to use that word. He's accusing me of wanting to condemn people. That's not true at all. That's not what this motion says. It says that it condemns anti-Semitism.

Mr. Michael Coteau: That's not a point of order, Chair.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

Go ahead, Mr. Coteau.

Mr. Michael Coteau: Mr. Speaker, it's interesting. I can say anti-Semitism 100 times over. In fact, I was the minister for anti-racism for the Province of Ontario. I was the first person in this entire country to embed anti-Semitism into legislation. Ontario was the first province in the history of this country to have anti-racism legislation. I believe B.C. is only the second province. I was responsible for putting that term, along with anti-Black racism, Islamophobia, and many different elements like anti-indigenous hate, into a piece of legislation that exists today, that compels the current Ontario government to build an anti-racism strategy to collect disaggregated race-based data and to work towards collecting hate-based data. In fact, I had a special advisory committee, made up of very prominent members of the Jewish community, who personally advised me on that piece of legislation.

To hear the member opposite actually say I'm afraid to use that term.... My entire track record of my career at the provincial level as the minister of anti-racism spoke to these issues. You can go through any type of check into the work I've done. I built the first anti-racism strategy for Ontario. In fact, when I was a school board trustee, I was the first person to bring forward the collection of disaggregated race-based data, back in 2006. These issues are not new to me. I went to universities a decade ago to speak to Jewish students and Muslim students about hate on campus.

Scoring political points in a committee like this, taking one specific National Post article and using it out of nowhere to try to separate and create a wedge between members here—we won't allow that to happen.

We are very concerned about hate in this country, and the rise of hate. Since 2016, we have seen a drastic increase of online hate. We've seen a drastic increase of hate incidents, and it continues to happen in this country. It's dividing us.

I've been a victim of racism. I have been impacted by extreme forms of hate by people in this country, and I have dedicated my entire life in politics to fighting hate and looking for ways to create balance in this country. We want to look for ways to ensure that our Jewish friends, our citizens, our Muslim friends and citizens, indigenous communities, the Black community, and all people have the opportunity to find success in this country. That's the type of country I'm trying to build.

To use motions like this out of nowhere, without even collaborating with members on the other side to talk about these issues and look for meaningful ways to act—

• (1655)

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mrs. Thomas, on a point of order.

Mrs. Rachael Thomas: Just for clarification, the Liberal chair ruled out of order a previous anti-Semitism motion, so there really wasn't a space to—

Mr. Michael Coteau: That's not a point of order, Mr. Chair.

Mrs. Rachael Thomas: —work in a collaborative way, unfortunately. Otherwise, we would have truly loved to.

Mr. Michael Coteau: Mr. Chair, it's obvious what—

The Vice-Chair (Mr. Kevin Waugh): Mr. Coteau, if I could say—

Mr. Michael Coteau: I have the floor, do I not, Mr. Chair?

The Vice-Chair (Mr. Kevin Waugh): Yes, you do. Can we talk about the motion now? We're going to debate the motion, if you don't mind.

Mr. Michael Coteau: Everything I'm talking about here is about the motion.

The Vice-Chair (Mr. Kevin Waugh): Okay. Continue about it, then.

Mr. Michael Coteau: Mr. Chair, we can be responsible politicians at the House of Commons and move forward together as a team of concerned politicians, regardless of the political parties that we're in, and really look for ways to denounce racism, systemic racism, and to reveal the history of the atrocities that have occurred in this country against indigenous people and that continue to happen to Black people.

I'm part of a group of people who, on this continent, were enslaved and who didn't have the right to vote in many parts of North America, even several decades ago. There's a long history in this country, and I think that as parliamentarians, we need to remove the partisanship and look for ways to come together rather than to separate ourselves. This is so important.

I don't want to say this in a way that uses race or racism to put down the Leader of the Opposition, but the Leader of the Opposition found himself in a very awful situation. He came up to a camp and he saw some signs that brought him there. He got to that camp, and he saw a symbol that was connected to white supremacy, white extremism. He probably made a mistake, because I don't think the Leader of the Opposition—

[*Translation*]

Mr. Jacques Gourde: On a point of order, Mr. Chair.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mr. Gourde.

[*Translation*]

Mr. Jacques Gourde: I think we should get back to the motion because we're straying from it. We should also lower our voices and consider the hearing health of the interpreters, who have been working all week.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Gourde.

Yes, we're debating the notice of motion by Mrs. Thomas—

Mr. Michael Coteau: Yes, and I want to continue talking—

The Vice-Chair (Mr. Kevin Waugh): —so can we stick to that?

Mr. Michael Coteau: Yes, I want to stick to this.

● (1700)

The Vice-Chair (Mr. Kevin Waugh): Thank you. Stick to it, then.

Mr. Michael Coteau: I was just about to say something, Mr. Chair, before the member spoke to an important issue. I caught the end of it. I believe it was about the interpreters and making sure that we maintain a low volume level. I agree with that, and I thank the member for that.

The Leader of the Opposition had an extraordinary opportunity to rise to the occasion. I'm bringing this up because I think we have an opportunity as a committee to really rise to the occasion and to talk about racism in a way that is productive.

The Leader of the Opposition went to this camp, and he found himself in a very sticky situation. He found himself in a situation where there were white nationalist symbols. It was a very simple response the leader had to do: just denounce that specific group. He has decided not to do that. He has been given—

The Vice-Chair (Mr. Kevin Waugh): Please speak to the motion.

Mr. Michael Coteau: Mr. Chair, there's a motion on the floor—

The Vice-Chair (Mr. Kevin Waugh): Can we get to the motion? There is a motion in front of us.

Mr. Michael Coteau: There is a motion on the floor talking about anti-Semitism and hate. I think we need to talk about the state of affairs in this country and the state of affairs in politics in this building, in the House of Commons, and the relationship among the parties. I have dedicated my political career to looking for ways to balance the playing field for all people.

I would strongly agree to do a study on anti-Semitism, Islamophobia and anti-Black racism. I would love to do a study that focused on how it's impacting young people. I would like to look for ways to collaborate with the Conservatives to really flesh out some of this ugliness we're seeing in this country, and we should not use these motions in a way that creates divides.

I'm getting to my main point here. The member, a week and a half ago, when she introduced this without notice—and this is why I say there are political games being played—immediately had a prepared statement in front of her that she read from. She started off by saying she was deeply disappointed with the Liberal Party. She read from it like it was an orchestrated engagement. In fact, Mr. Chair—

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Hold on. I have a point of order.

Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: Thank you.

While I appreciate the member's desperate insinuations, there was no piece of paper in front of me. He's accusing me of something, so if he has evidence that he'd like to present to the committee, he's more than welcome to, through you, Chair. Otherwise, he's out of order to throw such accusations against me, and I would ask that you call him into line.

The Vice-Chair (Mr. Kevin Waugh): Okay.

Can we talk about the notice of motion?

Mr. Michael Coteau: Did she just say to call me into line?

An hon. member: She did, yes.

Mr. Michael Coteau: Chair, the member should not be suggesting that I should be called into line. She's not the boss of me. She's not my captain. I'm not in the army. She shouldn't suggest that I should be called into line. I don't think that's a proper term.

Now, I want to keep going here, Mr. Chair—

The Vice-Chair (Mr. Kevin Waugh): Yes. Are you...?

Mr. Michael Coteau: I have lots to say.

The Vice-Chair (Mr. Kevin Waugh): I take that.

Can you talk about the motion here?

Mr. Michael Coteau: Yes, I'm talking about this motion and how it was introduced.

The Vice-Chair (Mr. Kevin Waugh): This is what we're talking about right now—

Mr. Michael Coteau: Yes. I'm talking about the motion.

The Vice-Chair (Mr. Kevin Waugh): It's about the faculty group at York University—

Mr. Michael Coteau: In addition—

The Vice-Chair (Mr. Kevin Waugh): —or do you have an amendment to bring forward on other issues?

Mr. Michael Coteau: Mr. Chair, I'm speaking specifically about the introduction of this motion.

The Vice-Chair (Mr. Kevin Waugh): Yes, York—

Mr. Michael Coteau: In addition to that, when it was introduced a week and a half ago, it was as though it was preplanned, because immediately, when you asked for unanimous consent, you turned directly to the Liberals, Mr. Chair—

The Vice-Chair (Mr. Kevin Waugh): It was wrong. I said that to you.

Mr. Michael Coteau: I have never seen that at this committee, and I called you out on it.

The Vice-Chair (Mr. Kevin Waugh): Yes. I apologized to you.

Mr. Michael Coteau: It was like it was a coordination. I'm sure you guys meet beforehand, and this was all discussed. I could be wrong—

The Vice-Chair (Mr. Kevin Waugh): You are wrong.

An hon. member: Mr. Chair, on a point of order—

The Vice-Chair (Mr. Kevin Waugh): Mr. Coteau—

Mr. Michael Coteau: I'm sure—

The Vice-Chair (Mr. Kevin Waugh): Mr. Coteau, at that moment that I was sitting in this chair for the first time, as the regular chair had gone to Australia. Do you want me to talk about leaving to go to Australia during a week when we sit in the House of Commons?

I did not say that. I sat in this chair. You know how regularly I'm in this chair. I said to you that day that I made a mistake. I said that to you.

Are we going to continue on with Ms. Thomas's motion in front of us? We have others who would like to speak to it.

• (1705)

Mr. Michael Coteau: Mr. Chair, I was a little bit taken aback—

Ms. Niki Ashton: I have a point of order, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): Ms. Ashton, is this a point of order?

Ms. Niki Ashton: I'm concerned that you as chair have challenged our regular chair and her motives, frankly—

The Vice-Chair (Mr. Kevin Waugh): Yes, thank you.

Ms. Niki Ashton: —going after her reputation. As a member of this committee and as a parliamentarian, I'm quite concerned that we're even going down this path. I feel like that this kind of approach is just not befitting of any chair. I mean, to know where the chair is.... Who knows what the personal circumstances are? This is a public meeting, and it's simply not okay.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Ashton.

Go ahead, Mr. Coteau.

Mr. Michael Coteau: Thank you very much, Mr. Chair.

After the meeting when this notice of motion was introduced and you asked for unanimous consent, I went back to where I stay when I'm in Ottawa, and I was flooded with emails and phone calls because the way in which it was written....

Actually, I wasn't even in the room. I wasn't even here, actually. I was virtual and I couldn't tell who said what was said.

The first thing is that I was identified by Ms. Thomas on her social media. She tagged me as @Coteau and said that I had just basically.... I don't want to read the text, but it's something to do with saying that I stood in the way of anti-Semitism.

I want to say right now for the record that I am—

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: I wish he stood in the way of anti-Semitism. It would actually appear that the member supports it.

An hon. member: Whoa, whoa....

Mr. Michael Coteau: It's fine.

The Vice-Chair (Mr. Kevin Waugh): Mr. Coteau, continue, please.

Mr. Michael Coteau: It was that I stood in the way of fighting anti-Semitism.

The member put this out. It was very political. It was very misleading. It was very charged. People were calling me. Friends in the Jewish community that I have worked with for 20 years in fighting anti-Semitism called me to ask me what was going on.

You know what? Mrs. Thomas occupied eight hours of my time afterwards—I was phoning people and constituents to explain what happened. Unanimous consent was asked for a motion that was never shared with this committee, that came in at the last minute when we were doing a study, without any attachments to policies it was talking about. It was asking us—the way I read it—to call out York University for its policies. I don't even know what the policy was.

It was very misleading. It undermined my efforts, over the last two decades, of fighting hate, anti-Semitism, Islamophobia, anti-indigenous hate and anti-Black racism. You know what? It was really difficult, Chair.

I would like to ask the member opposite this: Can we come together in a meaningful way to look for a way to really.... There are students on our campuses—Jewish students, Muslim students, and students who are there fighting for different causes. It's all fought, in many ways, to look for ways to fight for equity, equality and fairness. People really believe that they're looking for ways to make the world a better place. There are deep divides on each side, but we need to look for ways, as politicians, to bring people together—

Mr. Philip Lawrence: I have a point or order.

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mr. Lawrence.

Mr. Philip Lawrence: I would go back. I know we're given a wide latitude. This is, I agree, a very important issue. Quite frankly, I congratulate the member for fighting racism. It truly is a scourge.

The reality is that he now has had notice. Let's just move to a vote and condemn anti-Semitism, as we all should.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Lawrence.

Go ahead, Mr. Coteau, if you can.

Mr. Michael Coteau: Thank you very much, Mr. Chair.

Thank you for the kind words, Mr. Lawrence.

I have been looking for ways to fight hate for a long time.

My point is that we should come together. I don't mind reaching to the other side, working together and pushing away our partisanship. In politics, it can get pretty rough sometimes, and the divides are strong.

When it comes to racism, when it comes to Islamophobia and when it comes to anti-Semitism, we need to hang up our political colours—our stripes—and we need to look for ways to work together. When we put motions on the table that are designed to create wedges, it actually starts to impact people in our communities—

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mrs. Thomas.

• (1710)

Mrs. Rachael Thomas: Through you, Chair, I understand the member likes to throw accusations my way and insinuate why I would do something. My motives were pure. I believe the Jewish community is under attack in this country and that we need to stand for them. This government has put forward an anti-racism strategy, and they need to abide by that.

Mr. Michael Coteau: You know it's not a point of order.

Mrs. Rachael Thomas: I would ask the member opposite to watch his words very carefully and not attack me—

Mr. Michael Coteau: Here we go again.

Mrs. Rachael Thomas: —as a member across the way by insinuating my motives. I think that's a fair request at this committee.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mrs. Thomas.

Mr. Michael Coteau: Chair, when I said “when we put motions together that are designed to create wedges”, I did not mention anyone's name. I just said that we as politicians have, I think, a moral obligation to rise to a certain sense of decency when it comes to issues like hate.

I'm going to end very shortly, Chair.

I would just say, as we continue this conversation right now and as we start to debate this motion, that we look for ways to actually work together and that we look for ways to build an approach that speaks to the many issues that occur out there.

I'm willing to just lay down the political gloves to bring forward a more humanitarian effort towards building a solution going forward. I actually think that politicians can help when it comes to fighting hate.

Thank you, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): Thank you for your comments, Mr. Coteau.

We'll move now to Ms. Ashton by video conference. Go ahead, Ms. Ashton.

What is the will of the committee with our guests? Should we let them go? We have another 15 minutes. Should we let them stay and hear this?

Okay. We'll let them stay.

Go ahead, Ms. Ashton.

Ms. Niki Ashton: Thank you.

First of all, I want to indicate that I find this motion deeply problematic. The entire premise is a National Post piece. The National Post has been engaged in some very problematic coverage for some time—particularly, I would say, when it comes to hate overall.

The National Post is also well known for supporting residential school denialism and anti-indigenous racism. There's a piece, I believe in today's paper, that shares deeply racist messaging around Ontario MPP Sarah Jama. It engages in both racism and anti-Palestinian racism.

I think we have to be clear. This motion from the Conservatives is not about condemning anti-Semitism; it's about playing their political games, because if they cared to condemn anti-racism, then 30 minutes ago they would have supported the motion put forward by the Liberals to study the rise of the far right, which is engaged in anti-Semitic hate and other forms of hate.

In fact, their leader, for days now, has refused to condemn Diagonol, a far-right organization that also pushes anti-Semitism. He met with folks who support this far-right movement and he still refuses to condemn them.

If we're going to talk about condemning hate, I will say that just this past October, this member came out with the egregious accusation of CBC journalists being on the side of terrorism in their coverage of genocide in Gaza—

The Vice-Chair (Mr. Kevin Waugh): Stick to the motion, please, Ms. Ashton, if you don't mind.

• (1715)

Ms. Niki Ashton: We're all here to talk about the motion, but—

The Vice-Chair (Mr. Kevin Waugh): Yes, and stick to to the motion, please.

Ms. Niki Ashton: I am, because I—

The Vice-Chair (Mr. Kevin Waugh): No, you're not. You're talking about the CBC and other stuff, so if you don't mind...

Ms. Niki Ashton: With all due respect, Mr. Chair, I didn't see you cutting into other members as you are with me—

The Vice-Chair (Mr. Kevin Waugh): Oh, I've cut in. Ask Mr. Coteau.

Ms. Niki Ashton: This is not about condemning anti-Semitism, as the member indicates.

I also find it deeply troubling that part of the rhetoric we heard from the member was also in reference to what's happening on campuses across North America. I think it's very dangerous for parliamentarians to make accusations of the kind we've heard from Conservatives on that front.

Conservatives love to talk about freedom. Here we should be reiterating, as parliamentarians, that we respect students' and Canadians' freedom of speech and freedom of assembly, including when it comes to anti-war protests. Many Canadian young people are standing up against genocide and Canada's complicity in it.

We should be, as parliamentarians, condemning anti-Semitism along with condemning Islamophobia and anti-Palestinian racism. That is not what today's motion purports to do.

To me, the fact that 30 minutes ago the same party chose not to look into the rise of far-right extremist hate really undermines the sincerity of the motion ahead of us and indicates that they're keen to get clicks on social media rather than actually get into taking on anti-Semitism, Islamophobia, anti-Palestinian racism and other forms of hate. As parliamentarians, we need to be genuine in what's being discussed here today.

It's also not lost on me that this is coming up during a debate on the Court Challenges Program, which is a program that is premised on fighting for equality and justice in Canada, fighting against hate on behalf of marginalized communities, communities that have been denied justice time and again.

Canadians see through these kinds of political games. Let's be serious and condemn anti-Semitism, Islamophobia, anti-Palestinian racism, and also support, very clearly, the right to freedom of speech and freedom of assembly that students and Canadians have, and stand up against all forms of hate.

I will leave it there. I'm looking forward to a productive discussion on this front, rather than scoring political points at a very serious time in our country, particularly given the genocide happening in Gaza and the fear that Jewish communities, Palestinian communities and Muslim communities face. We should be doing them justice by putting forward a motion that has a greater intent and seeks to really take on the kind of hate that we are seeing across the board in our country.

I look forward to having a discussion on that.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Ashton.

We'll go to Mr. Noormohamed.

Mr. Taleeb Noormohamed: I want to set the record straight, Mr. Chair, in terms of the notice of motion that was brought last time.

The Vice-Chair (Mr. Kevin Waugh): Which last time do you mean?

Mr. Taleeb Noormohamed: I mean on April 18.

The Vice-Chair (Mr. Kevin Waugh): Okay.

Mr. Taleeb Noormohamed: I want to set the record straight, because a lot was said in the presentation of this motion today that I believe needs clarification.

Mr. Coteau rightly pointed out that the misrepresentation on social media of what happened in this committee caused harm, caused hurt feelings, caused ill will, and caused further pain to members of the Jewish community, which is simply unacceptable.

For those across the way who somehow believe any of us are equivocating on this subject, let me speak very clearly.

I condemn all forms of anti-Semitism, and all Canadians should. I condemn all forms of anti-Semitism, and all Canadians must. That is who we are as Canadians. There is no place for hate in this country. There should be no place for hate in this country on our campuses, in our streets, in our communities, anywhere. That, I believe, Mr. Chair, is something that we should be able to do all together, without fancy preambles, without hypotheses, without depending on National Post articles.

Mr. Chair, what we should be able to do as a committee, as Mr. Coteau rightly pointed out, is come together and condemn hate—in this particular case, anti-Semitism, the insidious nature of anti-Semitism—and be united in that message. In so doing, we are saying to people that this isn't a political football. This isn't a game for people to score points on social media. This is a serious issue facing our country. We should let Jewish Canadians know that the fight against anti-Semitism is not their fight alone. It is a fight that all of us are a part of. It is a fight that all of us are committed to—

Mrs. Rachael Thomas: I have a point of order.

Mr. Taleeb Noormohamed: I am not finished, Mr. Chair.

• (1720)

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): I'm sorry, but there is a point of order.

Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: Thank you.

I'm just confused as to why we're not allowing this to go to a vote if the member opposite is in support of the intent of this motion. Instead the Liberals seem very much hell-bent on filibustering. I'm curious as to why that is.

Mr. Taleeb Noormohamed: Mr. Chair, that's not a point of order, and I was in the middle of saying something.

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed, you have the floor. Go ahead.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

As I was saying before I was interrupted, it's really important to me and the constituency that I represent that they—the members of my constituency, the residents in my community—know and understand that their member of Parliament stands up against hate and anti-Semitism in all of its forms, and that I am committed to working with all parliamentarians regardless of their political stripe. I'm sorry that saying that working with other parliamentarians may cause others some harm, but I think it's important for us to do that, to work with other parliamentarians across political lines to fight anti-Semitism.

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): On a point of order again, go ahead Ms. Thomas.

Mrs. Rachael Thomas: That is exactly what this motion seeks to do. It invites the members around this table to participate in the condemnation of anti-Semitism.

Mr. Taleeb Noormohamed: That is not a point of order, Mr. Chair.

An hon. member: It's been seven times in a row. There's a pattern here.

The Vice-Chair (Mr. Kevin Waugh): Hold on.

Mr. Coteau, you don't have the floor.

Mr. Noormohamed, please...to the motion. Thank you.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

I go back to what I was saying. It's important for members of my community and of communities across this country to know that we are all in the fight, or we should all be in the fight, against anti-Semitism together.

It is one thing to protest. Protest is important. It's a part of who we are, but it is not okay for those protests to be anti-Semitic, to call for the deaths of anyone or to celebrate violence or acts of violence. It's also equally important to make sure that we approach this in a way that isn't about scoring political points, and that we recognize that, by working together across parties, across....

This is, again, unbelievable.

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Yes, Ms. Thomas, you have a point of order.

Mrs. Rachael Thomas: Again there's an accusation being thrown out there that political points are being scored, but—

Mr. Taleeb Noormohamed: There was no accusation, Mr. Chair. This is not a point of order, again.

Mrs. Rachael Thomas: —the Liberals have held the floor for over 20 minutes in a filibuster, and so I'm curious as to their motivation. I invite them to allow this to come to a vote so that, together, we can stand against anti-Semitism.

Mr. Taleeb Noormohamed: Mr. Chair, first of all, we would not be in this situation—

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Thomas.

Go ahead, Mr. Noormohamed—

Mr. Taleeb Noormohamed: Thank you.

For anyone who is....

The Vice-Chair (Mr. Kevin Waugh): —on the motion.

Mr. Taleeb Noormohamed: I want to be very clear, Mr. Chair. I would not have to explain any of this had Ms. Thomas not put on social media things that represented my position and the position of my colleagues. Had this been an honest conversation about the urgent need for all of us to come together on a motion that skipped the politicization and went clearly to the heart of the issue that we need to be talking about, which is the fight against anti-Semitism, we wouldn't be in this position today. I think it's important for us to take out the preambles, assertions and value judgments about newspapers being sources, and actually say that this committee is unequivocally united in its support for the fight against anti-Semitism, and that fight is one that must be taken on by all. That is something I believe every single member of this committee would stand for. What I find deeply troubling is that this is not the first time, Mr. Chair, that some have chosen to use social media to grossly misrepresent the views of people on this side, of others, and to seek to try to foment discord in communities that are already hurting.

Mr. Philip Lawrence: Mr. Chair, that's just unparliamentary. I'm sorry, but that is—

Mr. Taleeb Noormohamed: What is unparliamentary, Mr. Lawrence, about saying that we need to work together? Please tell me.

Mr. Philip Lawrence: I will. You said that we were fomenting disagreement amongst communities. That is unparliamentary [*Inaudible—Editor*]

• (1725)

Mr. Taleeb Noormohamed: That's not a point of order, and I'm so pleased Mr. Lawrence raised that because—

The Vice-Chair (Mr. Kevin Waugh): Can I bring you all back here?

Mr. Lawrence, thank you.

Mr. Noormohamed, the floor is yours. Can we talk to the motion?

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

Mr. Lawrence asserted that my comment was somehow made out of fancy, so let me clarify that for Mr. Lawrence in my comments. Immediately after a social media post was made, which completely misrepresented what happened in the room and my position on something, I received letters from members of the Jewish community asking what actually happened, asking why the accusation that Ms. Thomas made had been made, so I spent time.... I'm glad to do this, speaking to people I care about, my constituents, explaining to them that, in fact, what Ms. Thomas asserted in social media didn't even happen, and so—

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Go ahead on a point of order, Ms. Thomas.

Mrs. Rachael Thomas: Thank you—

Mr. Taleeb Noormohamed: Here we go. Why can't I finish what I'm saying?

Mr. Michael Coteau: We keep wasting time. This is 10 in a row.

The Vice-Chair (Mr. Kevin Waugh): Michael, can we get to the point of order, please?

Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: We have a motion on the table. The motion that has been brought forward has to do with anti-Semitism on university campuses.

Mr. Taleeb Noormohamed: It is not a point of order.

Mrs. Rachael Thomas: Right now, the member is spending time attacking me as an individual. Further to that, he is challenging the record that has been stated, which is public.

Mr. Taleeb Noormohamed: It is not a point of order, Mr. Chair. I have the floor and she does not, Mr. Chair.

Mrs. Rachael Thomas: I would invite anyone who wishes to challenge what has been stated to simply look at that public record.

The Vice-Chair (Mr. Kevin Waugh): I'm going to bring everyone together.

Thank you, Mrs. Thomas and Mr. Noormohamed.

I'm going to say thank you to our guests for joining us this afternoon. I'm going to let you go. Some may be called back next Thursday. Who knows?

I want to thank all five groups that were with us today, because we're coming up on 5:30 Eastern Time. Thank you very much for your comments today, each and every one of you. Thank you for being with us. You're free to go as our guests.

We'll continue the debate here with Mr. Noormohamed.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

I was interrupted twice, and I want to make sure there is clarity, because I know that our friends opposite.... I'm not going to presume anything. I imagine there is a scenario in which other members may wish to clip what is being said to perhaps yet again show the world what they think is one version of the truth.

Mr. Michael Coteau: They might be doing it as we speak.

Mr. Taleeb Noormohamed: I don't want to presume anything.

What I want to say is this: It is really important for Canadians—Muslims, Jews, people of all faiths, of no faiths—to see parliamentarians able to stand up together and say they condemn anti-Semitism in a motion in this House, in this space, and do that.

Therefore, I would make an offer to anyone, including Ms. Thomas, Mr. Gourde, Mr. Lawrence, Mr. Beaulieu, my own colleagues, Ms. Ashton, and you, Mr. Waugh—you're the chair—to agree to park motions that are not necessarily at the heart of this issue. Let's speak to the heart of the issue. We can do it in camera so that we can treat each other civilly.

Mrs. Rachael Thomas: I have a point of order.

Mr. Taleeb Noormohamed: We can put this in camera and treat each other civilly, to actually craft a motion that says unequivocally—

The Vice-Chair (Mr. Kevin Waugh): Hold on. We have a point of order.

Mr. Taleeb Noormohamed: They don't want us to say the thing that needs to be said, right? They don't want to hear what we have to say.

The Vice-Chair (Mr. Kevin Waugh): Mrs. Thomas has a point of order.

Go ahead.

Mrs. Rachael Thomas: Thank you.

I'm just not sure why the members opposite continue to filibuster when we have an opportunity to do exactly—

Mr. Taleeb Noormohamed: I have a point of order.

That is not a point of order, Mr. Chair.

Mrs. Rachael Thomas: —what it is that they're hoping to do and stand together against anti-Semitism.

We have the opportunity to vote on this right now.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mrs. Thomas.

Go ahead, Mr. Noormohamed.

Mr. Taleeb Noormohamed: Thank you.

The Vice-Chair (Mr. Kevin Waugh): I will say this. We have two minutes until 5:30, and then 10 more minutes.

Mr. Taleeb Noormohamed: Mr. Chair, I believe that if we were asked in a clear motion that was unequivocal, which didn't depend on things like a National Post article, but actually on the facts on the ground that we are seeing directly from people who are suffering harm, you would have a committee vote on a resolution that every one of us should vote for.

The Vice-Chair (Mr. Kevin Waugh): Then are you offering an amendment, Mr.—

Mr. Taleeb Noormohamed: I would like to. I haven't even gotten to that part of the conversation yet, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): Do you have one in front front of you? I'm asking.

Mr. Taleeb Noormohamed: No.

What I am trying to say, Mr. Chair, genuinely, as somebody who has spent years trying to bring communities together, working with the Jewish and Muslim communities in my riding, bringing them together to try to solve problems together, instead of pitting people against each other.... I'm somebody who actually cares about this issue, who has six synagogues, two Jewish schools and a lot of Jewish constituents who are deeply concerned. I'm somebody who is begging people on this committee to say, for God's sake, for once, let us put partisanship aside and sit together and come up with a resolution that every single one of us can support.

Why is that so difficult? That is what I don't understand.

If you want to call this a filibuster, Mr. Chair, that's not what this is. This is somebody who genuinely cares about this issue who is saying that we need to find a way to work together.

● (1730)

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed—

Mr. Michael Coteau: Chair, just on that point of order, she has a track record of [*Inaudible—Editor*].

The Vice-Chair (Mr. Kevin Waugh): Go ahead on the point of order, Mrs. Thomas.

Mr. Michael Coteau: I don't think she's made one yet, Chair—not one out of 12.

The Vice-Chair (Mr. Kevin Waugh): I'm going to make a judgment here, everyone.

It is 5:30 eastern time. We have 10 minutes. We can expand by 10, because really, when we started, it was 3:40. We can go until 5:40.

Go ahead, Mrs. Thomas, again, if you don't mind.

Mrs. Rachael Thomas: Again, I'm just not sure why the member across the way isn't allowing this to come to a vote so that we can do exactly what he's talking about, which is to work together toward a positive end of standing against anti-Semitism. That offer is on the table, and we can collectively do that right now. Instead, the Liberals have now been filibustering for 30 minutes.

Mr. Taleeb Noormohamed: I have a point of order.

That was not a point of order.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We have a point of order. I think it was Mr. Coteau.

No? That wasn't you?

Okay, go ahead, Mr. Noormohamed.

Mr. Taleeb Noormohamed: Thank you.

I just want to be clear. What I am suggesting is that instead of firing amendments back and forth, instead of playing the game of battling motions, let's sit down properly as a group, all of us. This is my request. It is my offer.

I would ask Mrs. Thomas to withdraw her motion in its current form, and I would say, "Why don't we sit together, all of us?" It isn't just a question of York University. This is a question of people in my community and others, people who are walking down the street, who are worried about sending their kids to the Jewish day school in my riding. This is a serious issue. If we are serious about doing this and about not having a partisan game, let's go in camera, all of us. Let's come up with a motion that can be supported unanimously. Please, let us take this seriously. I don't want this to be a political game for any community in this country.

We have serious issues related to hate, Islamophobia, anti-Semitism and anti-Black racism. These are all issues that we should rightly be working together to fight.

In the case of this conversation about anti-Semitism, Mr. Chair, my sincere request is that we actually do the right thing here—and I have a track record that I am proud to stand on in working with the Jewish community in my riding and others. Let's sit together without cameras, without the show of theatre, and come up with something together that would send an unequivocal message to the Jewish community in this country and to all communities that none of us have daylight between us when it comes to the fight against anti-Semitism.

There are too many things in this world that people in this country are being held to account for. There is nothing reasonable about holding Jews in Canada responsible for what is happening in Israel and in Gaza any more than it was right for people to look at me as a Muslim and tell me that my people are responsible for 9/11. I grew up in an era, Mr. Chair, when Muslims were looked at because of 9/11 and were told that they were responsible for what happened.

To this day, the number of comments that I get on my Twitter about *taqiyya* Tuesday, about people saying that I was a member of al Qaeda, that I was a member of this, that I am the Hamas troop and brigade.... These are things that are serious, and they were in response, Mr. Chair, to the tweet that Mrs. Thomas put up the other day.

So I get it. I know what it means when communities are vilified by what happens a world away. I get it. I have lived it. I live it. My family has lived it. It is not okay. It is not okay for Jews in this country to pay the price for what happened or what is happening in Gaza. It is not okay for people to assume that all Muslims somehow

support Hamas. These are things that are fundamentally wrong, so my plea, sincerely, to every member of this committee is that we sit down together. Let's start with a blank piece of paper, all of us, if we truly care about this issue.

Mrs. Thomas spends a lot of time saying that she cares about the Jewish community. That's wonderful. That's important, and she should. We all should, but then let's take this seriously. I am reaching my hand out to ask every member of this committee that we sit down in a room together. Let us craft language that is unequivocal in its condemnation of anti-Semitism. Let's do that. Let's send a message that protest is fine, that anti-Semitism is not. Let's send a message that says that fighting for things that we care about is right but that glorifying violence is not. Let's send a message out there that says that no innocent life should be lost in vain, that there should be condemnation of all loss of innocent life. These are things that we all should be able to do.

My question is this: Is every member of this committee willing to sit down and turn off the cameras, turn off the social media; to sit together and work like grown-ups, like the people that we are, like the grown-ups that I believe our constituents elected, to come together and actually get something done?

If that is the will of this committee, if that is the commitment that we are prepared to make—for once to put partisanship aside, to put the cheap political points aside, to say, "Let's start with a blank piece of paper", and we—

• (1735)

Mrs. Rachael Thomas: I have a point of order.

Mr. Taleeb Noormohamed: —know what the issue is, and make Canadians proud.... Let's make Canadians proud of this committee, which I believe they deserve to be.

The Vice-Chair (Mr. Kevin Waugh): We have a point of order from Mrs. Thomas.

Mrs. Rachael Thomas: Again, I would just ask the member to stay focused on the motion and not to insinuate motive.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

Mr. Philip Lawrence: I have a point of order as well, and I will say that this is not a valid point of order. However, we have five minutes left. I'm next on the speaking list. The Liberals have had the whole time. If you're serious about having your hand outstretched, let us have two minutes of time before we end.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mr. Lawrence.

The floor right now is for Mr. Noormohamed.

Mr. Taleeb Noormohamed: I respect Mr. Lawrence, so I agree with him, and I'm going to end quickly, because I want to hear what he has to say. I do.

I'm going to end with this. This is a committee where it's pretty easy to score cheap political points. Everybody does it. It's fine. We've all thrown motions out there for whatever reason. I don't want to prejudice what people's motivations are. What I do want to say is this: This is serious. This is serious for all of us in our committees. It's important for us to set an example.

When it comes to anti-Semitism in this case, when it comes anti-Palestinian hate, when it comes to Islamophobia, anti-Asian hate and anti-Black racism, we should be able to just say that this is not partisan. Right? Every government, historically, of every stripe has sought to make strides in this regard, regardless of their political party. I will make my request, and then I'm going to wrap up.

Let's take the opportunity to show Canadians leadership, to bring everything that has been in the past forward. Let's work together and, on a blank piece of paper, let's write a motion that we can all not just live with but be proud of, one that gives the Jewish community confidence that we're going to take this fight on together, that shows other communities the importance of fighting this fight together and—

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): Mrs. Thomas, go ahead. You have the floor.

Mrs. Rachael Thomas: Mr. Chair, thank you. The proper procedure that the member needs—

Mr. Taleeb Noormohamed: This is not a point of order, Mr. Chair.

Mrs. Rachael Thomas: It is a point of order, because order isn't being followed right now.

Mr. Taleeb Noormohamed: It is not a point of order.

Mrs. Rachael Thomas: The way to bring forward a suggestion such as the member's is either through an amendment to the current motion, which he has not moved—though he did have the opportunity to during his last 15-minute filibuster—or bring forward another motion at the next committee meeting.

Mr. Taleeb Noormohamed: Mr. Chair, this is not a point of order. This is not a point of order.

The Vice-Chair (Mr. Kevin Waugh): That's a good suggestion.

Mrs. Rachael Thomas: He has the tools. He's refusing to use them, which makes me question his sincerity.

Mr. Taleeb Noormohamed: Mr. Chair, this is not a point of order. I'm going to wrap up by saying this.

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed, you said you were going to wrap up.

Mr. Taleeb Noormohamed: Well, I got interrupted, so I'm going to wrap up by saying this to at least Mr. Lawrence, who seems to be somewhat interested in what I'm saying. Let's sit down together. Let's craft a motion that does what I believe all of us want to do.

Mrs. Rachael Thomas: I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): There's a point of order. Do you want to request an extension until six o'clock here?

Mrs. Rachael Thomas: Let's go until six o'clock.

Mr. Mario Beaulieu: I can't stay.

The Vice-Chair (Mr. Kevin Waugh): Okay. Thank you.

Go ahead on a point of order, Mrs. Thomas.

Mrs. Rachael Thomas: I would just observe that order is not being followed. The member across the way cannot invite us into a

dark room to have a conversation. The member across the way can move an amendment to the motion that is currently on the floor. That is the correct order that is available to the member across the table.

The Vice-Chair (Mr. Kevin Waugh): Everyone, we have two minutes left here.

Go ahead, Mr. Noormohamed.

Mr. Taleeb Noormohamed: I'm going to say the following. There can be any amount of light in the room that Mrs. Thomas chooses—dark, light, lots of light, snow lights. I don't care. What I am saying is let's come together, let's write a motion that every Canadian can be proud of, that Jewish Canadians will be able to stand on, that says that they are proud of this and that we are all fighting together.

Mrs. Rachael Thomas: I have a point of order.

Mr. Taleeb Noormohamed: With that, Mr. Chair, I will cede the rest of my time, and I'm sure Mr. Lawrence has things that he would like to say.

The Vice-Chair (Mr. Kevin Waugh): Mrs. Thomas has a point of order.

• (1740)

Mrs. Rachael Thomas: I recognize that the member has finally ceded the floor after filibustering. Combined together, as Liberals did for the last 40 minutes—

Mr. Taleeb Noormohamed: Again, this is not a point of order, and all she's doing is tearing up Mr. Lawrence's time.

The Vice-Chair (Mr. Kevin Waugh): For the committee, we are at 5:40 p.m. eastern time.

Mrs. Rachael Thomas: Mr. Chair, my point of order, which stands, is that there is a proper order to be followed, which is to say that the member across the way can put forward an amendment to the motion; however, he chose not to do that today. Instead, he held the floor in a filibuster, trying to defend himself, yet offering no support for the motion that is in front of us, which would condemn anti-Semitism in this country.

The Vice-Chair (Mr. Kevin Waugh): Thank you, Mrs. Thomas.

Mrs. Rachael Thomas: Mr. Chair, on a point of order, it is 5:40 p.m. However, there has not been a motion to adjourn that has been presented at this table, and we do have resources to go until six o'clock.

The Vice-Chair (Mr. Kevin Waugh): We don't have any resources, Mrs. Thomas. We are at the two-hour mark.

I need a motion for an adjournment or a suspension. Keep in mind, if we do suspend, that it will affect the May 7 meeting.

Mrs. Rachael Thomas: Mr. Chair, a point of order, either you unilaterally decide to adjourn this meeting right now, or the floor goes to Mr. Philip Lawrence.

The Vice-Chair (Mr. Kevin Waugh): I will adjourn.

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