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Monday, October 2, 2006

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, October 2, 2006

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1100)

[*English*]

CANADA STUDENT FINANCIAL ASSISTANCE ACT

Hon. Geoff Regan (Halifax West, Lib.) moved that Bill C-284, An Act to amend the Canada Student Financial Assistance Act (Canada access grants), be read the second time and referred to a committee.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I rise on a point of order. On May 31, you invited members to comment on whether Bill C-284 would require a royal recommendation. Without commenting on the merits of this private member's bill, it is the government's view that this bill requires a royal recommendation since the bill proposes the creation of an entirely new category of grants, which would modify the purpose of the existing act.

The Speaker has previously ruled that the creation of a new purpose for legislation, which involves costs, requires a royal recommendation.

On February 8, 2005, the Speaker stated:

Where it is clear that the legislative objective of a bill cannot be accomplished without the dedication of public funds to that objective, the bill must be seen as the equivalent of a bill effecting an appropriation.

Bill C-284 would add an entirely new category of financial assistance to the Canada Student Financial Assistance Act by creating a special access grant for students with permanent disabilities and students from low income families.

The requirement for spending is clear in the text of the bill itself, which specifies that grants for disabled students not exceed \$2,000 and that those for low income students not exceed \$3,000.

Some members might argue that the original act provided students with financial assistance and that the new original royal recommendation covers this new bill. However, the Canada Student Financial Assistance Act was enacted to provide the authority for repayable loans. In creating an entirely new non-repayable grant, this bill

changes the purpose of the bill and involves a new and significant appropriation.

Therefore, I believe that the bill, in its entirety, requires a royal recommendation.

Hon. Geoff Regan: Mr. Speaker, it will not surprise you that I do not share my hon. colleague's view about the bill.

I am disappointed to get this kind of reaction from the government benches to a bill that is very important. He talks about non-repayable loans and so forth. This is about the Canada access grants program. It is a program of grants, not of loans. These are grants that are already paid to students.

I believe his statement is inaccurate, Mr. Speaker, and I think if you examine the nature of the present program and the nature of my bill you will find that all it is talking about is extending the program over the course of four years. The government has various flexibility in terms of how it does that and I do not think, therefore, that it does require a royal recommendation.

However, what is disappointing this morning for me is to see this reaction from the government which indicates a lack of interest in supporting this bill as it is. Raising this objection indicates its lack of desire to provide the support that our students in this country so badly need. I look forward to speaking to the substance of the bill in a moment.

• (1105)

The Acting Speaker (Mr. Royal Galipeau): I thank both the parliamentary secretary to the government House leader and the hon. member for Halifax West for their submissions. The Chair will take both under advisement.

Hon. Geoff Regan: Mr. Speaker, I am pleased to speak this morning to my bill, Bill C-284, which I hope hon. colleagues will support.

Even though I note there has been an objection from the government in terms of the question of royal recommendation, I still hope that hon. colleagues from all sides of the House will find favour with the bill and will recognize the importance of this issue. I think the bill could have a dramatic impact on the future of not only students across this country, young people, particularly those from low income families and those with disabilities, but also on our country and its future prosperity.

Private Members' Business

I am well aware these days of the issue of post-secondary education because my oldest daughter has joined the many thousands of young Canadians who go off to university and community colleges across this country every year. This fall she started at Acadia University. I wear what is called an X ring, which indicates that I am a graduate of St. Francis Xavier University. Although I did point out to my daughter the odd time that in fact St. FX was selected over and over, and again this year, as the number one undergraduate university in the country, that did not seem to persuade her. Sometimes we parents do not get our way, but I must acknowledge that Acadia is certainly an outstanding institution as well. I know she will enjoy herself there. She is a good student and I am sure she will do well.

Mount St. Vincent University is located in my riding of Halifax, Nova Scotia, as are many others in my province. We have St. FX, as I mentioned, Cape Breton University, St. Mary's University, Dalhousie University, Acadia University, King's College University, the Nova Scotia College of Art and Design and the Nova Scotia Community College. We do have a large number of universities and post-secondary education institutions in my province where this issue is particularly important.

One of the concerns people in Nova Scotia have had for many years is that funding for education is provided not on a per student basis, but on a per capita basis. When many students immigrate into a province to study then that province incurs the cost of educating those students who from other parts of the country. The real concern is that funding is not provided in relation to the fact that a province has all those additional students. It is a real challenge.

At the national level and in my region there are some disturbing trends at the post-secondary education level. First year enrolment is starting to go down a bit now that the double cohort from Ontario has passed through its first and second year and is moving on. For instance, first year enrolment at St. Mary's University is down 7%. This is expected to continue at many schools and universities across my province and across the country over the next decade. Acadia also reported this year that first year enrolments were sluggish, at least in August, although I think they may have picked up since.

Surveys have found that as many as 36% of high school graduates cite financial reasons as a barrier to going on to university or community college. This bill would help to eliminate some of those barriers. Let me go through some of the highlights of the bill.

Bill C-284 would expand Canada access grants, which is a program that already provides financial assistance to students from low income families or those who are disabled. Currently, the grants under this program are available for the first year of study for those who are from low income families and for those with disabilities. The bill would extend the availability of this grant to all four years of study. This is an important measure for low income students and those students facing the challenge of having disabilities.

The bill would also create a statutory base for the Canada access grants, making it, in my view, much more difficult to cancel or change without Parliament having a say in the process.

Investing in education is not about promoting the individual wealth of those lucky enough to be able to afford to go to higher

education. It is about creating a stronger, more prosperous, more personally enriched, in a sense of enriched with knowledge, society. We do that by providing opportunities to all Canadians. As government, as Parliament we have a responsibility to improve our country by improving opportunities for all our citizens, and this bill would help to do that.

Education is a nation-building investment. We have an education deficit in this country that needs to be addressed through measures like those in Bill C-284.

• (1110)

It is important to note that nine million working age people, or 42% of Canadians, have literacy skills that are below the level considered necessary to function in our society today. This relates to the whole question of education and higher education. I was quite alarmed last week, and colleagues on both sides of the House should be alarmed as well, at the government's decision to cut \$17.7 million from funding to literacy groups across the country. That funding is very important for those groups to train the teachers, to develop curriculum and to keep the programs going all over the country that helps adults to learn to write and read.

If Canada is to be productive in the future and have a more competitive economy, I believe, and I think most hon. colleagues will agree, we need to invest in those people and in those kinds of programs. I think cutting that program is a huge mistake. I hope my colleagues on the Conservative side of the House will work to persuade the President of the Treasury Board and the Minister of Finance to rescind that cut. It is wrong to write off these adults who are working hard to learn to read and write. It is not the answer at all. I was alarmed by the Treasury Board president's comments in that regard last week.

So far we have seen no indication from the government that it intends to help low income students or those with disabilities to obtain higher education and to pay for it. Otherwise, if the government were really interested in these things, it would not have cut, for instance, the summer career placement program, a summer employment program for students. Next year that program will be cut in half. Many employers in the country are already saying that if they do not have that kind of funding to assist them in paying the salaries of these students that they will not be hiring those students.

Many students will be affected by that program being cut because they will not have the income they need next summer to return to school in the fall. This program is being cut in half. I hope my hon. colleagues will be lobbying the ministers and pushing them to rescind that cut as well. I think it is an error. It is not a huge amount of money in terms of the overall budget of the government. I think the government could certainly afford it in the excellent financial condition in which it has been left.

Private Members' Business

The Canadian Federation of Students estimates that up to 25,000 summer jobs for students are being eliminated by that cut. As the Canadian Federation of Students has pointed out, university and college is already beyond the means of thousands of Canadian families and cutting the funding for that program will mean that many students will not be able to go back to school next year and those who do return will be saddled with even more debt.

We all know that tuition fees have been rising dramatically in recent years. Nationally, the average undergrad tuition is \$4,347 for the 2006-07 academic year, which is a big hike from the \$1,464 average in 1990-91. This is another reason for us to provide more assistance to students. We should be keeping the pressure on the government to move forward and keep its promise of a dedicated education transfer. We have not seen it. We did not see it in the budget. We have not seen any indication of that promise being kept. It is important that we see some action on this important point.

It is true that the government is holding post-secondary education and training consultations but who is it consulting with? A number of student groups, such as the Canadian Alliance of Student Associations and the College Student Alliance, have written to the Minister of Human Resources and Social Development to express their concern about not being invited to take part in this process. That seems an odd decision. If the minister is going to consult about post-secondary education, surely the students should not be totally ignored. Surely that should be corrected.

The government has also cut or eliminated a series of youth and international internships, such as the Fulbright scholarships, which provided the opportunity to study between the U.S. and Canada, for students to go to another country and have exposure there and learn about that country. Those are very important programs for our students to get exposure to the rest of the world and to develop a network for the future. As a trading nation, a nation that exports so much of its goods and services, it is absolutely important that we continue to develop the contacts we have and the understanding our young people have about other countries. Cutting these kinds of international scholarships is a grave error. Again, I hope that the government will reconsider this approach.

• (1115)

I think we saw a very different approach a year ago when our government was prepared to, for instance, expand the Canada access grants to cover all four years of study and to have the fifty-fifty plan, which would have paid for half the tuition for all Canadian students for both the first and the last year of study. Of course, what we need to see here is a comprehensive review of student assistance in total. That is an important step to take. We should not just look at some small aspect of this, but at the whole picture of how students are paying for their education and what government can do to assist them, because Canadian students need more support if they are to be able to afford their education.

In last fall's fiscal update, we did see additional funding for Canadian students studying abroad and a 50% increase in funding for graduate scholarships. However, forcing students from low income families to shoulder heavier and heavier debt loads to get their education is unconscionable. It is not in the interest of our country. It is not in the interest of our economy. Those people need

to be able to get a good start in life as they come out of university. If they have huge debt loads, it is a lot harder for that to happen.

Again, in terms of our future productivity, the imminent retirement of the baby boom generation demands that we train and educate as many Canadians as possible to replenish our workforce. This is an absolute priority. I think we need to see more recognition of that from the government side.

Without a comprehensive grant system, the kind this bill would create, thousands of Canadian students who qualify for post-secondary education and have the marks to get in will not be able to attend. We should be gravely concerned if that occurs, whenever it occurs, and it is occurring now.

Expanding the Canada access grants is the most effective and efficient way, I believe, to provide support to Canadian students who need it most. The average debt for university graduates with a bachelor's degree is \$20,000. That is according to the latest information available from Statistics Canada. The average debt for college graduates is almost \$13,000. Fourteen per cent of university graduates have \$25,000 or more in student debt.

Providing a statutory base for the Canada access grants, as the bill would do, would make it much more difficult to end or change the program without parliamentary scrutiny. I think it is important that this be the case. It should not be the case that the government can simply scrap this willy-nilly. I think this Parliament has supported this idea or concept of support for students with the Canada access grants. I think we need to put this into law and make sure it is a permanent program, because education and training are clearly a fundamental cornerstone for building a sustainable economy.

How are we going to have a competitive nation? How are we going to have a competitive economy and a more productive economy if we are not prepared to invest in these areas?

In fact, the Council of the Federation recently reported that 70% of the jobs created in the coming years will require a post-secondary education. Let us imagine that. It seems to me that one of the challenges we face with high school and pre-high school students is to make more of them aware of what it means to have a university or community college education and what it can mean for future income. There is the fact that one's chance of being unemployed if one goes on to higher education is dramatically lower and one's income will be dramatically higher. We see that in study after study.

Private Members' Business

It is true that when we see a situation like the boom in the petroleum sector in Alberta, for instance, there are a lot of jobs right now that may not require a higher education, but more and more of them do. When we look at the skilled trades, for example, we see that those trades are becoming more and more complex. Reading the manuals alone is becoming complex. Higher levels of reading, arithmetic and mathematics will be required. Higher levels of education will be essential for all those things. This bill would help those students who are facing the challenge of being from low income families or the challenge of disabilities to afford to go. I think it is an important measure. I hope my hon. colleagues will support the bill.

• (1120)

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, I want to comment on a statement that the member for Halifax West made about Canadian students and budget 2006, which he called rhetoric and said would be helpful to only a few students. Does the member realize that this government has indeed put forward good, concrete measures? What does he think about the measure to assist Canadian students with the textbook tax credit? We also did an expansion of the Canada student loans eligibility. As well, we have the exemption from taxes of scholarship and bursary income. We also have the post-secondary education infrastructure trust. I am wondering if the member recognizes that this new government has in fact been working hard to make education a priority.

We have had good reaction from across Canada on our measures. An editorial in the Newfoundland media called the exemption of scholarship and bursary income good news that was long overdue and also praised the expansion of the Canada student loans program. It noted that many families that do not qualify for such loans could easily take exception to the member for Halifax West thinking that the budget helps only a few students.

I would like to have the member comment on our positive measures and ask how he can be so negative in some of his comments and not realize that we put together some very good, constructive measures.

Hon. Geoff Regan: Mr. Speaker, let me talk for a moment about the textbook tax credit that we saw in the budget earlier this year. This tax credit would provide students basically about \$80 toward their textbooks. I do not know if my hon. colleague has children in university. She is probably much too young to have children in university yet, and I can hear my colleagues agreeing with me, but she undoubtedly eventually will have students in post-secondary education. Many of us here have been students, of course, and we know that it is pretty rare for students' books not to cost a lot more than \$80 a year. Eighty dollars is a drop in the bucket compared to the real needs that students have. I do not think that credit responds.

Moreover, my bill is trying to deal with particularly those students who come from low income families and those students who have disabilities. I think we should focus on aiding them with this bill. There should be other measures like a dedicated education transfer, which was promised but not delivered by the government. There should be an overhaul of the Canada student loan program. We are not seeing any of that happening. We are talking about consultation,

but we are not seeing results. It looks like the government is not even talking to the students.

My hon. colleague mentioned infrastructure. We saw a drop in the bucket in that regard in the budget this year, but it is a long way from what is needed and it is a long way from what we in our party proposed in the election campaign. We proposed a \$1 billion fund. In fact, we need more than that.

There are universities in this country that have absolutely enormous maintenance deficits, because for many years they have been putting off maintenance in order to look after other things, to pay for the groceries, basically. I understand that. It is quite understandable that they have to look after the education of their students first. At times it has meant that they have put off repairs to and the maintenance of important buildings and other systems. It is absolutely critical, of course, that they have more funding for that.

Those are other measures that I think the government should take, but the bill today is talking about one measure, and that is the Canada access grants. I did not hear from my hon. colleague that she supports this bill or the idea of the Canada access grants. I hope all colleagues recognize the value of supporting these kinds of students, the students from low income families and those with disabilities, to help them get into university and pay for the cost of their education.

• (1125)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I have a question for the hon. member, but I want to let him know that I appreciate his piece of legislation and I will be supporting it. I think this is part of the puzzle, but I want to ask him why, when the Liberals were in power, in the last Liberal budget the only measure for students was loan forgiveness for dead students? The only measure of support for students was for dead students, but there were huge corporate tax cuts. Why?

Hon. Geoff Regan: Mr. Speaker, first of all, let us remember that in regard to the fiscal update last November that party did not support it. The NDP of course made sure it defeated the government. It threw away its principles—

The Acting Speaker (Mr. Royal Galipeau): Resuming debate. The hon. Parliamentary Secretary to the Minister of Human Resources and Social Development.

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, I rise today to speak on Bill C-284, a proposal to extend the Canada access grants for students from low income families from one year to all years of students' first program of study. Additionally, Bill C-284 would repeal the Canada access grant provisions in the Canada student financial assistance regulations and incorporate them into the Canada Student Financial Assistance Act.

Private Members' Business

Before I begin I would like to acknowledge that there is a common consensus in the House, indeed among all Canadians, on the tremendous value of post-secondary education, for a high quality education represents a crucial stage in tapping the potential of future generations of Canadians. Not only will it provide them with the knowledge, skills and experiences to acquire well paid jobs and fulfilling careers, but it will provide Canada with the skills and the imaginative human capital we need to succeed in the increasingly competitive global economy.

As Sir Winston Churchill so accurately forecast over half a century ago, "The empires of the future are the empires of the mind". In this spirit, I join with the member for Halifax West in recognizing the need to support students from low income families in access to post-secondary education.

However, as we endeavour to pursue these objectives, we must ensure that we do so in a manner that achieves the desired results through the most effective and efficient methods possible. As a result, I welcome the opportunity to engage in today's discussion on Bill C-284.

Before getting into specifics, I believe it is important to frame the discussion in the larger context of the Government of Canada's current support for post-secondary education. It is important to recall the substantial overall investments the Government of Canada makes in post-secondary education in a variety of interrelated ways.

First, it should be noted that we cooperate closely with our provincial and territorial counterparts in this area. For instance, in the last fiscal year the Government of Canada transferred \$15.5 billion to the provinces and territories for post-secondary education and social services.

Furthermore, the government provides another \$1.8 billion through various grants and loans to help students obtain a post-secondary degree. For instance, through the Canada student loan program, we provide \$1.6 billion annually in loans to nearly 340,000 students.

Moreover, in addition to this direct assistance, the Government of Canada also has a range of other incentives to help Canadians finance their post-secondary education. These include tax measures such as the student loan interest credit, the tuition tax credit and the education tax credit, all of which help cover non-tuition costs.

We also have incentives to help Canadians save for post-secondary education, such as the Canada learning bond and the Canada education savings grants.

The ongoing support, in all of its many forms, reflects a broad commitment to post-secondary education, but Canada's new government is not content to stop there. In budget 2006, we brought forward tangible measures and made a substantial investment to help Canadian students and their families meet the rising costs of post-secondary education.

These measures included the introduction of a new textbook tax credit, the expanded eligibility for students seeking Canada student loans by reducing the amounts parents are expected to contribute toward their children's education, and the creation of a tax exemption for all scholarship and bursary income.

What is more, our government is acknowledging the groundbreaking research on Canada's university campuses, and to support further breakthroughs and innovations, budget 2006 provided an additional \$100 million on top of the \$1 billion the Government of Canada already provides for post-secondary research and technological development, including \$40 million per year for the indirect costs of research programs, \$20 million per year for the leaders opportunity fund of the Canada Foundation for Innovation, \$17 million per year for the Canadian Institutes of Health Research, and \$6 million per year for the Social Sciences and Humanities Research Council of Canada.

• (1130)

These measures are concrete examples of our new government's recognition of the importance of research to increasing Canada's productivity and our standard of living. Claire Morris, President of the Association of Universities and Colleges of Canada, stated:

We are pleased with the budget's support for university research, as well as the government's recognition of the important role that research plays for Canadians. These increases in research funding underline the government's commitment to promote a more competitive, more productive Canadian economy.

Even more, budget 2006 strengthened the entire post-secondary sector with an allocation of \$1 billion to the provinces and territories for pressing investments in post-secondary education and infrastructure such as libraries and laboratories.

It is important to keep these substantial investments and incentives in mind when assessing the merits of the proposals contained within Bill C-284. It is also critical to remember that any legislation affecting education by definition involves a cooperative approach with the provinces and territories. It is also important to recall the bleak record of the defeated Liberal government after 13 years in power.

Listen to the Canadian Federation of Students which noted it was the Liberal government that was:

—responsible for cutting funding for post-secondary education...and driving up tuition fees...trying to give the impression of responding to students and parents, while delivering no serious commitment to accessible post-secondary education.

Or better yet, listen to Liberals themselves. Listen to their aspiring leader, Bob Rae, bemoan that even after 13 long years of Liberal governments:

Our education system is not nearly what it could be. The cost of post-secondary education has been rising rapidly for years and shows no signs of abating.

Or listen to another aspiring Liberal leader, the member for Kings—Hants, who slammed a Liberal government that:

—slashed transfers to the provinces to such an extent that it created a tremendous vacuum in funding for universities throughout the country. As a result of the deficit that existed in the funding...we saw, for instance, the doubling of the average amount of student debt after a four year program in Canada.

Notwithstanding such realities, today's discussion is about moving beyond the squandered promises of the past 13 years.

Private Members' Business

Bill C-284 in that spirit merits an objective assessment. To begin with, it has been suggested that due to the fact the grant under discussion is merely one year old, the availability of comprehensive data to inform our decision is somewhat lacking which as a result may hinder our ability to properly determine whether additional measures are needed. We must be mindful that such proposed changes would require consultations with provincial and territorial governments.

An additional issue that merits mention is the fact that Bill C-284 proposes to repeal the Canada access grants provisions in the Canada student financial assistance regulations and integrate them into the Canada Student Financial Assistance Act. This amendment essentially means that Parliament itself would have to make future changes to the program through legislation.

What is more, since other grants under the Canada student loans program would still be governed through regulations, the proposed bill would create a two tiered approach to governance. As a result, the management of the Canada student loans program may not be as efficient as we would consider appropriate.

I believe the issues I have highlighted today should be important considerations in our discussion of Bill C-284.

• (1135)

[*Translation*]

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, today I rise to speak about Bill C-284, an Act to amend the Canada Student Financial Assistance Act (Canada access grants). I will begin by giving an overview of the Canada Student Financial Assistance Act.

First, I will remind members that, in keeping with its unconstitutional tendency to intrude into the jurisdictions of Quebec and the provinces, the federal government has already stuck its nose into the field of education by providing Canada access grants.

There are two types of Canada access grants: assistance for students from low-income families and assistance for students with permanent disabilities. These grants are a type of bursary, and the grant amount depends on a number of criteria.

Let us consider, for example, the first form of grant: the Canada access grant for students from low-income families. The Canada Student Financial Assistance Regulations, adopted under the Canada Student Financial Assistance Act, provide that the federal government or its intermediaries can provide initial Canada access grants to students from low-income families who are in their first year of post-secondary education.

The regulations also specify that the Canada access grant paid to a qualifying student can cover up to half of the student's tuition, based on need, but must not exceed \$3,000.

The regulations set eligibility conditions that applicants must meet. They are as follows: the applicant must be in the first year of a program of studies and must never previously have been enrolled in a post-secondary program; the applicant must enroll in a post-secondary program of studies within four years after leaving secondary school; the program in which the applicant is enrolled must be offered by a recognized institution, must be at least two years in length and must lead to a certificate or diploma; the program

must be full-time; the net income of the student's parents must fall within the range that qualifies them for the national child benefit supplement.

The second type of grant is the Canada access grant for students with permanent disabilities. Just like the Canada access grants for students from low-income families, it is the Canada Student Financial Assistance Regulations, passed under the Canada Student Financial Assistance Act, that defines the list of criteria for being considered a student with a permanent disability. One of the conditions is the requirement to provide proof of the permanent disability by way of a medical certificate, for instance.

The regulations stipulate that the grant to an applicant with a permanent disability corresponds to the student's assessed need, up to a maximum of \$2,000 a year, for every year he or she is eligible.

And now comes Bill C-284.

This bill is simple: it extends the availability of grants for low-income students from the first year of post secondary education to all years of post secondary education.

Since the criteria and terms for granting the Canada access grants for students are set out in the regulations, Bill C-284 integrates these criteria and terms directly in the Canada Student Financial Assistance Act and, accordingly, repeals them from the Canada Student Financial Assistance Regulations.

Bill C-284 is almost a carbon copy of sections 40.01, 40.02 and 40.03 of the Canada Student Financial Assistance Regulations. These sections are to be included in the Canada Student Financial Assistance Act and set out the conditions the students must meet to be eligible for a Canada access grant, as well as information on the size of the grants.

When the regulatory provisions were incorporated in the legislation, some words were changed in such a way as to renew the Canada access grants for students from low-income families. Subsection 14.2(2) shows this change. It says:

The amount of a grant made under this section to a qualifying student in a loan year shall not exceed the least of—

• (1140)

Subsection 14.2(1) would also be amended to remove the requirement that students be in the first year of their program of studies.

These two amendments make it possible to renew Canada access grants for qualifying students. These students may receive up to \$3,000 for each year of their post-secondary program of studies.

Nevertheless, Bill C-284 has a number of flaws that should be reviewed in committee. I would like to point out some of them.

Private Members' Business

First, by incorporating regulatory provisions into an act, Bill C-284 would make subsequent amendments more difficult. Although an ideological Conservative government that cuts programs for under-privileged citizens might see this as a good thing, it would make it much more difficult to improve measures. Furthermore, changes to the access grant program for students, especially amendments affecting the indexation of amounts granted, would have to be legislated.

Second, there is no indexation mechanism for the amounts set out in the act. This is significant because \$2,000 today will no longer be worth \$2,000 in four, five or six years. Students' needs are of vital importance, but the money the federal government gives to education, primarily through the Canada social transfer, is not nearly enough, nor does it not enable Quebec to finance its post-secondary education system as much as it would like. We must ensure that the funds provided are adequate and take into account the rising cost of living. The lack of an indexation mechanism is therefore a serious shortcoming.

Third, Bill C-284 is just a band-aid, not a long-term solution. Until the fiscal imbalance is resolved, and until Quebec can count on additional own-source revenues of \$30.9 billion per year, the post-secondary education system will continue to be underfunded.

Our position is simple. The Bloc Québécois will support Bill C-284 in principle so that it can go to committee for further discussion of the amounts to be offered to students and the absence of an indexation mechanism.

The Bloc Québécois is fully aware that Bill C-284 is acceptable only because the Canada Student Financial Assistance Act contains a clause for opting out with compensation. This legislation constitutes an infringement on a jurisdiction of Quebec and the provinces. Yet Bill C-284 does not help Quebec and the other provinces provide quality education, because it does not give them the means to do so. It makes students pay for part of the cost of their post-secondary education, but does not improve the quality of instruction.

The best solution to help students, and the solution recommended by the Bloc Québécois, involves a considerable increase in direct federal transfer payments to Quebec and the provinces until the fiscal imbalance issue is resolved. In Quebec, the government, students and educational institutions issued a joint statement to the effect that transfer payments must be increased to \$4.9 billion a year. It is because of the fiscal imbalance, created by the federal government itself, that Ottawa must now help students financially so that they can access post-secondary education, since transfers to the provinces for education have been considerably reduced.

To conclude, I would remind the House that, fortunately, section 14 of the Canada Student Financial Assistance Act gives those provinces that wish to administer their own loans and scholarships program the right to opt out with compensation. This is the case for Quebec, which has its own program.

• (1145)

[English]

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, I rise to speak to Bill C-284 at a very dark time for post-secondary education in Canada. Last week we saw cuts to student employment programs

and literacy. Over the summer we saw a consultation process that was really not a consultation process at all. It seemed to exclude many student groups which are most concerned by the issue of post-secondary education. It seems as if the Conservatives want to leave us a paper country.

[Translation]

In my opinion, there are ways to meet the unique cultural needs of Quebec while providing equitable treatment for all parts of Canada. It is upsetting to see young people mortgaging their lives—the result of many years of cuts to provincial transfer payments by the former Liberal government.

That government had 13 years to implement the type of progressive legislation introduced by a member this morning. The situation could deteriorate with the Conservatives' "every man for himself" policy. The goal in Canada should be for all graduates of secondary schools to have access to post-secondary education or training. Bill C-284 is a first step in that direction. It would ensure that Canada access grants for students from low-income families, presently available for only the first year of education, would be available to eligible students for each year of a program of studies. Low-income families are not benefiting from current programs.

This bill does have significant shortcomings but it represents the most progressive and effective way of putting money directly into the hands of students who do not have the means to pay their tuition fees, that is at the time they most need these monies. This approach would allow us to increase access to post-secondary education in contrast to the number of disparate federal and provincial programs presently labelled as student financial assistance such as tax credits, savings plans, the Millennium Scholarship Foundation and the very unwieldy Canada student loans program.

The NDP will support this bill because, as I stated, it is the first measure—one we have been awaiting for a long time—to help students and their families with rising education costs, which have become prohibitive in many of our provinces.

[English]

I want to go back to this grant. In its first year, Canada access grants for students from low income families were for the first year of study only, the lesser of \$3,000, assessed need or 50% of tuition. The Canada access grant for students with permanent disabilities was for each year of study, but the lesser of \$2,000 or assessed need. This was clearly inadequate.

Private Members' Business

We have to look at who is benefiting from our existing policies.

In their first year, Canada access grants were awarded to roughly 3% of full time college and university students, 22,000 students from low income families and approximately 9,100 students with permanent disabilities, costing almost \$52.6 million.

Let us look at the other programs. During that same period, \$462 million was paid as matching Canada education saving grants, CESGs, to 1.8 million children in families who could afford to invest in RESPs many years before their children's studies. In contrast, the new Canada learning bond for low income families to invest in RESPs, helping 7,271 children in families who could not invest in RESPs.

In 2001 individuals with income over \$70,000 claimed over \$164 million in federal education and tuition tax credits. As Ross Finnie, a research fellow at the School of Policy Studies at Queen's University said, "These huge chunks of money are going where it's not needed. It wouldn't be so bad if there was enough money going into where it's really needed, but there isn't".

The millennium foundation is set to expire in 2009. There are a number of lessons to be had from its work, in particular: its focus on grants over loans; its needs-based assessment rather than income-based; its experience collaborating with provinces and territories; and its high ratio of direct assistance to operating costs. We should examine these experiences and best practices in developing a national needs-based grants system.

Clearly, the patchwork of student assistance in Canada does not adequately target those students and families in greatest need. This is why we support the bill.

The Canadian Federation of Students, which has sent over 50 student leaders to the Hill this week, will look very closely at the support for the bill as expressed around the House. The Canadian Federation of Students and the Canadian Association of University Teachers have both called for a simpler, central system of needs-based grants to replace this patchwork assistance that we call financial aid.

The NDP vigorously opposed reliance of Liberal and Conservative governments on tax credits instead of real investment in post-secondary education. Research substantiates our concern. Through this debate, I will reiterate our alternate vision of a national needs-based grants system.

Bill C-284 could be the building block of such a national system, with a number of changes to address its flaws. Let us look at some of the amendments that will be necessary. One is a needs-based assessment rather than an income-based one. Others are removing exclusionary clauses against mature students, introducing a mechanism to include financially independent students and including targeted grants to account for the realities of rural and aboriginal students.

● (1150)

The bill is about the role of the federal government in post-secondary education. The Conservatives would have us believe that there is no role for the federal government in social programs and in post-secondary education, and that seems to suit the Bloc Québécois.

However, let there be no mistake. Under the Conservatives, we are returning to the pre-1950s, where provincial governments had sole responsibility for post-secondary education, with the horrific inequities that existed between provinces.

By turning post-secondary education back entirely to provinces, as the Conservative government seems to be leaning toward, many Canadians will begin to wonder just what it means to be Canadian.

● (1155)

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I am pleased to speak today in support of Bill C-284, introduced by my hon. colleague, the member for Halifax West.

For centuries now, the importance of a sound education has been one of the hallmarks of public policy, not just in Canada but across the nations of the world. A sound and fulfilling education not only serves the interests of the students who benefit from their studies, but the society in which they choose to practice the skills they have learned.

By ensuring that our young people receive the best possible education, we are also ensuring that our society thrives, grows and prospers. It was the Irish poet, W.B. Yeats, who stated: "Education is not the filling of a pail, but the lighting of a fire". In providing young Canadians with the opportunity to obtain a thorough and balanced education, we are, as a society, lighting the fire of wonder in their hearts and minds, a fire that will illuminate our country for generations to come.

It is in this vein that I support my colleague's bill, which would amend the Canada Student Financial Assistance Act.

The bill would provide for Canada access grants to eligible Canadians who have permanent disabilities. It recognizes, implicitly, the unique challenges faced by persons with disabilities in their efforts to obtain a post-secondary education.

No one in the House will be unfamiliar with the very real challenges that face students in contemporary Canadian society. It is truly heart-rending to hear the stories of so many young Canadians who simply cannot afford to pursue their education to the extent that they would like, simply as a result of financial barriers.

This challenge is particularly real for persons with disabilities, who may not have the same opportunities to supplement their incomes while attending school as other students might find available to them. Furthermore, I believe we, as Canadians, have an obligation to assist those with disabilities to ensure that they have the same opportunities as their fellow citizens to choose whatever career path they wish to pursue.

Private Members' Business

I join with my colleagues in wishing to see this bill pass, but fear that it might not succeed. This is because the government seems to have decided to abandon the important role of the federal government with respect to education. The delivery of education may be a provincial responsibility, but as the last government demonstrated, there is much that the national government can do as well.

When the members of the New Democratic Party decided to bring down the previous Liberal government, they chose political expediency over the best interests of Canadians. As a result, much was lost for students.

Members might recall the financial statements of the then Liberal finance minister, the member for Wascana, as he outlined an enormous progressive plan to assist young Canadians to realize their full potential in terms of educational opportunities. This plan committed \$2.2 billion over five years to improve financial assistance by making post-secondary education more affordable for lower and middle income Canadians. This was an incredible commitment to help ensure that all Canadians, regardless of their means, had the opportunity to obtain a sound education.

The Liberal fiscal plan also called for \$550 million over five years to extend Canada access grants, the subject of our discussion here today. This would have covered 55,000 students from lower income families in all years of undergraduate education. We would also have seen \$265 million over five years for Canadians with disabilities to assist them in participating in the workforce.

These commitments were real and they would have gone a long way toward assisting young Canadians with their educational objectives. Members of this caucus have and continue to hold a solid and real commitment to Canadian students.

In keeping with the Liberal commitment to education, I was myself pleased to introduce in the House Bill C-316, an act to establish a national literacy policy. It is truly disheartening that upwards of 38% of Canadians have difficulties reading and writing.

●(1200)

We all know that the most fundamental requirement for education and career advancement is the ability to read and write at a reasonable level of proficiency. The reality is that illiteracy in this country costs the economy approximately \$10 billion annually, not to mention the ongoing daily struggles of those who have to contend with limited skills when it comes to reading and writing.

Similarly, it is also true that there is a serious lack of funding for literacy programs in Canada and an even more pressing need for a coordination of services. We need to implement a national literacy strategy with long term programs designed to assist all Canadians who need this kind of help in realizing their full potential both in their academic and professional careers.

Members of this House have acknowledged that without proper educational training the future of many young Canadians is less than bright. There are fewer and fewer jobs available to those who do not possess the kind of skills now required in the workplace. The quandary many young Canadians find themselves in is that they cannot access those jobs without the needed education, yet they cannot afford to obtain the skills that are needed.

It is important that we act on this issue of the need for literacy programs and financial assistance for students, particularly those with disabilities. We must also ensure that we recognize the need to make a real commitment to adequate funding of education in this country.

Education is the foundation upon which the future of this country will be built. There is no benefit to shortchanging our future by failing to adequately invest in the education of young Canadians. The reality is simply that in creating the kinds of programs that will encourage support and sustain our young people in their educational journey, we will be ensuring that the workforce of the future will be able to meet the needs of our economy.

Bill C-284 recognizes the need to assist those who need the help the most in realizing their full potential as students and future employees. In providing this kind of support, we are truly inviting all Canadians to the table. We need to expand programs such as those proposed in this bill, as well as those put forward in Bill C-316 which would promote literacy across Canada.

These programs are investments in the future of our young people, the future of our country and in reality, the future of our planet. There is a role for Canada in the world. When encouraging our young people to strive to reach their maximum potential, we by implication do the same for our country itself.

Mr. Brian Storseth (Westlock—St. Paul, CPC): Mr. Speaker, I am pleased to speak on behalf of the government to this private member's bill.

I thank the member for Halifax West for bringing forward this important topic for discussion. I also congratulate the member opposite whose daughter is now going to Acadia University. Acadia is an excellent university; however, if he is looking for second options I would suggest the University of Alberta is a top university in this country.

The bill seeks to amend the Canada Student Financial Assistance Act in order to extend the provisions of the Canada access grants. This bill raises two important questions. The first is whether or not this is the appropriate time to be making changes to this relatively new student support measure. The second is whether or not amending the act is the right way to proceed. Let me address each of these in turn.

On the question of extending the financial support now provided by the Canada access grants, the member opposite has identified a concern which Canada's new government definitely shares. We want to make sure students from low income families and students with disabilities have access to post-secondary education and can receive the financial support that they need.

Government Orders

Indeed, this government wants to look at the whole issue of how post-secondary education is financed in this country. The Minister of Human Resources and Social Development has indicated that she will be initiating discussions with the provinces and territories to discuss the overall objectives for post-secondary education and training appropriate roles, while at the same time working toward developing a framework for ensuring measurable results and accountability in respect of funding support. Issues like those raised in Bill C-284 may very well be considered during the course of those discussions.

Expanding access to post-secondary education to students from low income families and those with disabilities is a concern Canada's new government recognizes and is sensitive to. However, it is important to keep in mind that the Canada access grant is not the only way the Government of Canada helps finance post-secondary education in this country.

A brief overview of the current measures in place clearly demonstrates the Government of Canada has a broad commitment to investment in education and training on behalf of all students. Budget 2006 is a demonstration of this commitment as it included concrete measures in support of post-secondary education.

Having the lowest debt to GDP level in 24 years is bound to help all aspects of our economy, including children looking to obtain post-secondary education, but this government did far more. There are investments such as \$15.5 billion annually to the provinces and territories for post-secondary education and social services through the Canada social transfer; \$1.7 billion to fund research in post-secondary institutions; \$1.8 billion in loans and grants for post-secondary education; \$1.5 billion in tax credits and education savings incentives; and another \$1 billion in federal funds to help provinces and territories make urgent investments in post-secondary infrastructure.

Additionally, we also introduced a new textbook tax credit, a measure expected to benefit millions of students over the next two years. We expanded eligibility for the Canada student loans program, meaning an additional 30,000 students will now be able to access this program. That is right, I said an additional 30,000 students.

Clearly, when it comes to supporting post-secondary education and helping Canadian students and their families with its costs, Canada's new government has demonstrated its willingness to make the necessary—

• (1205)

The Acting Speaker (Mr. Royal Galipeau): Order. The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper. The hon. member for Westlock—St. Paul will have six minutes left in debate when Bill C-284 is taken up again.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC) moved that Bill C-19, An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act, be read the second time and referred to a committee.

He said: Mr. Speaker, I rise in the House today to lead off the debate on this important government initiative, Bill C-19, An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act.

Canadians want a law-abiding peaceful society. They believe in secure streets and neighbourhoods where children can play in safety and where families can go for evening walks. In doing our part to protect our communities, roads and highways, the Government of Canada is taking the issue of street racing head-on.

There have been far too many examples of Canadians being injured or killed because of street racing. On a regular basis there are reports of deaths across the country relating to this dangerous activity. We have seen horrific deaths recently in Toronto, Vancouver, Edmonton and Winnipeg. These risks, injuries and deaths are senseless and do not need to occur.

The criminal law seeks justice, the protection of the public and the establishment and maintenance of social order. Ultimately the purpose of the criminal law is to contribute to a just, peaceful and safe society through the establishment of prohibitions, sanctions and procedures to deal fairly and appropriately with blameworthy conduct that causes or threatens serious harm to individuals and society. Street racers must be explicitly subject to such sanctions and prohibitions.

The criminal law can be, and in this case should be, a tool for shifting public perception. In this regard the message needs to be made clear: street racing is not a game, it is not carefree and it is not harmless. Pure and simple, it kills.

In establishing such a system we must first examine the existing legal scheme on which Bill C-19 would build, namely the way the Criminal Code currently deals with street racing.

The Criminal Codes does not specifically identify street racing as an offence, although certain of the code's offences can apply to fatal and injurious collisions where street racing is involved. These offences are: criminal negligence causing death, which carries a maximum penalty of life imprisonment; dangerous operation of a motor vehicle causing death, which currently carries a maximum of 14 years' imprisonment; criminal negligence causing bodily harm, with a maximum of 10 years' imprisonment; and dangerous operation of a motor vehicle causing bodily harm, with a maximum of 10 years' imprisonment. In addition, the offence of dangerous operation of a motor vehicle, with a five year maximum imprisonment on indictment, can be applied in cases where a street race has occurred but no one was killed or injured.

Government Orders

In addition, under the Criminal Code, if convicted of any of those five offences, currently the court may order a period of driving prohibition of up to three years in the case of a dangerous operation of a motor vehicle, of up to 10 years in the case of a dangerous operation of a motor vehicle causing bodily harm or death, and criminal negligence causing bodily harm. In the case of criminal negligence causing death, the court may order up to a lifetime driving prohibition.

Despite these existing provisions and the discretionary driving prohibition orders, street races are still occurring and Canadians are still being injured, and tragically, killed.

For this reason the government is doing its part in reinforcing the criminal law in this area and sending a strong clear message that street racing is a crime with real and significant consequences. Creating a separate offence in the Criminal Code will specifically denounce this form of crime. In addition, these proposed amendments permit increased punishments with regard to minimum driving prohibitions and increase periods of imprisonment in street racing situations.

Bill C-19, An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act proposes the creation of a specific street racing offence in the Criminal Code based on the offences of dangerous driving, dangerous driving causing bodily harm, dangerous driving causing death, criminal negligence causing bodily harm, and criminal negligence causing death. The bill proposes key reforms that would increase, in street racing situations, the maximum punishments for dangerous driving causing bodily harm and criminal negligence causing bodily harm from 10 years to 14 years, and for dangerous driving causing death from 14 years to life.

● (1210)

The government is taking a holistic approach to criminal law reform. In this regard, it is significant to note that the government's conditional sentencing bill, Bill C-9, if passed as is, will eliminate the use of a conditional sentence in those street racing cases where someone is either injured or killed. As we know, conditional sentences are essentially house arrest.

The street racing reforms would also provide minimum driving prohibitions that would increase on each subsequent offence, instead of the present discretionary prohibitions. In particular, the mandatory driving prohibitions range from a minimum of one year on a first offence, all the way up to a maximum of a lifetime driving ban. The minimum driving prohibitions increase to two and three years for subsequent offences.

Of note is the proposed mandatory lifetime driving prohibition. This mandatory lifetime minimum driving prohibition will apply if an offender has two convictions, where someone is injured or killed as a result of street racing, and at least one of these offences causes a death. For example, if someone is convicted of dangerous driving causing bodily harm while street racing and then convicted of criminal negligence causing death while street racing, the lifetime mandatory driving prohibition will apply.

Therefore, Bill C-19 would provide judges with discretion in setting the appropriate length of prohibition, in some cases, all the

way up to a lifetime ban, but in every street racing offence, the offender would have a period of mandatory driving prohibition.

Following the introduction of Bill C-19, some have asked, What is street racing and how will the courts interpret such a definition? Clause 1 of the bill defines "street racing" as:

—operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place;

The term "race" is an undefined term in the bill and is therefore meant to be applied by the courts, based on existing common law principles, after an examination of the trial evidence. The courts will turn to context in which the term is used, dictionary definitions of a race, as well as Canadian jurisprudence defining this term. At the end of the day, all sources of interpretation generally point to the common theme of a race amounting to a contest of speed, which will be determined on a case by case basis on the evidence presented at trial.

By the structure of the proposed reforms, the prosecution will be required to prove a race; that is a contest of speed plus dangerous driving or criminal negligence. This construction responds to fear that revving one's engine would amount to an offence. The driving must also meet the existing standards of dangerous driving or criminal negligence in order to attract criminal liability.

Furthermore, by the design of the scheme, if the court is not satisfied that a street race was involved, then the law of included offences would apply. Therefore, if the prosecution has not proven a street race but has proven all the essential elements of either dangerous driving or criminal negligence, then the offender may be convicted of these included offences.

It is important to note that the Criminal Code contains an offence, at section 259, prohibiting the operation of a motor vehicle while a person is disqualified from driving. This driving while prohibited offence would also apply if a person drives during the prohibition period imposed for the offences in Bill C-19.

Government Orders

● (1215)

Many provinces have used provincial highway traffic legislation to combat street racing, including provincial fines, licence suspensions and vehicle impoundment. In British Columbia, for example, the province introduced legislation that gave the police the authority to impound, immediately, any vehicle used in a street race. In some matters, there can be federal and provincial constitutional authority, and each level of government may properly enact legislation. In the matter of street racing the provincial legislature has constitutional legislative authority to enact highway traffic and driver licensing legislation against street racing. Parliament may enact legislation against street racing, using its constitutional legislative authority for criminal law.

There have been a number of earlier bills directed at combatting street racing. During the 37th Parliament, the late Mr. Chuck Cadman, M.P., introduced private member's Bill C-338 and reintroduced it as Bill C-230 in the 38th Parliament aimed at this form of crime. These bills provided that the existence of street racing was to be an aggravating factor in sentencing and provided for mandatory minimum driving prohibitions, increasing on second and subsequent offences. I think the Prime Minister said it very well when he described Mr. Cadman as "a selfless man who devoted his years in Ottawa to fighting for safer streets".

Mr. Cadman's bill was built upon the existence of a repeat aggravating factor. However, the dependence on the aggravating factor in the sentencing hearing that involves a prior conviction, in order to trigger an increased penalty for a subsequent offence, raised some concerns. First, there is no reference to street racing in the substantive offence. Second, the CPIC, the Canadian Police Information Centre, does not report the existence of aggravating factors. Therefore, the Crown would have no consistent way of knowing that a prior offence had involved street racing.

In the 38th Parliament, the previous government introduced Bill C-65, an act to amend the Criminal Code, street racing. It also provided that street racing, if found by the sentencing judge to be present, was to be used as an aggravating factor in sentencing and included mandatory driving prohibitions, although repeat offenders were not subject to increasing driving prohibitions. All these bills eventually died on the order paper. However, given the efforts made by Mr. Cadman and by the former government's response, we are now counting on everyone to support Bill C-19.

The government's bill, Bill C-19, unlike its predecessors, proposes the creation of separate offences and would increase driving prohibitions for repeat offenders. I believe these are necessary components to deliver the message that street racing threatens the safety of Canadians and criminal law consequences, therefore, will be serious.

The frequency of and the conviction rate for offences involving street racing are presently not available at a national level as there is, currently, no systematic way to identify the cases that have involved street racing. One of the indirect benefits of the reforms proposed in C-19 is that the creation of separate offences will allow such data to be captured and monitored in a systematic national way.

As I have noted, in some matters, and street racing is one such matter, there can be federal and provincial constitutional authority and each level of government may properly enact legislation. The provincial legislature has constitutional legislative authority to enact highway traffic and driver licensing legislation against street racing. Parliament may enact legislation against street racing under its constitutional authority for criminal law.

The complementary provincial and federal tools would provide a strong and effective response to the scourge of street racing on Canadian roads and street. I, therefore, compliment the efforts of local police forces in getting street racers off our streets on to closed race tracks. These efforts will no doubt contribute to public safety on Canadian roads and highways.

Safe streets and safe communities are a hallmark of life in Canada. The government is doing its part, through a number of important bills currently before Parliament, to ensure that this fact remains true. The government has made a clear and unequivocal commitment to work toward a safe and secure Canada. This Canada is one in which its citizens can walk the streets without fear of being struck by reckless street racers.

● (1220)

In conclusion, Bill C-19 is a targeted, measured and balanced response to the numerous tragic incidents of street racing occurring on our roads and highways. Although not in and of itself a panacea, this proposed reform will send a clear message that driving is a privilege and that street races are not acceptable. Bill C-19 would also ensure that those prosecuted for street racing would not be permitted to drive for a significant period of time.

I urge all hon. members to join me in support of Bill C-19 and to work together to put an end to this dangerous phenomena of street racing on Canadian roads and highways.

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, we on this side of the House share the minister's desire to make Canada's streets as safe as possible. However, many have indicated that branding or terming a new section of the code "street racing" is rather superfluous when, as the minister has indicated, multiple sections are already in the Criminal Code, dealing with dangerous driving, dangerous operation causing bodily harm, causing death, criminal negligence, criminal negligence causing bodily harm, causing death. There are already a number of sections within the Criminal Code that speak to this type of activity. We on this side are concerned about the deterrent aspect of the proposed legislation.

Are there any instances in which a judge has said, "The factual situation before me falls short of dangerous driving, falls short of criminal negligence and what a shame that there's nothing in the Criminal Code which talks about street racing?" Does such a situation exist? I would be pleased to be educated in that regard.

Government Orders

Hon. Vic Toews: Mr. Speaker, in respect of the issue of why it is necessary to have a separate section dealing with and targeting specifically this issue, it is important to note that often law can also be an educational tool, a tool that specifically denounces certain types of conduct. For example, we can ask why do we have the hate laws that were passed after the second world war in Canada? There are adequate laws to deal with that issue in the Criminal Code, yet it was seen as important to specifically denounce that type of conduct.

This is a similar type of situation where given the frequency of this type of occurrence, there needs to be a specific section denouncing that type of conduct. The member's party in the last Parliament agreed with us and brought forward that type of legislation. In that respect I do not think there is anything different.

As for the comment whether there has been judge who has said that it is a pity there is not something less than dangerous driving, street racing, this is more than that. Dangerous driving and criminal negligence causing bodily harm will be included offences in the street racing offence. Therefore, street racing is a higher offence. The dangerous driving and criminal negligence will be a lesser included offence in that scheme, so the situation would not arise.

• (1225)

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, on this side of the House we recognize the importance of the problem raised by the government, but I have two questions.

First, would the minister comment on the fact that the bill seems to put judges in a peculiar situation of having to determine whether there has been an offence to define what racing is, but no leeway in determining the penalty that will come?

Second, has the government given any thought to providing more education and changing the advertising regulations around car sales in Canada? For example, there was a very strong educational program about impaired driving and changes in the advertising of the product had to occur. From all available research, this is the part that seems to have been most effective in addressing the problem of impaired driving.

Hon. Vic Toews: Mr. Speaker, the issue of not having a specific definition of street racing is not unique to this legislation that is presently the case in other provincial legislation. When I was prosecuting provincially under Manitoba's highway traffic act, I recall there being no definition at that time. The definition was based on common law. Judges often determine definitions on the basis of precedent or common law.

In fact, throughout the Criminal Code there are many situations where a judge will actually have to define what falls within the meaning of a particular term. Even a term like sexual assault is not as clear as it might seem to the member and I. If there is no specific definition, a judge has to determine what a sexual assault is as opposed to another type of assault.

I do not think there is anything unique here. This is the kind of discretion we allow judges to have on a regular basis and they can rely on past precedents in terms of defining what something means. I gave some suggestions in the course of my speech.

I think there was a second half to my colleague's question in respect to the educational issue and not allowing discretion in terms

of sentencing for prohibition periods. Quite frankly, there are many sections in the Criminal Code that deal with periods of prohibition that are mandatory upon conviction. I just need to look at the impaired driving sections for example. There is no real definition of what constitutes impaired driving and yet precedent is used liberally to determine actual impaired driving.

The educational issue is a very important point. It is something that we as members might want to consider in another context. It is not in the context of this particular legislation, but I do not see anything stopping members from discussing this particular issue.

Education is certainly a very important component, but I want to stress that even with the area of impaired driving, as important as the educational component was, it was as a result of many provincial initiatives that resulted in automatic administrative licence suspensions roadside for periods of six months. The automatic seizure of motor vehicles led to a real downward spiral in impaired and suspended driving situations in many provinces.

To simply attribute it to education would not be accurate. Administrative procedures as opposed to criminal procedures that provinces took in the last decade have had a tremendous positive impact on the rate of impaired driving and suspended driving.

• (1230)

Mr. Dave Batters (Palliser, CPC): Mr. Speaker, I appreciate the minister bringing forth Bill C-19 and what he and his government are trying to accomplish here.

Clearly, this phenomenon is a problem in Canada. Street racing is a crime that can result in death or serious injury not just to the street racers themselves but as we have all seen tragically, to innocent bystanders. In my opinion, this bill would send a clear message to offenders and would-be offenders that street racing is a crime. Clearly, there is an educational component to it.

Does the minister believe that the bill would send that message? Would it be a deterrent to offenders if they knew there would be mandatory, tougher penalties and driver prohibitions? Does he believe this bill would help to reduce the number of street races? Would it reduce the carnage that street racing can cause? Would this bill be a deterrent?

Hon. Vic Toews: Mr. Speaker, I do believe it will be a deterrent by sending out the specific message that street racing is against the law.

Government Orders

Not only would this be a deterrent in terms of this particular legislation, but it would dovetail very nicely with other provincial legislation. Members of my caucus from southern Ontario tell me that they receive complaints about this very regularly from constituents. Street racing is by far and away one of the most leading complaints made by constituents. In certain provinces, like Ontario, there are some provincial laws against the driver but also against the vehicle. It can be seized and destroyed.

This bill could complement existing provincial legislation and work very effectively.

Hon. Sue Barnes (London West, Lib.): Mr. Speaker, a number of bills targeting street racing have been placed before this House over the past few years.

Most Canadians will remember the work of a former member of Parliament, the late Chuck Cadman, on the subject. Mr. Cadman, a respected and respectful parliamentarian, submitted private members' legislation three times. The former Liberal government also introduced Bill C-65 to amend the Criminal Code regarding street racing. Mr. Cadman's private member's bill and the proposed legislation of the former government died on the order paper when on November 29 last year the government fell.

Today we are talking about another variation on how we as a society will attempt to deal with this serious scourge on our streets, something that can and does end tragically for some individuals, both the participants and, even more tragically, the bystanders who are innocent.

Bill C-19, unlike both the prior government's Bill C-65 and Mr. Cadman's private member's Bill C-230, includes new street racing offences. Also differing from the former government's bill, Bill C-19 now includes a graduated increase in the length of the driving prohibitions for repeat offences.

In the first half of 2006 in Canada, 10 deaths can be attributed to street racing. More and more we have been alerted to the menace on our streets. Over the past year, street racing, with its deadly consequences, has affected communities across the country.

As many would realize, education is an important tool to help alert the public, especially younger Canadians, to the dangers of street racing. I do not believe that education of itself will be sufficient to effect the necessary change in this dangerous behaviour. I do believe, however, that education on this matter should continue to be used in schools and other media, such as movie theatre trailers, to counteract the increasing sensationalization of street racing now found in some video games and movies.

Not all street racing is a spontaneous event, though this is the type of thrill-seeking activity many would immediately think about when the words street racing are used. Some street races are spectator events, with people being alerted in advance and police lookouts. Therefore, I am not talking about the supervised venues where racers test vehicles on closed tracks. I would also say that it is not only young people who are engaged in street racing, although many of them are, unfortunately.

Bill C-19 and predecessor bills are attempts, using the Criminal Code, to further address the problem of street racing. Members may ask how this has been dealt with in the past. Obviously and

unfortunately, street racing is not new. Most would understand that the provinces and territories are involved with their own legislation and statutes respecting the operation of motor vehicles and road safety, and some even have some street racing offences. However, the provincial legislation applies, for the most part, to the less serious offences.

This is in contrast to the federal Criminal Code's more serious offences of criminal negligence and dangerous operation of a motor vehicle. These Criminal Code sections have been successfully used to charge and prosecute serious street racing offenders in the past throughout Canada and may in fact continue to be the most efficient choice for prosecutors.

In Bill C-19, proposed clause 1, street racing is defined similarly to the previous bills:

"street racing" means operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place;—

Thus we see that two or more motor vehicles must be involved, not a lone vehicle speeding. Since motor vehicle is already defined in the Criminal Code, the definition in Bill C-19 would capture motorcycles, snowmobiles and all-terrain vehicles. If two or more of them were racing in public places, this would include, for instance, public lots, frozen public waterways, as well as streets, roads and highways that we normally would think about. Bill C-19 would create five new street racing offences which would all require the same fundamental elements in law: a criminal mind and a criminal act, *mens rea, actus reus*.

These are the same elements that are required to obtain convictions for the existing offences of dangerous operation of a motor vehicle and criminal negligence in the operation of a motor vehicle. Both the previous Bill C-65 and Bill C-230 were more focused on street racing as an aggravating circumstance to be taken into account in sentencing by the judge after conviction.

The five new offences created in Bill C-19 would require the same constituent elements as do dangerous operation and criminal negligence, in addition to the new element of street racing.

• (1235)

In other words, the five offences will apply if the offence can first be categorized as criminal negligence or dangerous operation. To clarify for those who still have difficulty with this, the five new sections are new subsection 249.4(1), dangerous operation of motor vehicle while street racing; new subsection 249.4(3), dangerous operation causing bodily harm; new subsection 249.4(4), dangerous operation causing death; new subsection 249.3, causing bodily harm by criminal negligence (street racing); and new subsection 249.2, causing death by criminal negligence (street racing).

Government Orders

Thus, one can easily see that we have a referencing of a new element to existing Criminal Code sections. Is this really a serious attempt to underscore the denouncement of street racing, as the Minister of Justice has just suggested, or is it, as some critics have stated, merely something to show that we are serious, the denunciation just by the statement?

Note that the offences that are needed are already in the Criminal Code. How difficult will it be to prosecute the new element of street racing on top of the two elements already required? Therefore, will it be used more to obtain conviction or be used to plea bargain on the included offences? Will the charges still be laid under the old offences despite the options now provided in this new bill, if passed?

These are important questions and some critics have gone so far as to say that this is a totally unnecessary or window dressing bill. However, I do think that the subject area is one that all Canadians are concerned about and the previous government was also acting in this area. I do not think that anyone believes street racing is a good idea, rather it is dangerous and a menace to public health and public safety. There is an appetite in the land to address the problem and stem the occurrences.

I should also address the other elements that this bill has added to the debate. Bill C-19 adds, where street racing is proven, the mandatory driving prohibition minimum of one year whether or not bodily harm has been caused and where it was discretionary in all charges before.

The bill does propose higher maximum terms of imprisonment in three of the five street racing offences. The bill does not make any minimum terms of imprisonment. Currently, we know that conditional sentences have been utilized under section 742.1 of the Criminal Code. Judges are permitted and in fact encouraged to utilize, under the sentencing principles of the Criminal Code, less restrictive punishments than incarceration where other factors are not in play.

Case law has developed across Canada on point, going both ways I might add. I raise this because we are currently having a conditional sentencing bill which is now before the justice committee. If enacted as is, it would impact on Bill C-19 if it were passed as is. Essentially, there would be a consequential effect if the higher maximum penalties were passed in this Bill C-19, with the exception of dangerous driving not causing bodily harm or death. Unfortunately, mid-process this is speculative, but I do flag the potential now, as has the Minister of Justice.

It is not entirely clear the intention or message to the courts of how Bill C-19 has been set out. On a scale of seriousness, criminal negligence is considered higher than dangerous operation. The difference between the offences is the degree of carelessness or recklessness in the offence. This is one area that needs to be properly examined if this bill ends up in committee after a vote in this House, which I believe will end up happening.

Bill C-19 puts street racing that constitutes dangerous operation and street racing that constitutes criminal negligence on the same footing. Fine tuning is required here, as has been pointed out by some others. When we try to limit judicial discretion, as would appear to be the pattern of this new Conservative minority

government, it creates other, perhaps wholly unintended, consequences. Many authorities, some would say, consider criminal negligence more serious than dangerous driving and we will look at this.

Bill C-19 also holds that when a person is convicted of street racing, the judge would prohibit the offender from driving. This is a mandatory order for a specific period of time. Also different from previous bills and the current Criminal Code is the introduction of a minimum period of one year in the case of each of the five street racing offences. This is driving prohibition.

Under Bill C-19, the maximum and minimum for driving prohibition orders would increase each time a subsequent street racing offence is committed.

● (1240)

Bill C-19 would provide a prohibition of driving orders of the same length or longer than periods now in the Criminal Code of Canada. Further, new subclause 259(3.4) proposes the creation of a mandatory life prohibition on driving. This would apply when the offender has two or more convictions of street racing where someone was injured or killed and one of the street races resulted in a death.

I should note that the driving prohibition order will come after the period of imprisonment. I should also note that the maximum and minimum for driving prohibition orders increase in a very similar fashion as the rules governing driving prohibition orders in cases of drinking and driving.

There is a lot to digest in the details of this bill. This is the initial stage of discussion. It is not the place for any of us to come to firm conclusions. There is obviously agreement that street racing needs to be dealt with by Parliament. The fact that there have been two different governments and continued private members' bills, underscores this to all of us.

Always it is a question of degree. Is one approach better or more practical than another? Can the officers on the ground, the judiciary and the system of justice be given better or more flexible laws for Parliament to utilize? Do some of the clauses in Bill C-19 go too far? What is most important is will this help with community safety? Those are the questions that need to be answered.

We should also examine whether there are some situations that are captured that were not intended. I have already heard from the Canadian Association of Rallysport with suggested amendments since it is concerned that this will negatively impact on its sport activity held across the country.

Government Orders

What about when roads are closed for major professional racing events which normally occur annually in cities like Toronto and Montreal? Would we need to consider specific exemptions or exceptions or do we rely on the charging officer's discretion and judgment, as has been done in the past? Do we really intend to capture racing snowmobiles not close together traversing a frozen lake, for example?

I would like to listen to the comments of other parliamentarians in the House. I believe we come here to do positive work for our electors. We can do the measured work required of us in a respectful manner I would hope.

I am personally inclined to send the bill to committee for further discussion but wish to hear from my colleagues. It is a bill that is not perfect and has some issues that need to be addressed. Not all of the provisions will help the situation and may in fact cause some confusion. The stages for amendments in this House and in the other House are available to us to clear up any of these ambiguities, whether they are real or just misunderstood. Also, we will have the benefit of our witnesses and, hopefully, some experts.

I know from the short briefings I have received from others that there was no wide consultation on the bill. I asked if there were formal studies but was told by officials that none had been done. I am also aware that on January 25, 2005, at the federal, provincial and territorial meetings of all justice ministers, they had agreed to study the matter of Criminal Code amendments affecting the theft of motor vehicles, as well as penalties for those who steal vehicles and drive recklessly.

Bill C-19 is before us now with a limited priority area of street racing and does not address these other issues. However, it is important that we all do our job, as I know we will, and I look forward to working on this bill with my colleagues.

• (1245)

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I am pleased to rise today to speak to Bill C-19. As we have already heard in this House, this bill addresses a marginal yet important phenomenon, namely, street racing on public roads, streets and highways. This problem is very worrisome. According to statistics provided by the Library of Parliament, since 1999, 35 people in the greater Toronto area have died as a result of this practice.

Furthermore, in the course of this year, which is drawing to a close, there have already been approximately ten people who have unfortunately lost their lives because of this practice. I do not know what drives people to engage in street racing. Are they seeking thrills? Are betting, material gain or jackpots involved?

The government certainly has reason to be concerned. I have been a member in this House since 1993 and I remember very well the work of the hon. member from British Columbia who, sadly, has since passed away. That member introduced a bill in this House on three separate occasions. I understand that he became aware of this issue as the result of a tragedy in his own life, since he lost his own son in an incident involving street racing. I am referring of course to our late colleague, Mr. Cadman.

The Bloc Québécois therefore supports this bill's referral to the Standing Committee on Justice and Human Rights. Of course, it still needs some work, but we agree with the principle that the Criminal Code should be amended to add a distinct offence to punish those who engage in street racing, especially in urban areas. This bill is somewhat different from the bill introduced by the previous government, since the previous bill proposed the use of all provisions in the Criminal Code concerning dangerous driving or criminal negligence to make street racing an aggravating factor.

With respect to the principles of sentencing set out in section 718 of the Criminal Code, there are aggravating factors in cases where, for example, someone commits a crime, infraction or assault by intentionally beating someone up because of their sexual orientation. If we interpret section 718 of the Criminal Code correctly, a judge would have to take this principle into account when sentencing.

According to section 718 of the Criminal Code, the principle of proportionality must apply in all cases. Clearly, a person who commits a horrific, violent crime that causes death cannot receive the same punishment as a 15-year-old who steals something for the first time. Clearly, the principle of proportionality is central to section 718 of the Criminal Code. Mr. Speaker, you practised criminal law, so you must be familiar with these concepts.

The Bloc Québécois agrees that the bill before us should be referred to the Standing Committee on Justice and Human Rights. This bill does not take aggravating factors into account. The bill focuses on five infractions that already exist, redefining them and assigning specific penalties when they are committed in a street racing context. I would like to list these infractions to ensure we all understand. Bill C-19 says that dangerous driving that does not cause bodily harm, as set out in section 249.4 of the Criminal Code, when in a street racing context, must be subject to a specific charge.

• (1250)

A second new offence is created. Dangerous driving causing bodily harm—when someone injures someone or the car hits another car and causes injury—which is covered by subsection 249.4(3) of the Criminal Code, will give rise to a separate charge when street racing is involved.

There is a third offence. The punishment for dangerous driving causing death, which is obviously more serious, will be much more severe and can go up to life in prison. This is the third separate offence created in connection with street racing.

The fourth new offence that is created is criminal negligence causing bodily harm, which is covered by section 249.3 of the Criminal Code. When street racing is involved, this offence would give rise to a separate charge.

Government Orders

The fifth offence is criminal negligence causing death. This is not dangerous driving causing death, but criminal negligence causing death. It is the fifth new offence. It is already covered by section 249 of the Criminal Code and will give rise to a separate charge.

As an aside, hon. members know how prolific this government is when it comes to creating new offences. This government clearly wants to address a number of social problems by creating criminal law. But we must always ask ourselves whether a given problem warrants creating new offences.

In some cases, obviously, we do not agree with this approach. Penalties and sentences already exist. For example, I am very concerned about Bill C-9, which amends section 742 of the Criminal Code. This section was created in 1996, when Canada's current ambassador to the United Nations, Allan Rock, decided that the judiciary would have the option of a new alternate sentence, which was the possibility of serving a sentence in the community, at home. However, very specific conditions that we are all aware of applied to sentences under two years and cases where there were no minimum sentences. Clearly, the judge had to be convinced that the person serving the sentence did not pose a threat to the community.

The member for Argenteuil—Papineau—Mirabel knows that this is one case where it is certainly not helpful to take this tool away from the judiciary.

In the case before us, the Bloc Québécois is prepared to engage, in committee, in the serious exercise of considering whether it is appropriate to add specific provisions to the Criminal Code to put an end to the practice of using the public roadways for racing, which, marginal though it is, can have tragic consequences.

I am going to speak a little about the options that will be available to the courts when they sentence people convicted of street racing. Obviously, the entire question of sentencing is a sensitive issue in criminal law. We must know that there are very entrenched schools of thought: the "retributionists" and the "utilitarians". Some people say that sentences have exemplary value, that they have deterrent powers, and accordingly that the more severe the sentences, the less people are likely to engage in that type of offence. Obviously, that reasoning is not immune to criticism, because it starts from the premise that individuals, ordinary mortals, are familiar with the Criminal Code and therefore with the type of offence and the type of sentence associated with it.

● (1255)

Obviously, we might doubt that this is so.

Some people say that sentences have very limited deterrent powers. It is not so much the sentence that matters, it is the efficacy of the sanction, because people will be arrested by the police and locked up, put in prison. Regardless of what school of thought one belongs to when it comes to sentencing, Bill C-19 proposes the following sentences.

Speaking still of street racing, no minimum sentence is provided for dangerous driving that does not cause bodily harm or death—simple dangerous driving—but there is a maximum sentence of five years. When dangerous driving causes bodily harm, the maximum sentence is 14 years.

It is interesting to compare this with the previous bill. This is not a pointless exercise. When the Liberals were in power and Bill C-65 was introduced in this House, for the same offence, the Liberals proposed that there be a maximum prison term of 10 years. The Conservatives had—let us admit it—a more right-wing vision, one that took a more law and order approach, and they wanted the maximum to be 14 years.

When it comes to dangerous driving causing death—an extremely serious offence—nothing more needs to be said about the maximum sentence, which is life in prison. The judge can decide to impose a lesser sentence.

For criminal negligence causing bodily harm, the bill provides for a term of 14 years in prison, while in Bill C-65 the Liberals provided for a term of 10 years.

For criminal negligence causing death—also an offence that is of great concern—the proposal is for life imprisonment.

There are two approaches. The current bill proposes that a specific offence with specific penalties be established. The Liberals had proposed that it be treated as an aggravating circumstance, as per section 778, which must serve as a reference when considering the issue of sentencing. It is never easy in a society to know how to handle these cases. In fact, at the end of their mandate, Brian Mulroney's Conservatives—and this will be a pleasant or unpleasant memory depending on the allegiance—had established a commission of inquiry on sentencing, headed by Mr. Justice Archambault, which had dissected the issue of sentencing. The commission recommended that there be no minimum sentences. Since then, minimum sentences have been introduced for all offences pertaining to impaired driving; there are about forty. Minimum sentences have been added to all pornography offences and offences of a sexual nature.

Another clause of the bill deals with a mandatory order prohibiting individuals found guilty of street racing from operating a motor vehicle. At present, drivers' licences can be suspended. In some cases, the judge does not have the option of suspending the driver's licence of the accused before him. I am thinking of all those cases where an individual is found guilty of having the care of a vehicle or driving while impaired.

● (1300)

In other instances, power was more discretionary. The judge could, according to his or her discretion, order that a driver's licence be revoked for a minimum of one year, for a first offence in particular, for reckless driving causing bodily harm.

In Bill C-19 before us, it would be mandatory to revoke the driver's licence.

I can appreciate the logic, since having a driver's licence is not a constitutional right; it is a privilege. It is only natural for the legislator to provide that a driver's licence holder must exercise the privilege of using a car on the highway with extreme caution, vigilance and prudence.

Government Orders

It will also be possible to revoke driver's licences when people are fined for street racing and judges will be able to give a ruling.

And with every additional crime, the harsher the punishment. I will give you some specific examples. For reckless driving without bodily harm or death the judge can give a ruling at his or her discretion, as I was saying. The government would like to withdraw this discretionary power from the judge. For a first offence, it will be impossible to get a driver's licence for a year; for a second offence the suspension will last at least two years; and a third offence will result in a minimum suspension of three years. Maximums are also added to that.

We understand the logic. I am sure my colleagues understand it. We can agree with this, knowing that it is a matter of context and that judges will have to weigh the evidence accordingly.

For reckless driving causing bodily harm, again the judge will no longer have discretionary power. This discretion is being cut back. Let us be frank, the Conservatives have been using every power at their disposal in every bill presented so far to challenge this prerogative.

Are you indicating that I have one minute left or two, Mr. Speaker?

• (1305)

The Acting Speaker (Mr. Royal Galipeau): You have two minutes left.

Mr. Réal Ménard (Hochelaga, BQ): I will be 45 in May, so I went to see an optometrist. He said that after 40, it is normal to have problems with distance vision. Nevertheless, I can still see perfectly well up close and I remain, in all circumstances, a man of foresight. I would not want my colleagues to worry.

That said, for dangerous driving causing bodily harm, the judge would again have no discretion. Following a first offence, the offender's driver's licence would be revoked for a minimum of one year and a maximum of ten. Following a second, it would be revoked for a minimum of two years and a maximum of ten. A third offence would result in anything from a three-year suspension to a lifetime suspension, as for driving while impaired.

The logic is clear, and I would like to end with two statements. First, we will work hard in committee because the government has good reason to be concerned about the contemporary phenomenon of street racing, which has claimed lives in large urban centres. However, we will examine whether the sentences are appropriate. We will ask expert witnesses to appear before the committee.

For example, people claim that public safety, information and awareness campaigns about impaired driving have had a greater impact than punishment. We will ask the same kinds of questions about street racing, but the Bloc Québécois does support referring this bill to committee.

[*English*]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, Bill C-19 before us is alleged by the government to deal with what I think we all recognize is a serious problem in the form of dangerous driving, street racing at high speeds, particularly on residential streets in this country. We have had some quite notorious cases just

this year both in Toronto and in Vancouver and in previous years in a number of other cities across the country.

I have to say that I come at this with some sense of cynicism as to the real motivation of the government in bringing forth this bill. I say that from the perspective of seeing this, to a significant degree, as the government pushing one of those hot buttons without having anything behind it.

I am not alone in that regard. I was looking at an editorial in the *Globe and Mail* from back in the spring of this year. It addressed the announcement by the Prime Minister that this bill was coming forward and the government was going to deal with street racing.

Similarly, the editorial was somewhat negative as to its perspective on the government doing this. As for recognizing the problem, no one in the House is going to take any position of denying it. We have some argument over how severe the problem is, but what is more important is how we deal with it. The attitude in the editorial was that we already have legislation, which we also have heard about today from some other members of the House. The editorial concluded with this comment:

But the answer is to enforce existing laws and to set stricter sentencing guidelines, rather than to add a largely redundant law to the Criminal Code. Politicians may get more credit if their responses are more clearly visible, but Mr. Harper's announcement has too great an air of grandstanding to it.

• (1310)

The Acting Speaker (Mr. Royal Galipeau): The hon. member is experienced in this House and knows—

Mr. Joe Comartin: Mr. Speaker, let me rephrase that. "Their responses are more clearly visible but", and I am inserting here, "the Prime Minister's announcement has too great an air of grandstanding to it. The strong message he seeks to send is already in the code".

Josh Weinstein, a criminal lawyer in Winnipeg and a member of the Canadian Bar Association's criminal law section, had a somewhat similar attitude. He threw out the rhetorical question in referring to Bill C-19 and the government's position on dealing with street racing:

What really does it add? Well it adds a couple of words — street racing — to offences essentially already on the books." It bumps up the time a bit, but at the end of the day, I think the public's going to have to wonder whether this is all just smoke and mirrors.

Both the editorial and the comments from Mr. Weinstein are dead on, that this is grandstanding, that there is a great deal of smoke and mirrors in the bill and the position of the government.

If the government were really serious about dealing with this crime and the conduct that results so often in serious injuries and death, there are other alternatives. To some degree what we are doing here with the bill and assuming it goes to committee is wasting great deal of time.

The posturing that is going on here has to be highlighted by this reality. If the bill does get second reading, the bill will be sent to the justice committee. The justice committee already has a heavy workload. The reality is the bill is not going to be dealt with by the justice committee until at least the spring of next year, and given the bills that are already prioritized before that committee, it would probably would not be dealt with until the fall of 2007.

Government Orders

There is a high likelihood that some time before the spring but certainly by the fall of next year we are going to be into another general election. The government knows that. What we are seeing today with this bill and what we are going to see consistently for the next number of months right into the spring is a series of bills like this one. We are going to see bills on hot button items that attract attention on issues which are of real concern to the Canadian public, but bills that have absolutely no chance of being dealt with by the justice committee and the House in that period of time.

The government talks about dealing with these issues such as street racing and I think a bill will be coming forward this week regarding three strikes and you are out, and there are any number of others that are being proposed, such as lowering the age of when youth can be sent to penitentiaries and all those speculations we heard from the minister in the spring and summer, in addition to the bills that are already before us. If the Conservatives were really serious about dealing with these issues, there are alternatives.

I have argued strongly in the past and do so again today that our Criminal Code needs serious reform. It is substantially out of date. There are a number of contradictions in the code which need to be taken care of. Yes, there are additional issues and probably additional crimes as well as sentencing issues that have to be dealt with. But it misleads the Canadian public to bring forward a series of hot button bills that are not going to achieve anything, as opposed to being serious about dealing with the Criminal Code and its weaknesses and its loopholes. The government could do that. It could be serious about it by bringing forward an omnibus bill to reform the Criminal Code, to amend it extensively to bring it into the 21st century which it badly needs. The government should stop playing politics with crime and should stop playing politics with the victims of crime.

● (1315)

That is what Bill C-19 is doing and what the government is doing. If it were really serious about dealing specifically with this crime, this conduct, some things could have been done quickly in the budget. The government could have signalled very clearly to police forces across the country that it would provide them with the financial resources to enforce the existing laws regarding such things as dangerous driving and dangerous driving causing death and injury. The government could have signalled that it would provide them with the necessary resources.

In that regard, I recently read an article about Richmond, B.C. The local police chief was detailing what his force had done to combat street racing in that community. He felt he had done a fairly good job of getting it under control. He bemoaned quite strongly what it cost his police service. He had to take officers off other work and put them on to that. He had to redeploy resources from fighting other crimes to fighting that specific one. He did not have the resources to do both so he had to make that tough decision. What that says, however, is it can be done.

It was interesting to speak with one of my colleagues from Winnipeg. She said there is a street in Winnipeg where everybody knows street racing goes on, but the police force simply does not have sufficient resources to deploy forces regularly over an extended period of time, six months to a year, to combat the street racing that

occurs there. The police just do not have the resources. That was the information she was getting from the police department.

If we are going to get serious about stopping street racing, and I say this a lot when I am dealing with this government in particular, let us do it. Let us not say after the fact when somebody has been seriously injured or killed that we are going to send the criminal to jail for an extended period of time. Do the victim's loved ones or family members really care that much at that point? They want the victim to be alive, healthy and a vibrant part of their lives. That is what we should be talking about when we are drafting legislation. Does it do anything to help the victims of crime? Does it do anything to prevent crime?

I would say that the minister is obsessively convinced of the deterrent factor in spite of all the evidence that it does not have much effect to pass those kinds of laws.

We need to look at the consequences of this particular legislation. I was interested to hear the minister talk about one of the flaws in the legislation. He did not admit it as that but it is there. If the bill eventually becomes law, what we will have done is created a new offence. In that offence we have defined street racing as being racing. I know non-lawyers would say how ridiculous that is. The minister is telling us not to worry about that because the government has received interpretations and it will rely on precedents from other cases.

● (1320)

Those precedents, in my opinion, do not exist because at the present time and historically, when this street racing type of conduct has been dealt with by our courts, it has never been defined by our courts. Our courts have looked at it as dangerous driving, as criminal negligence. We do not have any way of relying on precedents as to what racing is.

The definition of "street racing" in the bill reads:

"street racing" means operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place;

Let me repeat that street racing means operating a motor vehicle in a race. That definition is absolutely useless to the courts because it does not tell them anything. What it does do is it raises a major problem. We have to appreciate that the penalties under this section are not being altered significantly on the first offence, but on second and third offences we are going to mandatory minimums, which of course the minister is in love with, all evidence to the contrary.

Government Orders

Let me give a scenario. Somebody is convicted once of what I am going to call stupidity. Most crimes are stupid and certainly street racing is that. Let us take what I call the jack rabbit start. Two young people are at a stop sign. One starts revving the engine; the other one responds. They take off. They go down half a block. They are stopped by the police. That is racing by this definition. Big deal. What is going to happen? They are going to be charged with street racing. They are going to go to court and they are going to get a relatively minor penalty on the first offence. If they do that a second time, one, two or three years later, they will be going to jail for three years, and if they do it a third time, they will be going to jail for five years or longer.

That is not what the bill is intended to do, but that could very well be a consequence. We could repeat that in a number of other ways because of the lack of a proper definition of what racing would be under this law.

One could say, "That is all right. I don't mind. If they do it twice even in a minor way like that, lock them up and throw away the key". I am sure most of the Conservatives on that side of the House would agree with that sentiment. That is not what happens in the courtrooms. In a courtroom the judge faced with that is going to say, "I am not going to convict" and the person is going to walk away.

Talking about, as this government does all the time, accountability and responding to the credibility gap that we have with regard to our courts, if that person walks out of that courtroom absolutely free with no conviction, what does that do to the credibility of our courts? It is that kind of thinking that never is raised by this government when it is dealing with this legislation.

I am hearing from the backbench on the Conservative side that what we need are new judges, and of course, they are going through that. They are appointing their friends repeatedly, in spite of the position a number of them took in the last Parliament that they would not do that. I am not surprised when I hear that comment from the backbenchers because it is also in the cabinet of the Conservative government.

With regard to this section, again if we are really serious, there are other provisions in the code that are going to deal with it and so, we do not really need it. If we are going to go ahead with this bill, and I know there is some sentiment in this House that there may be some advantage in creating a new offence of a very limited nature, and if we are going to be serious about this, the people we want to get at, the criminals, the criminal conduct that we want to get at, are those people who do it on a premeditated basis. We want to get at the people who soup up and alter their cars. We hear of that. Some people adapt the engines so that they can take, I think it is nitrous oxide, to give the engines a boost when they kickstart their cars. Some people alter the engines in a variety of ways. They alter the body of the car, making it lighter so the car will go faster with the same engine.

If we really are serious about this issue, we should be looking at that. There are none of those provisions in this bill. That is not what the government is trying to do. We could do that and it might address at least one of the problems.

●(1325)

We should be looking at a number of alternatives. Let us look at the advertising that auto companies do to sell their vehicles. Somewhere in excess of 50%, and in some markets as high as 90%, of all the advertising done by auto companies show vehicles speeding at an illegal level and being driven in a way that could be considered careless driving all the way up to dangerous driving. Why do we not control those kinds of promotions by auto companies? We did it with cigarette advertising and, to some degree, with alcohol. We can do it with the kind of advertising that is offensive and is encouraging young people to drive recklessly. This level of government could do that .

We could also have more police officers to enforce our laws. As I said earlier, this would require additional resources but those resources could be given right away. We do not need to wait until the next budget or for legislation.

The bill as proposed has major flaws in it and one questions whether we need it at all. If we are going to run it through at all, we must limit its scope quite dramatically so it does something effectively as opposed to nothing, which is what the bill would accomplish.

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I listened with interest to my colleague's speech and I appreciate the time he took to draft it and deliver it. I also appreciate his input.

Our government has identified the problem of street racing. Some people engage in street racing but the vast majority do not. We have decided to send a message to those who would engage in street racing that the government takes it seriously and that there will be serious consequences for those who engage in street racing and, for example, cause bodily harm to another person.

The hon. member seems to be proposing an approach that would capture everybody. I think that has been the problem in the past with the Liberal approach to crime and punishment. Advertising by auto manufacturers is geared toward everybody and most everyone can handle advertising responsibly. I fail to see how preventing someone from putting some addition on their vehicle would stop people from engaging in street racing. That would be very heavy-handed and its effect would unjustly limit people's rights to customize their automobiles.

Why is the member casting a net so wide that we would capture innocent Canadians from coast to coast and limit their rights when this government bill targets problem offenders and, most severely, repeat offenders. The bill would send a message from the government and from the House that street racing and endangering the lives of innocent people will not be tolerated. Why does the member want to take the approach that would punish everybody when it is just a few who need to get this message?

Mr. Joe Comartin: Mr. Speaker, I categorically reject that the bill would do anything to target the population we are after. It just does not have that kind of an effect. If the parliamentary secretary had done any kind of meaningful research he would know that.

Government Orders

I am proposing that we do with street racing what we did with impaired driving. Not everybody drives impaired in this country but we built a very effective program of public education in cooperation—

Mr. Chris Warkentin: And deterrence.

Mr. Joe Comartin: I am hearing again catcalls from the rear benches of the Conservative Party about deterrence. Again, if he were to do some research he would find out that has nothing to do with the effect we have had on impaired driving.

The reason we were effective in bringing those numbers down was because of groups like MADD, our police forces and parliamentarians. All of us moved into a mode of saying that we would denounce this. We see the ads on television and we see the conduct that is disparaged all the time and it has an impact. That is the same kind of thing we have to do with street racing. We have to say to those people who are inclined to even think of doing it that it is not acceptable to society, but we will not do it simply by passing this bill.

• (1330)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, in a constructive fashion, the member points out some of the difficulties we have when bills are a little more convoluted than they need be and do not take into account existing legislation.

I was particularly interested in his comments with regard to exacerbating factors and how those can be used within a system for determining the penalties under the laws of Canada. We have some examples of that in our current laws and I am wondering if the member is suggesting that utilizing or relying on the existing legislation with regard to dangerous operation of a vehicle and simply having an exacerbating factor of, for example, street racing would be sufficient to properly address this issue.

Mr. Joe Comartin: Mr. Speaker, again, the government never bothers to look at the actual practice of what is going on. The existing laws have quite severe penalties depending on the consequences. If there is bodily injury or death, the penalties go all the way up to 14 years as it stands right now. In terms of whether the bill would do anything to add to that, it would not.

The other conduct that we want to see society carry forward on is what I think is the way to go. I am not sure I am fully answering his question but it seems to me that the role of the criminal law is already being met. What we really need in the administration of that law is to provide meaningful enforcement and have a public campaign.

We could be doing all sorts of other things. Why do we allow most of our vehicles to travel at rates of speed up to 180 kilometres an hour? We have the technology to slow down our vehicles. Why are we not doing that?

It is all part of that message. It is not all that we do but it is all part of that message of telling people that they cannot race because it is no longer acceptable.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, the member's speech this afternoon has been a very helpful intervention on this particular legislation.

It has not been my experience that the courts have been lenient on people who have been found to be engaging in street racing, especially where it causes bodily harm or death. I do not know of any judge who wants to let somebody off the hook for that kind of behaviour. I wonder if he might comment on that and on his suggestion that one of the things that might be of assistance in actually dealing with this problem are stricter sentencing guidelines. I know he mentioned that in tandem with enforcing the existing laws. I am wondering if he might expand on that aspect of his comments a little.

• (1335)

Mr. Joe Comartin: Mr. Speaker, what we hear, of course, are the exceptional cases where, on the surface, somebody looks at it and says that in no way is that severe enough, but those are the exceptional cases. In a large number of those cases, there are rational, solid reasons why the judge does that. Our judges are not perfect. They certainly make mistakes and there are times when penalties, by normal standards that most people would accept, are too light, but those are the exceptions, not the rule.

With regard to sentencing guidelines, I am not sure we can add much more if we stay with the existing regime because in order for convictions to occur for dangerous driving, driving that effects criminal negligence, all of the evidence of the conduct would already be before the court. They need to show that conduct to obtain the conviction, so the judge would already have heard all of that evidence.

We could then ask whether we should include in the sentencing guidelines that if someone is convicted of dangerous driving and the conduct is in the form of street racing, that should be grounds for consideration of additional penalties. It may be worthwhile but I do not think, on a practical level, it would make much difference.

Mr. Lui Temelkovski (Oak Ridges—Markham, Lib.): Mr. Speaker, the hon. member mentioned in the definition of street racing that it involves two vehicles. In my riding of Oak Ridges—Markham, there are discussions of street racing taking place with one vehicle, where young people are given a message on their telephones to meet at such and such a place, that there is a bagful of money or a reward and the first one who arrives there will get it. How does the member see that helping the judges?

Mr. Joe Comartin: Mr. Speaker, that is a very good question because it concerns another one of those scenarios on which the definition is so weak. That does occur. The use of the Internet to provoke street racing, so they all try to get to the same site first, is one of the methodologies.

Another type of street racing that goes on, what we would conventionally think of as street racing, is where an individual car is timed and then the next car comes down and they are timing each other.

The definition is extremely weak and does not address the real issues that often confront our police forces.

Government Orders

Hon. Carol Skelton (Minister of National Revenue and Minister of Western Economic Diversification, CPC): Mr. Speaker, I am very pleased to rise today in support of Bill C-19, An Act to amend the Criminal Code, street racing. I urge all hon. members to support this bill, a bill that undoubtedly conveys the importance this government places on ensuring that our communities and streets are safe.

Street racing is a serious crime. Its consequences are equally serious. Street racing is killing and seriously injuring innocent people and is placing all road users and citizens at risk. It has been pursued in communities across our country, in Toronto, Vancouver, Regina and Saskatoon, to name only a few. This government will not stand idly by and allow it to continue.

Indeed, the consequences of inaction on this issue are stark. Our streets will become racetracks and our communities will be at risk. This government is committed to ensuring that we have safe streets and this bill will contribute to that.

In talking about Bill C-19, I would be remiss if I failed to mention the important work of our late colleague and my friend, Chuck Cadman, work which was driven in large part out of a deeply held sense of justice. He believed that our lawmakers and our laws should work to ensure that our communities are safe and that those who would threaten our safety through criminal acts should be held accountable. With this purpose in mind, Chuck introduced Bill C-338 and then Bill C-230.

While Bill C-19 would deal with street racing differently than the amendments proposed by Chuck would have, our goal remains the same, namely, to ensure that our streets are safe. It is in this light that I am proud to be able to speak today on Bill C-19, for I believe that Bill C-19 is about ensuring that individuals who commit serious crimes should be punished in a manner that reflects that seriousness.

Bill C-19 is very much about public safety. Currently, there is no specific offence of street racing in the Criminal Code. Rather, persons who currently engage in street racing could be charged under existing offences such as dangerous driving or criminal negligence. Bill C-19 proposes to create a new offence of street racing. In my opinion, this is important, because it appropriately signals the disdain that we as Canadians feel toward this reckless and dangerous crime. It demonstrates that we will not tolerate this reckless disregard for the safety of others in our community.

Bill C-19 would define street racing to mean "operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place". The offence of street racing would operate by referencing already existing Criminal Code offences, namely, dangerous driving, dangerous driving causing bodily harm, dangerous driving causing death, criminal negligence causing bodily harm, and criminal negligence causing death.

What this means in practical terms is that in street racing situations when a person commits one of the offences I have just listed, the punishments available to them will be tailored to appropriately reflect the unique nature of the crime. The punishment will fit the crime.

There will be tougher penalties than those currently available under our criminal laws. This is consistent with our larger objective

of ensuring that the criminal justice system is tough on crime. We will no longer tolerate a justice system that is soft on criminals at the expense of public safety.

In addition, a person convicted of the street racing offence would be subject to a mandatory minimum driving prohibition. Those who choose to treat our city streets and roads as racetracks for their own pleasure, placing the lives of innocent citizens at risk, will have to face the consequences of such careless behaviour.

I would like to add a personal note. When I was a much younger woman, I used to drive a stock car. In fact, I actually did quite well. I think I was the only woman ever to pull a tire off on a quarter-mile dirt track, so members will know I was doing pretty well with our super D stockers. I also have a nephew who has a CASCAR and drives the race circuit in western Canada and the northern United States. Members will know, then, that our family loves speed.

● (1340)

However, I do think there is a place for speed. I think that if young people want to race they should be on a racetrack or a community stock car track of some kind, right across the country. The key to this point that I just mentioned is that I did it at a proper facility. This was as much for my own safety as it was for others'. I obviously have nothing against racing. I love it. I am addicted to the sport. I love the sport, but it must be done when and where it is safe for all involved.

Canadians do not want to see those who have been convicted of a serious street racing crime back behind the wheel of a motor vehicle. My son-in-law, the police officer, most definitely does not. These penalties send a clear, strong message, one that I support.

Currently, a person who is convicted of dangerous driving can face the maximum penalty on indictment of five years' imprisonment. Bill C-19 would retain this penalty in relation to street racing. It would, however, impose for the first offence a mandatory minimum driving prohibition of one year. In addition, the sentencing court would retain discretion to impose a driving prohibition of up to three years and the penalties would go up on each subsequent offence. For a second conviction of dangerous driving while street racing, the mandatory minimum driving prohibition would increase to two years. The court retains discretion to prohibit the operation of a motor vehicle for up to five years.

Beyond two convictions of dangerous driving while street racing, a sentencing court would be required to impose a mandatory three year driving prohibition but would have discretion to impose a maximum lifetime prohibition. This discretion ensures that the courts are able to deal with each instance appropriately and individually.

Operating a motor vehicle is a privilege, not a right. Those who would continue to abuse that privilege and place others at risk of serious harm or death should not be entitled to drive. For the more serious street racing offences, Bill C-19 proposes stringent penalties.

Government Orders

This government made a commitment to make our communities and streets safe and to ensure that the criminal law is strengthened so our laws accurately reflect the significant and lasting impact crime can have on our communities. This government is living up to its commitment. Those who are convicted of dangerous driving causing bodily harm or criminal negligence causing bodily harm in street racing situations will face stiff penalties.

Bill C-19 proposes to increase the maximum penalty available to those convicted of this type of behaviour from 10 to 14 years' imprisonment. Similarly, it would also impose mandatory minimum driving prohibitions for those who commit the most serious offences. For dangerous driving causing death or criminal negligence causing death in street racing situations, the maximum penalty will be life imprisonment. This is a significant increase from the penalty of 14 years currently available for this conduct in our criminal laws. Indeed, life imprisonment is the most stringent penalty our criminal law provides for. This reflects the severity of the crime, its negative impact on society and the seriousness for which our government views this.

This government believes that Canadians deserve safe streets. Bill C-19 is one of many important bills currently before Parliament which will ensure that our communities remain safe.

For example, as it is currently formulated, Bill C-9, An Act to amend the Criminal Code (conditional sentence of imprisonment), would prevent the use of conditional sentences in serious crimes. Serious criminals must be held accountable. These changes to the criminal justice system will ensure that.

The amendments proposed by Bill C-9 are pertinent to street racing as well. In those cases where street racing causes injury or death to another person, a conditional sentence or permitting the offender to serve his or her sentence in the community would not be permitted. This makes sense. A person who commits a serious crime, and let us make no mistake, causing death or injury to someone as a result of street racing is of the utmost seriousness, should not be able to serve his or her sentence in the community.

• (1345)

I should pause for a moment to note that Bill C-19 is not about criminalizing legitimate racing activities nor is it about criminalizing motor enthusiasts. What Bill C-19 is about is ensuring that dangerous and irresponsible street racing is recognized in the Criminal Code for what it is: a serious crime that will not be tolerated.

The Criminal Code amendments proposed in Bill C-19 to address street racing go beyond tougher penalties for this crime. Rather, they speak more fundamentally to the values we hold so dear in Canadian society and the values we wish to live by. Canadians can rightly stand with pride. Canadians live in and contribute to a society that is envied the world over. Our country is known to be safe, just and law-abiding.

Canadians want safe communities. They want to feel secure in knowing that when they leave their homes, whether it is to go for a walk, to drive to work or to celebrate important events with friends and family, they and their loved ones will be safe.

Canadians want laws that work to ensure safety. They should demand nothing less of their government. We, as their elected representatives, have no greater duty than that of ensuring that our laws reflect these values. We must respond to these demands in a measured and responsible way. We have an immense responsibility to ensure that our laws continue to ensure that our communities will be safe for our citizens.

Indeed, as the Minister of Justice has noted, "there is no task more important to any government than the protection of its citizens". I believe this is true, and our government takes this task very seriously. Bill C-19 will make our streets safer.

Of course we know that strong laws will not curb crime on their own. That is why our government continues to pursue a broad range of measures, legislative and otherwise, to ensure that our communities are safe. For example, we have pledged \$20 million over two years to focus on crime prevention activities, including strategies to reduce youth crime. This money will enable us to partner across Canada at the local level to work with at risk youth and thereby prevent crime before it happens.

While we do not have comprehensive statistics on street racing crime, including how often it is occurring and by whom, we do know that it is often caused by young persons. Our government's efforts to better respond to youth crime will also make a difference. Bill C-19 would indirectly enable us to keep better track of who commits these crimes and how often. The proposed provisions will provide a more systematic and comprehensive ability to track street racing offences.

Our government is also committed to strengthening the ability of law enforcement to respond to crime. Good laws are effective only if we have strong police forces across this country to enforce them. I wish to acknowledge the important work being done by law enforcement agencies across this country in combating crime in all forms.

For example, in the greater Toronto area, Project ERASE, which stands for "Eliminate Racing Activity on Streets Everywhere", works to reduce street racing through the collaboration of multiple police forces. These policing agencies work to reduce street racing through a combination of awareness and strategic enforcement. Bill C-19 would strengthen the ability of law enforcement to move more effectively and respond more quickly to street racing.

In addition, this government has committed to investing nearly \$200 million over the next two years to strengthen the capabilities of the RCMP, who are called upon day in and day out to perform many dangerous tasks with the goal of keeping our communities safe. This commitment to our officers will ensure they have the resources needed to perform their jobs.

Statements by Members

Strong laws are important, but we must not forget the important role that law enforcement plays in ensuring that they are effective. This government is making certain that law enforcement forces do have the necessary tools to do their jobs. It is a combination of targeted legislative amendments and broader measures to support crime prevention in our country that this government believes will lead to a safer and more secure Canada.

•(1350)

The government is committed to tackling crime by working with our partners at the provincial and territorial level as well. Bill C-19 will complement existing provincial and territorial laws that have been enacted by legislatures across the country to respond to street racing.

Measures used have included fines, vehicle impoundment and licence suspensions. Taken together, these measures provide our law enforcement officers across the country with an effective range of tools to curb this practice. Bill C-19 enhances these tools.

In short, street racing threatens lives and undermines public safety. Bill C-19 would clearly and strongly denounce this crime. It would provide increased accountability for those who engage in it and it would help preserve the kind of Canada that we all expect, one where people can feel safe walking down their streets.

I urge all members in the House to join with me and strongly support the quick passage of this law.

Hon. Sue Barnes (London West, Lib.): Mr. Speaker, last week in the House the government, when it dealt with a \$13 billion surplus, made some cuts at the same time. We all know about many of these cuts.

One of the areas that I would like to pursue with that minister of the Crown is the cut that was made to training for police forces and enforcement officers across the country with respect to drug operations and the operation of motor vehicles. I think this cut is very problematic. I think Mothers Against Drunk Driving and others would be very concerned about it.

On the one hand we hear these lovely speeches, which have the rhetoric of saying that this is all about public safety. Yet on my chart of the government's meanspirited cuts is dollars for training law enforcement around driving.

We have a situation where we have a government that believes it is worthwhile to cut literacy, the law commission and museums. I have a children's museum in my riding that takes a lot of children off the street and puts them into activities. Now the government is cutting funding for children's museums on an urgency basis. I do not understand it and I do not think Canadians understand these cuts.

It is all well and good to talk about safety issues with words. We know the government wants to message to Canadians that it is so concerned. At the end of the day the reality is, and we all know it in this chamber, the included offences will probably still remain the charged offences under this thing. It is important that we discuss this and other sections of the bill at committee.

I have already stated and shown, as have my other colleagues from all the parties in the House, that this is not to belittle the seriousness of the issue, and it is serious. However, the government

stands and talks about this and tries to capture itself as the only party that understands these issues. There are some anomalies here. I think Canadians now see that messaging and delivery are two different things. It is just like we heard in health. It is the same thing.

•(1355)

Hon. Carol Skelton: Mr. Speaker, I talk about my police officer son-in-law an awful lot. He is a front line police officer and he has nothing but good things to say about the new Conservative government.

Hon. Sue Barnes: It's your son-in-law.

Hon. Carol Skelton: It does not matter whether he is my son-in-law. He talks about it. He belongs to a union. I talk to the police chiefs in the cities. They have nothing but good things to say about what we are doing. We are dealing with the laws of our country. We are putting money into front line police officers where it should be instead of a whole bunch of so-called lovely programs. It is where it needs to be and it will make effective policing in the country.

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, the member opposite is quite correct. Canada is and remains one of the safest countries in the world. At the risk of sounding a little partisan, 13 years of Liberal government has had a lot to do with that record of safety and security.

Quite apart from the comments of the member's son-in-law, quite apart from conjecture and speculation, what data are her and her government relying upon to suggest that crime will be deterred if this bill is passed? What hard data, if any, is there?

Hon. Carol Skelton: Mr. Speaker, I have worked with my colleague extensively since his election to the House of Commons, and I have great respect for him.

Police officers I speak to are working on the streets and they want stronger laws. They the federal government to back them up with by laws that will give them the tools they need to do their jobs and make them effective. We hear about young people, who have 60, 70 or 80 convictions for stealing cars, being back out on the streets the next day. That is not a good story. Thirteen years of Liberal government has given us this.

The Speaker: When debate resumes on this matter, there will be about four and a half minutes left in the time allotted for questions and comments on the minister's speech.

STATEMENTS BY MEMBERS

•(1400)

[English]

BIRTHDAY WISHES

Mr. Rob Anders (Calgary West, CPC): Mr. Speaker, with Remembrance Day approaching, it is my honour to pay tribute to Mr. Vince Mathews, a veteran in my riding who just celebrated his 100th birthday.

Statements by Members

Vince was raised on a farm near Weyburn, Saskatchewan. He is one of nine children. Vince was herding cattle when he was just nine years old. He remembers his family's first car, a Ford, bought in 1914. Vince is a second world war veteran who fought in Italy and the Netherlands. After the war Vince returned to Canada and lived in Prince Albert, Saskatchewan.

He became an alderman in Regina and knew John Diefenbaker when they worked together to establish the University of Saskatchewan. Vince became a history teacher and told me his favourite philosopher was Thomas Aquinas.

Vince and his wife had three daughters. He swam in both the Pacific and the Atlantic oceans, and is involved with the Knights of Columbia.

Happy birthday, Vince, and in his own words, "When you are 100 you can eat as much bacon and chocolate as you want. It won't hurt you now".

* * *

RETIREMENT WISHES

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, all too often we tend to take for granted the services provided by hundreds of support staff of the House of Commons. They are translators, security guards, maintenance workers, chefs and many others, all of whom make the work of parliamentarians possible.

Today I would like to ask all members to join me in recognizing the retirement of Mr. Ray Gauthier of the House of Commons postal services. For almost 35 years Ray has faithfully provided services and advice to generations of parliamentarians and other staff. Popular with his colleagues, especially Hill staffers, Ray's co-workers always knew whom to go to for advice, earning him the nickname "the book of knowledge".

On behalf of the House of Commons, I would like to thank Mr. Gauthier for his outstanding services over the years and best wishes for a new life and well earned retirement.

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[Translation]

BREAST CANCER AWARENESS MONTH

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, every year, October is dedicated to awareness of breast cancer and the fight against this disease. Every October we are reminded how many people, almost all of them women, die of breast cancer. In 2006, it is estimated that Quebec will see 6,000 new cases of breast cancer and that 1,400 women in Quebec will die of the disease.

Breast cancer is the most frequently diagnosed type of cancer, but nothing can beat prevention. Women have access to prevention methods such as mammography, the best way to detect a cancer at the initial stage.

This past weekend, the 15th annual CIBC Run for the Cure, organized by the Canadian Breast Cancer Foundation, took place in Quebec City. Hundreds of people turned out to walk for a future without breast cancer.

I want to congratulate all the participants, whose efforts will enable the fight against breast cancer to continue.

* * *

[English]

GOVERNMENT PROGRAMS

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, the government has eliminated \$39 million in spending on the social economy. Canadians are asking why.

Social enterprises use business methods to achieve social and environmental goals. These triple bottom line enterprises provide Canadian communities with needed goods and services, from alternative energy to community tourism to affordable housing. They create jobs, include all Canadians and stabilize and humanize our towns and cities.

Evaluations of these programs, including the Community Futures Development Corporations, show that these groups mobilize volunteer time and private donations that match and often exceed the government support they receive. Furthermore, the jobs and training their employees receive expand tax revenues and reduce social transfers.

The government does not understand the implications of its ideological cuts. Canadians deeply believe that we can blend social, economic and environmental objectives and pursue these objectives through social enterprise.

In the interests of all Canadians, the President of Treasury Board should put back the money immediately.

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BREAST CANCER AWARENESS MONTH

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, I would like to inform the House and all Canadians that October is Breast Cancer Awareness Month. Breast cancer is a disease that touches us all. This year an estimated 21,600 Canadian women will be diagnosed with breast cancer and 5,300 women will lose their battle against this disease.

Our government is concerned about the physical, emotional and social impact this disease has on Canadians. This is why, in addition to our support of the Canadian breast cancer initiative, currently funded at \$4 million per year, Canada's new government is proud to have announced in budget 2006 \$52 million per year for the Canadian Strategy for Cancer Control. The CSCC has the united support of the entire Canadian cancer community consisting of hundreds of organizations, including the Canadian Breast Cancer network and the Canadian Breast Cancer Foundation.

Canada's new government is working to reduce the number of new cases of breast cancer, improve the quality of life of those affected by the disease and decrease the number of deaths it causes.

I encourage all Canadians to engage in the fight against cancer and recognize Breast Cancer Awareness Month.

Statements by Members

●(1405)

RESEARCH AND DEVELOPMENT

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, on September 21 at the Centre for International Governance Innovation, Ontario Premier Dalton McGuinty was named the global personality of the year for 2006 by the prestigious London based *Foreign Direct Investment* business magazine. This was the first time this award ceremony was held in the Americas and it was held in Waterloo.

The magazine chose Premier McGuinty, who is also the minister of research and innovation, because of Ontario's string of successes in attracting foreign investment in recent years and his initiatives for boosting research and innovation.

Liberals understand that R and D and innovation are crucial for Canada's economic future. Liberals believe in investing in our students. In contrast, the Conservatives and the Prime Minister have slashed funding for R and D and innovation, and student assistance.

When are the Conservatives going to get their heads out of the oil barrel and invest in Canada's most important natural resource, our young people and the brainpower of all Canadians?

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DEMOCRATIC REPUBLIC OF THE CONGO

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, Canada is committed to supporting peace, security and development in the Democratic Republic of the Congo.

Some 500 deputies were elected on July 30 during the first democratic elections held in 40 years. Canada has contributed \$12 million to the organization of these elections. Since 1998 Canada has contributed more than \$193 million in development assistance to the Democratic Republic of the Congo.

Canada announced in March 2006 support for the joint initiative on sexual violence in the Congo. This project supports the efforts of UN organizations, the Congolese government, and the Congolese civil society to address sexual violence against women in eastern Congo.

This August I visited the Congo in Canada's capacity as the vice-chair of the Great Lakes Region of Africa peace initiative. We will continue our support for this very important conference that will bring, we hope, a new era of peace in the entire region.

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[Translation]

ANDRÉ VIGER

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Mr. Speaker, André Viger, an outstanding wheelchair athlete, has died at the age of 54.

The victim of a car accident in June 1973 that left him a paraplegic, he began a long fight to resume an active life. He chose to become involved in wheelchair racing and raised the sport's profile, paving the way for the athletes who followed.

His courage was recognized on numerous occasions. In 1985 he was named athlete of the year at the Sports Québec gala, in 1987 he was made a chevalier of the Ordre national du Québec, in 1989 he was made an officer of the Order of Canada and in 1993 he was inducted into the Terry Fox Hall of Fame. His determination also led him to win several paralympic medals, including three in Los Angeles in 1984, one in Seoul in 1988 and one in Barcelona in 1992.

The Bloc Québécois pays tribute to this great athlete, who pioneered the development of wheelchair racing.

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[English]

GOVERNMENT PROGRAMS

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, last week the Minister of Finance and the President of the Treasury Board announced a budget surplus of over \$13 billion. This money was paid down against our national debt, one of the largest repayments in Canada's history. That saves taxpayers \$650 million every year in interest costs.

Our government also identified over \$1 billion in annual savings after conducting an extensive expenditure review.

Taxpayers expect that their government will respect their hard-earned dollars. For 13 long years the previous Liberal government spent taxpayers' money willy-nilly as if it belonged to it personally. Last week the Liberal member for Wascana even had the audacity to suggest in this House that he wanted the money back.

The Liberals still do not get it. It is not their money. It belongs to all Canadians. Canada's new Conservative government does care about taxpayers and that benefits all Canadians.

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MENTAL ILLNESS

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, October 1 to 7 is Mental Illness Awareness Week. This week we are reminded that about 20% of Canadians will experience a mental illness at some point in their lifetimes.

Prior to the last election, the then Liberal minister of health announced that the Government of Canada would establish a Canadian mental health commission. Since the Conservatives were elected in January, the mental health agenda has lost all momentum in the government.

During the election the Conservatives claimed that if elected, they would "develop a new national disease strategy for mental illness in cooperation with the provinces". The recommendations of the Senate report, "Out of the Shadow at Last", focusing on mental illness in Canada, have received inadequate attention from the government.

I call upon the current health minister to act on the advice of the Senate's report and his parliamentary secretary to finally establish a commission on mental health in Canada.

Statements by Members

● (1410)

[Translation]

DE LA CONCORDE OVERPASS

Mr. Luc Harvey (Louis-Hébert, CPC): Mr. Speaker, a little over 48 hours ago, the collapse of the Boulevard de la Concorde overpass and the many victims involved shocked us all. There is considerable consternation in Laval, in the north end of Montreal.

On behalf of this assembly, I would like to offer our condolences to the families who lost loved ones as a result of this accident. We wish a speedy recovery for those still in hospital in Montreal. I am certain that the Quebec provincial authorities will take every action and every precaution to ensure that such a catastrophe never happens again.

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DE LA CONCORDE OVERPASS

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, Saturday afternoon in Laval, the lives of Sylvie Beudet, Jean-Pierre Hamel, Gilles Hamel, Véronique Binette and Mathieu Goyette were tragically cut short when the de la Concorde overpass collapsed.

My NDP colleagues and I want to express our sincere condolences to the victims' loved ones. Our thoughts are with you, and with the injured parties and their loved ones. Everyday routines have been overtaken by disbelief, numerous questions and tremendous sadness.

We can only hope that the public inquiry will answer the many questions and will ensure that such an accident never happens again.

We must all work together to prevent such accidents. Everyone here, as a member of this House of Commons, has a role to play.

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[English]

MUSEUMS ASSISTANCE PROGRAM

Hon. Robert Thibault (West Nova, Lib.): Mr. Speaker, on September 25 the Conservative government announced \$1 billion in cuts to social programs on the same day that it announced a \$13.5 billion surplus. This move targeted those most in need and sparked outrage across the country.

Included in the announcement was a \$4.2 million cut to the museums assistance program. This move runs contrary to the Conservative election promise for new investments in the museums sector.

This comes as a blow to small regional museums and organizations that struggle to preserve and promote our cultural heritage with limited financial means.

My riding boasts a vibrant Acadian, Mi'kmaq, Planter and Loyalist heritage, as well as others, and is home to the oldest settlement in the country. The good people of West Nova know what it means to be efficient.

Efficiency does not mean that we cut out valuable programs that help our communities preserve and celebrate their heritage.

Efficiency does not mean that we cut the legs from under our tourism industry.

* * *

[Translation]

DE LA CONCORDE OVERPASS

Mr. Robert Carrier (Alfred-Pellan, BQ): Mr. Speaker, we were horrified to hear about the collapse of the de la Concorde overpass in Laval, in my riding, on Saturday. This tragic event resulted in five deaths and injuries to six other people. I would however like to praise the rescue workers, ambulance attendants, police and firefighters who responded to the emergency calls for their dedication and professionalism. Recognition must also go to the members of the public who came to the aid of the victims in the moments following the tragedy, and to the medical teams who were able to prevent further loss of life, for their dedication.

This tragic event reminds us of how community and compassion affect our lives at the most unexpected moments.

The Bloc Québécois offers its condolences to the grieving families and to their friends and relations. We also wish those who were injured a prompt recovery.

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DE LA CONCORDE OVERPASS

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, it was with great sadness that we heard the news of the tragedy that took place in Laval on Saturday when the de la Concorde overpass collapsed.

We would like to offer our condolences to the families of the five people who died. Our thoughts are with you.

We also wish the six people who were injured the speediest possible recovery. Our thoughts are with you and with your families.

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● (1415)

THE ENVIRONMENT

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, not only is the Liberal's track record on the environment a source of annoyance for Canadians, but it also a cause of considerable concern for the Commissioner of the Environment. "The federal government has done too little and acted too slowly on Canada's commitments to address the challenge of climate change," she said. "It is increasingly clear that Canada will not meet its international commitments to reduce greenhouse gas emissions."

The fact is that since 1997 we have been told that more than \$6.3 billion was going to be spent to combat climate change. What is the result? The result is that greenhouse gas emissions have risen, not by 10 per cent, not by 20 per cent or 30 per cent, but by 35 per cent.

Where is the taxpayers' \$6.3 billion? Has it gone up in smoke?

Oral Questions

Talk is cheap. The Liberals talk a good game, but facts are facts: as usual, the Liberals are failing miserably when it comes to the environment. Enough of the bloated rhetoric and more action. The new Conservative government keeps its word, and is preparing a green plan that will deliver concrete results on the environment for all Canadians. That is the difference.

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LAKE SAINT-PIERRE

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, since 2004, as member for the riding of Berthier—Maskinongé, I have spoken several times in this House on the matter of shells in Lake Saint-Pierre, which has been recognized as a world biosphere reserve by UNESCO.

Last June, I tabled a petition with over 4,800 signatures asking the government to remove some 300,000 shells—8,000 of them unexploded—abandoned by the Department of National Defence at the bottom of Lake Saint-Pierre.

On September 25, we learned that the Department of National Defence had reached an agreement with a specialized company to carry out a study on removing these shells. We should not get too excited because the federal government has held out these studies on several occasions, and then not taken action.

Let us hope that this will be the last study. It is time to take concrete action to remove the shells once and for all.

ORAL QUESTIONS*[Translation]***CANADIAN CHARTER OF RIGHTS AND FREEDOMS**

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, for the first time, Canadians have reason to worry about the future of their Charter of Rights and Freedoms. The government has eliminated the court challenges program, which protected the rights and freedoms of the least fortunate and also protected our francophone schools and hospitals. By acting in this manner, this government has clearly illustrated its base intention to gut our Charter.

Why is this Prime Minister attacking the Canadian Charter of Rights and Freedoms in this insensitive and senseless manner?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, quite the contrary. I am proud of the fact that, despite the budget cuts, we have preserved, in the budget, all the necessary funding for official languages. I can assure the Leader of the Opposition that we intend always to respect our constitutional and legal obligations.

[English]

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, preserving our official languages is one thing but normal citizens do not have the resources behind them that organized lobby groups have when they go to court.

In 2004, the Supreme Court of Canada made an important decision about our Canadian Charter of Rights and Freedoms. The

case in which the National Citizens' Coalition, headed by the present Prime Minister, sought to advance the interests of the powerful. The court challenges program allowed other Canadians to have their say and defeat those interests.

Is the destruction of the court challenges program today payback time for losing that famous case, *Harper v. Canada*?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I fail to see the connection that the hon. member has drawn.

What I can tell the member is that this government does not need to pay Liberal lawyers to sue the government when we do not respect the law. We intend to respect our legal and constitutional obligations.

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JUDICIAL APPOINTMENTS

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, as we are talking about paying in court, at the very time the government is acting so firmly against the charter, it is appointing Conservative Party activists to be judges in Alberta, Quebec and New Brunswick.

While the Conservatives destroy the rights of individual Canadians before the courts, they are naming their partisan supporters to high judicial office.

This may be payback time for Conservative operatives but what does it mean for the integrity of our justice system?

● (1420)

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I know, for example, that Mr. Justice McDonald was first appointed to the bench by another government. He distinguished himself on the provincial court and the government appointed him to the Queen's Bench on the basis of his demonstrable legal abilities.

If the member goes through the entire list he will actually find some Liberals on the list who have been appointed.

[Translation]

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, the minority government is trying to muzzle minorities by announcing cuts to the court challenges program. It is also trying to muzzle one of the independent voices of the legal system by eliminating funding for the Law Commission of Canada. All that and the government is appointing Conservatives to the judiciary to boot. Canadians have reason to be worried.

Does the Prime Minister realize that he is in the process of changing our judicial system for strictly ideological and partisan reasons?

[English]

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, if we look at the list of individuals who were appointed, those individuals were all on lists compiled by that government and its advisers.

To suggest somehow that these individuals came from some list is simply misleading the House and misleading the Canadian people. These individuals were appointed on the basis of merit and that is what we intend to do in the future.

[Translation]

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, recent judicial appointments show how important it is to know someone in the minority government.

A former Conservative Party president and the spouse of another organizer were recently appointed to the Superior Court of Québec.

Could the Prime Minister tell us whether from now on you have to be Conservative to be appointed to the judiciary?

[English]

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I find it interesting that the member would disparage members of the judiciary in this fashion. The fact is that those individuals came from a list compiled by the past Liberal government. I understand that one of the individuals who was appointed by this government to the bench was a president of the Laurier Club.

* * *

[Translation]

EMPLOYMENT INSURANCE

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the transitional boundary measures for the regions on the employment insurance map will be ending on October 7, 2006. The purpose of the transitional measures was to mitigate the effects of the last redrawing of the map, which has had a serious impact on seasonal workers in a number of regions of Quebec.

Given that the existing employment insurance scheme does not respond well to the needs of workers in the regions, will the Prime Minister undertake at least to extend the transitional measures until the map is redrawn more equitably?

[English]

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we recognize that there are certain inequities between various regions. We are waiting to make informed decisions based on the new Statistics Canada data that is coming out.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I would point out that the agreement ends on October 7.

The Standing Committee of the House of Commons on Human Resources, Social Development and the Status of Persons with Disabilities has submitted its report, recommending, among other things, that the employment insurance scheme be improved. The government has flatly refused to act on those recommendations. How can the Prime Minister explain the fact that even though he has a \$13 billion surplus he is still refusing to improve the employment insurance scheme, as workers and employees have been calling for for years? Is this another decision based on purely ideological principles?

Oral Questions

[English]

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we are looking at all of our programs. We want to ensure the employment insurance program responds to the needs of all Canadians. We have just launched our pilot project on the five weeks and we have extended the definition of eligibility for EI compassionate care.

We will be meeting the deadlines that are necessary to ensure that all Canadians receive the benefits they need and deserve under EI.

● (1425)

[Translation]

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, last week, when the budget surplus was paid toward the debt, \$2 billion came from the surplus in the employment insurance fund.

Since this has now been the case for several years, will the government admit that by using the \$2 billion in surplus employment insurance money it is making the jobless pay a sizeable portion of the debt out of the benefit cuts that thousands of them are being forced to endure?

[English]

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, a new mechanism has been put in place to minimize any surplus or loss in the EI account. We want to ensure we do everything possible to match EI revenues with EI expenditures.

Last year we had a better year than expected in our economy, so the EI claims were lower than usual, which is a good thing.

This new mechanism has only had one opportunity to be put into use. We look forward to it being reviewed again in order to best match revenues with incomes responsibly for Canadians.

[Translation]

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the problem is not that the surpluses are being reduced, it is how they are being used. In the last 12 years, over \$50 billion dollars have been diverted from the employment insurance fund.

Regions where the economy is less robust, where seasonal work is widespread, are the regions that are hardest hit by the employment insurance cuts.

How can the Government of Canada defend this kind of ideological choice when it means making the poorest people, the people who are losing their jobs and are no longer able to qualify for benefits, pay a sizeable portion of the debt?

[English]

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, if we minimize the surplus in the EI account that means more money is available for all Canadians, fewer Canadians will need to pay taxes and it means lowering EI premiums, for example, for employers and the employees who need it so much. It also means more money in the economy, which is better for everyone.

*Oral Questions***MAHER ARAR**

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, it has been one full week since the public inquiry confirmed the injustices experienced by Maher Arar and his family. At the time, the member for Malpeque, then solicitor general, stood in this House time and time again and claimed that the RCMP had done no wrong. It was his responsibility to stop the illegal leaks and to speak out publicly.

Why is the government dragging its feet? Why is no one assuming ministerial responsibility for this tragic case?

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, nothing could be further from the truth. This government has done things already and it continues to do things. This government has instructed counsel to contact Mr. Arar's lawyer to begin negotiations and that contact has been made.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, it is unbelievable that the government continues to shame itself by refusing to apologize to Maher Arar and, even sadder, no one has been held accountable.

The accountability bill has provisions for a public prosecutor. Will the government commit today that the first investigation by the public prosecutor will be into possible breaches of the Security of Information Act by ministers of the former Liberal government?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, we do support independent prosecution when violations happen in federal law, which is why it is so important that we pass the federal accountability act.

In this battle to reward accountability, we have received a good amount of support from the New Democratic Party. What we need is support from the Liberal Senate to finally pass the federal accountability bill and finally let the corrupt practices of the previous Liberal regime be a part of Canadian history.

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JUDICIAL APPOINTMENTS

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, two weeks ago, the Minister of Justice appointed Bruce McDonald, a well-known Conservative fundraiser and organizer, as a federal judge. Now we learn that for 12 straight years he personally donated over \$11,000 to the Reform-Alliance-Conservative Party.

The Minister of Justice has stated that he would never support judicial appointments where "who you know gets you on the bench".

By making one of his party's top bagmen a federal judge, will the minister now admit that he has badly broken his promise?

• (1430)

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, Mr. Justice McDonald was already a member of the bench. He was appointed to the bench by another government. Justice McDonald distinguished himself on the bench and it was on that basis that he was chosen. He was chosen from a list compiled by the former government.

Mr. David McGuinty (Ottawa South, Lib.): Let me get this straight, Mr. Speaker.

Some hon. members: Oh, oh!

The Speaker: Order, please. I am sure the hon. member for Ottawa South appreciates all the assistance with his supplementary question but we must be able to hear it. The hon. member for Ottawa South now has the floor.

Mr. David McGuinty: Let me get this straight, Mr. Speaker. Now he blames Mr. Klein for the appointments.

The Minister of Justice has appointed Bruce McDonald as a federal judge knowing full well that he was a top fundraiser for the Minister of Public Safety, a top fundraiser for the Minister of Health and a top fundraiser for the Prime Minister .

Given that one of his key jobs is to uphold the ethical principles for judges and that Mr. McDonald raised funds for the Conservative Party up until 2004, will the justice minister now admit that his promise to end judicial patronage is nothing but Conservative hypocrisy?

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the individual was chosen from the list by the judicial advisory committee that was put together by that former government. He made the list. In fact, that individual was appointed to the bench by a former government. I have not heard a lawyer complain about that appointment. All I have heard are accolades for that appointment, except from the member.

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[Translation]

GOVERNMENT PROGRAMS

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, those who know the Liberal Party know that it has never spared any effort to promote linguistic duality. And if Ottawa's francophone community has its own hospital today, it is naturally because of the community's own efforts, but also thanks to the court challenges program that the Conservative government has axed for the second time. In fact, the current federal cabinet includes several ministers who were part of the Harris government that tried to close the Montfort Hospital.

Is that why they are so small-minded and so intent on targeting minorities?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, I could tell my dear colleague from Ottawa—Vanier that the political decision not to appeal to the Supreme Court of Ontario was made when the current Minister of Health and I, in my capacity as minister responsible for francophone affairs, decided in cabinet not to file an appeal.

I was naturally very pleased to call Gisèle Lalonde and tell her that the government, the cabinet, had decided that the Montfort Hospital would remain open, in light of its importance.

*Oral Questions**[English]*

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, they wanted to close it. Because of the program, we managed to save it. The Montfort is just one example of the usefulness of the court challenges program. There are others throughout the country.

Francophones outside of Quebec have learned from their experience that the judicial challenge process is necessary to and useful in having their rights respected. I know that the anglophone minority in Quebec shares that opinion.

Why is the government telling both francophone and anglophone minority communities that their government will not assist them in upholding their constitutional rights?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, what we are saying is that Canada's government has a responsibility to uphold the Constitution and our Charter of Rights and Freedoms, and we do not have to give grants to Liberal lawyers to get this government to do the right thing.

Let us look at what my good friend, the member for Etobicoke—Lakeshore, said. He said, "I certainly feel overtaxed...that means a very...rigorous program review...I would look for program review within the government to pull as much savings as we can out".

That is from the upcoming new leader of the Liberal Party, the member for Etobicoke—Lakeshore.

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*[Translation]***THE ENVIRONMENT**

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, last week the Commissioner of the Environment and Sustainable Development confirmed that the Kyoto protocol objectives could only be met using the territorial approach and not the sectoral approach.

Now that there is no longer any doubt that the sectoral approach is ineffective, will the federal government take a step in the right direction by adopting a territorial approach whereby Quebec and the provinces will reduce greenhouse gas emissions by 6% from 1990 levels?

• (1435)

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, I will once again reassure my colleague by stating that our plan does much more than the Kyoto protocol. Our government's priority is the health of all Quebecers and of all Canadians. Our plan also tackles air pollution and climate change.

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I am quite anxious to see in this House this future plan that will respect the Kyoto protocol. NGOs working internationally maintain that, when striving to achieve the Kyoto protocol objectives, domestic efforts cannot be disassociated from external efforts. Consequently, the NGOs are asking Canada to help developing countries reduce their greenhouse gas emissions.

Will this recommendation be reflected in the Minister of the Environment's green plan that she has been promising for several months?

[English]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, what I can assure the member of is that this government will not purchase foreign credits like the last government did.

In yet another example of Liberal priorities, the former Liberal government gave \$5 million to the Asian Development Bank to pay to the People's Republic of China to buy foreign credits. Then there was the \$4 million I gave an example of last week, in Kazakhstan. This week, there is \$5 million to the People's Republic of China. All to buy foreign credits.

That money could have gone to buy sewage treatment plants in Canada. It could have gone to pay for anti-pollution technology. That money should be invested at home.

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*[Translation]***SOFTWOOD LUMBER**

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the government just announced that the implementation of the softwood lumber agreement was delayed by one month. Under that agreement, substantial sums are to be handed over to Quebec businesses in difficulty.

Can the government guarantee us that this deferral will in no way delay the payment of the \$4 billion owing to those businesses?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, I am pleased to respond to this question in the House because, under the Prime Minister's leadership, we worked for several months on a softwood lumber agreement that would address all of the concerns of the forestry industry. An agreement has been reached and we are aware that it must be implemented as soon as possible. We are working towards that goal.

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, even with that agreement, forestry companies are facing an unprecedented crisis and need emergency assistance, as recognized by the Quebec government and the entire industry.

The Bloc Québécois proposed a specific, thorough plan with numbers, which the federal government should use to intervene effectively with the forestry companies.

Why—is it pure dogmatism?—does the federal government refuse to act on the Bloc Québécois' suggestions, when all it is doing is abandoning the industry and its workers?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, we negotiated an agreement with the Americans that is in the best interests of the Canadian industry. What is disappointing about the Bloc Québécois is that Quebecers know that the Bloc Québécois remains on the sidelines and could never have negotiated an agreement such as this one. More than 90% of the industry supports this agreement.

The Bloc Québécois cannot meet the needs of Quebecers, which is why we acted by signing this agreement in the interest of forestry workers.

Oral Questions

[English]

GOVERNMENT APPOINTMENTS

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Mr. Speaker, the human resources minister appointed former Conservative strategist Kevin Gaudet to the CPP review board. Mr. Gaudet was later forced to resign because of this blatant conflict, but that is not all. The minister's appointments include the former campaign manager for the member for Winnipeg South, a former Conservative member of Parliament and a provincial Conservative candidate.

Why does the minister insist on appointing her Conservative cronies?

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, it would appear from the questions coming from the opposite side that those members seem to think the only capable person is a Liberal. We know better. We know that Conservatives in fact can be even more competent. We are hiring and choosing our people on the basis of competence and merit, regardless of their political stripes.

• (1440)

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Mr. Speaker, that is embarrassing.

The justice minister recently appointed defeated Canadian Alliance candidate Kerry-Lynne Findlay to join Canada's human rights tribunal, a body that adjudicates human rights cases. It is an interesting choice given that Findlay, running third for the 2005 Conservative nomination in Richmond, B.C., threw her support behind Focus on the Family President Darrel Reid, who railed against "the court-led coup" that legalized same sex marriage and even wants to use the notwithstanding clause to overrule the courts.

When will the minister admit that he has been caught making an ill-advised appointment and take away this human rights appointment at Canada's human rights tribunal?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, we look forward to the federal accountability act being passed by the Liberal Senate, because, let me tell members, human rights are tremendously important to Canadians. Canadians have heard some very disturbing claims from a front bench member of the Liberal Party who is charging that in the Liberal Party he has faced bigotry and discrimination.

I ask the Liberal Party, has anyone been called in to investigate these disgraceful charges made by a member of that party's own front bench?

[Translation]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, was it that hard to find a Conservative to fill the job with the Canadian Human Rights Tribunal? The Prime Minister said to himself, "Why not appoint the extreme right-wing Alliance-Reform candidate, Kerry-Lynne Findlay?"

We all know that the Prime Minister thinks the Canadian Human Rights Tribunal interferes with our basic freedoms. So why did he appoint Ms. Findlay, when she thinks exactly the same way he does?

[English]

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, on this side of the House we believe that appointments should be based on merit. We believe there should be greater scrutiny of appointments. That is why the very first piece of legislation we brought forward in the House was the federal accountability act, a federal accountability act that was passed in 71 days.

We are coming upon the 100th day that the Liberal Senate has had the federal accountability act. Maybe that member, instead of spreading hot air in this chamber, could go down the hall and get her Liberal colleagues, her Liberal friends, to do the right thing, help us clean up corruption and bring real accountability to the statute books of this nation.

[Translation]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, Canadians are not blind. Appointments to the Canada Pension Plan Review Tribunal were based on political allegiances.

The minister rewarded friends of Conservatives, their legal partners and financial backers of Conservative Party leadership candidates for their work. Why does the minister think this important tribunal is just another way to reward her political cronies?

[English]

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, this is sounding more and more like the same old same old, from when those people were on this side of the House. In those days, they sat on the committees. Now they are trying to say that only Liberals are capable of sitting and getting these appointments. They are still trying to stack it. We will not have that. We appoint people from all sides of the political spectrum.

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[Translation]

INTERNATIONAL COOPERATION

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, the Minister of International Cooperation and Minister for la Francophonie and Official Languages was in Bucharest last week for the 11th summit of la Francophonie. The minister announced a memorandum of understanding between Canada and France.

Can she provide any details about this MOU?

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, I would like to thank my colleague for his excellent question.

Last week, I signed a memorandum of understanding with France on cooperation for development, which is a first for our two countries. The agreement will enable France and Canada to work on joint initiatives in Haiti and Africa, where our two countries are particularly active and involved. We will collaborate in areas of education, governance, the environment, and gender equality. This MOU will help strengthen the effectiveness of our aid.

Oral Questions

•(1445)
[English]

THE ENVIRONMENT

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, the environment commissioner has documented the massive failure of the former Liberal government on climate change: \$6 billion in climate change programs with no effective government-wide system to track expenditures, no performance standards and no results.

My question is for the President of the Treasury Board. What effort is the government making to track the missing money? When is the government going to get Canadians' hard-earned money back and put it where it belongs, in cleaning and greening this environment?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, I want to be very clear for the member for Ottawa Centre. I am not prepared to stand in my place and defend the mismanagement, financial or otherwise, of the previous Liberal government.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I might agree. The Liberal climate change scandal makes the Liberal sponsorship scandal look like stolen lunch money.

The government has no reason for not having a comprehensive, open and accountable plan to get taxpayers' money back. Will the President of the Treasury Board bring in the Auditor General to find out where the climate change money went? Or does this government believe, like the last government, that fighting climate change is a writeoff?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, I want to say very directly for the member for Ottawa Centre, what a good idea, and as the member of the New Democratic Party knows, one of the most important parts of the federal accountability act is the new power that the government wants to give the Auditor General to follow the money.

I can say that those of us on this side of the House will leave no stone unturned to ensure that every dollar fraudulently spent will be returned to hard-working, middle class families who deserve a break, something they never got from the Liberal Party opposite.

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GOVERNMENT APPOINTMENTS

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, the new vice-president of ACOA in New Brunswick is a former chief of staff to Elmer MacKay and communications chief to Bernard Lord. What a coincidence.

How can the minister explain to Canadians that Canada's minority Conservative government is appointing a friend to a senior position at ACOA?

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, I cannot account for the member's lack of friends in this world, but what I can say is that this individual who was appointed, Hermel Vienneau, spent virtually his entire life serving the people of New Brunswick, first in the federal government. Then he went back to serve the province of New Brunswick as a very competent, bilingual public servant who has done incredible work throughout

his career and is now continuing to do so in his new capacity with the Atlantic Canada Opportunities Agency.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, first we had the minister's silly cheap shots threatening to punish the ridings of MPs who dare to ask him questions in this House. Now his old friends are the only people who qualify to run ACOA.

When will the Prime Minister appoint a full time minister for ACOA who will not treat a crown agency as his personal fiefdom?

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, what I can tell you is the Atlantic Canada Opportunities Agency is doing great work for the people of Atlantic Canada. It continues to be a delivery service for many other federal government departments, particularly in the province of New Brunswick. We have seen the efficiency that has been brought about by the head office in Moncton.

The reality is that the member is a member of a party who has a leadership contender who wanted to get rid of ACOA entirely, take it out as a federal delivery agency for the people of Atlantic Canada. He should apologize in his place.

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ABORIGINAL AFFAIRS

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, soon after taking office the government appointed Conservative Harvie Andre as the land claims negotiator for the Northwest Territories. Was it because of his deep ties to the north or his extensive land claims experience? No, because he has none. This sole source \$300,000 contract was given because Mr. Andre is a former Conservative cabinet minister.

I ask the Minister of Indian Affairs and Northern Development, who will be the next Conservative at the trough?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I certainly understand the importance of negotiations involving Canada's first nations. We have many constitutional issues, devolution issues under discussion.

I would, however, counsel the hon. member opposite to approach this matter with some caution because when I became minister, one of the first things I did was to terminate the contract of a Liberal, the former premier of Ontario, Mr. Peterson, who was responsible for this file and I appointed Mr. Harvie Andre to deal with it in a responsible way at a fraction of the cost.

Some hon. members: Oh, oh!

Oral Questions

●(1450)

The Speaker: I am sure the minister again appreciates the help with his answer, but we have to be able to hear the answer when the minister is asked a question. Now there is going to be a supplementary. Pity the member for Churchill who cannot hear the answer.

The member for Churchill has the floor. We will have some order.

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, apparently what the Conservatives meant in the last election was that they would stand up for Canadians who hold Conservative Party memberships. Harvie Andre is just another example of Conservative patronage.

Could the minister explain why he chose a negotiator with no land claims experience to represent the federal government in negotiations with the Northwest Territories?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I am incredulous at this actually.

The important thing about Mr. Andre is that he is a respected Canadian, a former privy councillor, a university professor, a Ph.D., someone with experience in the north. The real thing that happened when I became the minister, if I might be allowed to finish—

Some hon. members: Oh, oh!

The Speaker: We will have some order so the minister can give his answer.

Order, please. The minister has the floor.

Hon. Jim Prentice: Mr. Speaker, I can confirm in response to the question that I did dismiss Mr. David Peterson, the former Liberal premier of Ontario. I did so because his fees were excessive and his outcomes were non-performing.

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[Translation]

INTERNATIONAL COOPERATION

Ms. Caroline St-Hilaire (Longueuil—Pierre-Boucher, BQ): Mr. Speaker, the Government of Canada's decision to suspend direct aid to the Palestinian Authority worsens the humanitarian crisis and is a hard blow to the medical and education systems. Due to a lack of funds, the Augusta Victoria hospital in Jerusalem, funded primarily by the Palestinian Authority, can no longer continue to function.

Will the Minister of International Cooperation undertake to find another solution so that these funds are channelled directly to the Augusta Victoria hospital?

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, I can assure the Bloc Québécois member that CIDA makes every effort to assist the most needy. As requested by the member, I will look into this matter and provide an answer at a later date.

Ms. Caroline St-Hilaire (Longueuil—Pierre-Boucher, BQ): Mr. Speaker, clearly this government moves much more quickly to cut life-saving supplies than to save lives.

Does the Minister of International Cooperation intend to follow the example of the European Union, the United States, the UN and Russia and put in place a temporary international mechanism for delivering aid to Palestinian civilians?

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, as the member is well aware, CIDA always delivers aid through multilateral organizations and according to pre-established rules.

* * *

GOVERNMENT PROGRAMS

Hon. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, last Friday we asked the President of the Treasury Board about his statement that his government did not wish to allocate funds to adult literacy. He answered by saying, and I quote, “—it is not too much to ask that when people graduate from high school that they be literate”.

My question for the President of the Treasury Board is this: Are we just going to abandon the 22% of Canadians who do not complete their secondary education?

[English]

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, what I did say in response to questions from members opposite was that the quotes attributed to me were in fact not the case. We believe, those of us on this side—

An hon. member: You said it in the House. You said it right here.

Hon. John Baird: What I said was that the comments that he said on Friday were attributed to me were in fact not.

I say to the member for Wascana to just relax. Maybe members opposite could get the member for Wascana on the question period list for tomorrow.

What I do say is that we believe we have to work more effectively in the areas of provincial jurisdiction. We have to ensure that there is no duplication and ensure that we deliver good results and good value for the money of the taxpayers of Canada.

* * *

●(1455)

STREET RACING

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, street racing is a very serious problem in our communities, often ending with fatal consequences. Combating street racing requires action at all levels of government. Most provinces impose fines, licence suspensions and vehicle impoundment.

Would the Minister of Justice tell us what steps Canada's new government is taking to protect our roads, highways and communities from this serious criminal activity?

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the Conservative government is getting things done for families and taxpayers by sending a strong message that street racing on Canada's roads and highways will not be tolerated.

Bill C-19 creates a separate offence in the Criminal Code to specifically denounce this type of crime. This proposed amendment increases punishments with regard to minimum driving prohibition and increases periods of imprisonment in street racing situations.

* * *

AFGHANISTAN

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, Canadians recognize that this government is too close to George Bush, especially when it comes to foreign policy. Incredibly, the U.S. Congress is passing a law that will give the President the power to interpret the meaning and application of the Geneva conventions.

Documents show that this government is fully aware of the fact that prisoners we hand over to the Afghans can be given to U.S. authorities.

What assurances is this government seeking that prisoners handed over to Afghan authorities are not sent on to Guantanamo Bay or to secret U.S. prisons?

Mr. Russ Hiebert (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, we signed a bilateral agreement with the government of Afghanistan. We have been assured by them that any time a prisoner is detained that they will be held under the Geneva conventions to the highest standards. As well, the International Red Cross will be monitoring these detainees and will keep track of them at every possible opportunity.

I urge the member from the NDP to provide some support for our troops in Afghanistan. That party is the one that is calling for our troops to cut and run.

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, the previous Liberal administration took the U.S. on its word and look what happened to Maher Arar. The Canadian government has not asked to follow up on one single detainee.

Canadians want assurances that our soldiers' values and international law are not compromised if Afghani authorities hand over prisoners captured by Canadians to the U.S.

In light of what happened to Mr. Arar, does the government really trust the U.S. administration to tell the truth about where it holds Canadian captured insurgents?

Mr. Russ Hiebert (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, as I outlined in my earlier answer, we have an agreement with the government of Afghanistan. When detainees are captured they are passed on to this particular government.

We have been assured by the President of Afghanistan that all necessary treatment and standards are kept so that these detainees are not injured or harmed and that they are kept out of harm's way.

* * *

LITERACY

Ms. Bonnie Brown (Oakville, Lib.): Mr. Speaker, last week the President of the Treasury Board justified his meandering cuts to literacy by blaming those with literacy problems. By referring only to high school graduates, he showed his ignorance of the fact that

Oral Questions

one in seven Canadians is functionally illiterate and that it is a national problem.

Has the minister noticed that even Conservative premiers are protesting his cuts? Why is he abandoning the vulnerable Canadians who need literacy programs the most?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, I think in the 35 second answer I gave on Friday, what I did say was that governments across Canada spend some \$45 billion a year on education and training. We now have labour agreements with all 10 provinces. We work closely with the territories.

What we want is to have every Canadian learn how to read and write. We want every Canadian to be able to make a productive contribution to Canadian society. The very best way to do that is for the federal government to respect its jurisdiction and to work with the provinces to ensure that we reduce overlap and duplication, whether it comes at the primary, secondary or adult training level of education.

* * *

NATURAL RESOURCES

Mr. Bradley Trost (Saskatoon—Humboldt, CPC): Mr. Speaker, since lighting accounts for about 5% of Canadian electricity consumption, would the Minister of Natural Resources please inform this House what he is doing to promote the development of clean technologies for Canadian homes and businesses?

● (1500)

[Translation]

Mr. Christian Paradis (Parliamentary Secretary to the Minister of Natural Resources, CPC): Mr. Speaker, I would like to thank my colleague for his question.

I am proud to say in this House today that the government has invested \$2.1 million in research on semiconductor lighting.

Thanks to this research, we will be able to develop a light bulb that will last 20 years and consume 90% less energy than current standard light bulbs. This is the kind of technology the government will continue to support. Canadians want results, they want progress, and they want value for money. That is what we are delivering, not empty promises.

* * *

[English]

MUSEUMS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the Conservatives campaigned on a promise to increase funding for our woefully underfunded museums. They broke that promise, but not only that, the President of the Treasury Board singled out Canadian museums for attack with drastic cuts, saying he was going after programs that were “wasteful, inefficient and completely out of touch with average Canadians”.

Points of Order

I know the heritage minister has been like an absentee landlord when it comes to articulating the value of heritage and culture, but I would like to ask the President of the Treasury Board, what is it about our Canadian museums that ticked him off so much that he set after them, saying that they are wasteful and inefficient?

Mr. Jim Abbott (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, of course I am rather surprised that my friend is distorting the comments that the minister made. The fact of the matter is that our government spends \$241 million a year on museums. I do not know where the member comes up with his assertion.

* * *

[Translation]

ECONOMIC DEVELOPMENT

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, the minister responsible for Canada economic development for Quebec recently announced a new program, with no new money, to the detriment of coastal communities that depend on the fishing industry.

In 2005, the fishing communities economic development initiative for Gaspésie—Îles-de-la-Madeleine and the North Shore had a budget envelope of \$34 million over five years. This has now disappeared.

Does the minister responsible for Canada economic development consider that there is no longer any problem in the fisheries sector and that this justifies the disappearance of \$34 million in specific aid for this sector?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, we have given stakeholders in Gaspésie—Îles-de-la-Madeleine and people across that large region six new tools, such as the one we were just talking about, known as CEDI-Vitality.

Unlike the former program, which applied only to fisheries, this program combines a non-repayable contribution with interest-free loans. This is far better for fishing industry stakeholders, for example, who need more funding for larger projects.

* * *

[English]

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Hon. Bill Bennett, Minister of State for Mining for British Columbia.

Some hon. members: Hear, hear!

* * *

POINTS OF ORDER

ORAL QUESTIONS

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I have two points arising from question period. First of all, I believe that on at least four separate occasions the Minister of Justice, in response to questions with respect to judicial matters, referred to certain lists

from which judges were appointed. I wonder if the Minister of Justice would be kind enough to table those lists in the House of Commons.

The Speaker: Apparently not. The hon. member for Wascana.

Hon. Ralph Goodale: The silence speaks volumes, Mr. Speaker.

I have a second point arising from question period. There was from the government, toward the end of question period, a specific question dealing with the issue of street racing. I would simply point out that this is an item that is covered by the bill that is presently being debated before the House. Accordingly, I would think that this question would be out of order.

• (1505)

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, first of all, my learned friend knows in fact that the lists that are compiled are compiled by the judicial advisory committee. The judicial advisory committees are comprised of Liberal government appointees.

My learned friend knows that those lists are confidential. If he chooses to go to the Privacy Commissioner and demand that those lists be released, contrary to the undertakings that the former government gave, he is welcome to do that.

Hon. Ralph Goodale: Mr. Speaker, in fairness, I think the Minister of Justice would want to acknowledge that those judicial advisory committees include nominees of all provincial governments in Canada, the chief justices of Canada, the bar association of each of the provinces, and the Canadian Bar Association. They are not Liberal committees.

Hon. Vic Toews: Mr. Speaker, it was the previous government's minister of justice who placed those individuals onto the committees. There is nothing—

Some hon. members: Oh, oh!

The Speaker: Order, please. The Minister of Justice is responding to the issue raised by the member for Wascana. We will hear the Minister of Justice in his response.

Hon. Vic Toews: Mr. Speaker, in fact, the judicial advisory committees were compiled by the former government. There is no statute. There is no regulation that indicates who should be on those committees. It was entirely on the part of the former Liberal government as to who was going to be on the committee.

The Speaker: While I have no doubt that members appreciate the exchange of views on this important subject, I do not think it is a matter for intervention by the Chair. The hon. Minister of Justice did not read from the list. He simply pointed out that the name had come from a list.

Therefore, I do not think there is a requirement for tabling such document at this time. While I am sure the debate has been of interest, we will move on to the next point.

[Translation]

The hon. member for Ottawa—Vanier on a point of order.

*Routine Proceedings***ROUTINE PROCEEDINGS**

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, a few days ago in response to a question asked during question period, the President of the Treasury Board quoted passages from a letter signed by the Ethics Commissioner, Mr. Shapiro.

Since only parts of the letter were quoted, I asked the government to table this letter in the House for us all to see. It has now been a week since this request was made and we are still waiting for the government to table this document.

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, I read from a letter written by Mr. Shapiro to the hon. member for Malpeque, a colleague across the way.

Hon. Mauril Bélanger: Mr. Speaker, it does not matter to whom the response was addressed. A minister who quotes a document must submit it, unless he provides a good reason not to. The last time it was the Prime Minister who quoted a document. He said he could not table it for reasons of national security since it was a cabinet document. In this case, the President of the Treasury Board used as a response a letter signed by the Ethics Commissioner, Mr. Shapiro. It does not matter to whom the response was addressed, he has to table this document in the House.

Hon. John Baird: Mr. Speaker, I told my hon. colleague from Ottawa—Vanier quite clearly that I would be pleased to give you the letter.

[*English*]

The Speaker: The minister has given his undertaking. We will find out when he tables the document.

With respect to the point of order raised by the hon. member for Wascana concerning the question put during question period today, I would refer hon. members to Marleau and Montpetit. On page 477 this paragraph states:

At one time, Members were also prohibited from asking a question during Question Period if it was in anticipation of an Order of the Day; this was to prevent the time of the House being taken up with business to be discussed later in the sitting. In 1975, the rule was relaxed in regard to questions asked during Question Period when the Order of Day was either the Budget debate or the debate on the Address in Reply to the Speech from the Throne, as long as questions on these matters did not monopolize the limited time available during Question Period. In 1983, the Speaker ruled that questions relating to an opposition motion on a Supply day could also be put during Question Period. In 1997, the Standing Committee on Procedure and House Affairs recommended, in a report to the House, that questions not be ruled out of order on this basis alone. The Speaker subsequently advised the House that the Chair would follow the advice of the Committee.

I refer hon. members to the footnotes to that paragraph which indicate that the Speaker made this statement on April 7, 1997, on page 9377 of the *Debates*, and accordingly, I think the question is probably in order.

I cannot anticipate all the reasons hon. members might have for thinking questions are out of order. Even I sometimes think up some, but not very often.

• (1510)

[*English*]

COMMITTEES OF THE HOUSE

CITIZENSHIP AND IMMIGRATION

Mr. Norman Doyle (St. John's East, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Citizenship and Immigration on Bill C-14, An Act to amend the Citizenship Act (adoption), with amendments.

I have the honour as well to present, in both official languages, the sixth report of the Standing Committee on Citizenship and Immigration entitled "Stateless Vietnamese Refugees in the Philippines".

Finally, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Citizenship and Immigration entitled "Audit of the Canadian Security Intelligence Services Immigration Services".

* * *

PETITIONS

VISITOR VISAS

Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.): Mr. Speaker, pursuant to Standing Order 36, I have the honour to present a petition signed by over 200 constituents. The petitioners strongly urge the government to adopt Motion No. 99 and thereby follow the lead of the United Kingdom by lifting visitor visas for Croatian nationals. Croatia has made huge strides in recent years by participating in NATO's membership action plan and NATO-led operations, and is also in the process of joining the EU.

AGE OF CONSENT

Mr. Ted Menzies (Macleod, CPC): Mr. Speaker, I have two petitions that I would like to present today.

The first is on behalf of the constituents of Macleod. This petition states that the protection of our children from sexual predators must be a top priority for the federal government and requests that the government assembled in Parliament take all measures necessary to immediately raise the age of consent from 14 to 16 years of age.

MARRIAGE

Mr. Ted Menzies (Macleod, CPC): Mr. Speaker, also from the constituents of Macleod, the second petition requests that the House reopen the issue of marriage in order to repeal or amend the Marriage for Civil Purposes Act in order to promote and defend marriage as the lawful union of one man and one woman to the exclusion of all others.

Routine Proceedings

Mr. Richard Harris (Cariboo—Prince George, CPC): Mr. Speaker, I am proud to rise today to present a petition which contains literally hundreds of signatures from residents of B.C., including the riding of Cariboo—Prince George. These petitioners pray that Parliament will repeal or amend the Marriage for Civil Purposes Act in order to promote and defend marriage as the lawful union of one man and one woman to the exclusion of all others.

• (1515)

AGE OF CONSENT

Mr. Garry Breitkreuz (Yorkton—Melville, CPC): Mr. Speaker, it is a pleasure for me at this point to present a petition from hundreds of my constituents on the topic of the age of consent. They would like to draw the attention of the House to the fact that the protection of our children from sexual predators must be a top priority of the federal government. The Canadian Police Association and a number of provincial governments in a parliamentary committee report all favour raising the age of consent.

Also, studies show that 14 and 15 year olds are most vulnerable to sexual exploitation, including recruitment by pimps. It is the duty of Parliament through the enactment and enforcement of the Criminal Code to protect the most vulnerable.

Therefore, they petition the government assembled in Parliament to take all measures necessary to immediately raise the age of consent from 14 to 16 years of age.

[*Translation*]

SMALL CRAFT HARBOURS

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, I am pleased to present a petition on a matter highly important to Fisheries and Oceans Canada, and that is small craft harbours. In some cases, urgent attention is required. Hundreds of people in my riding, specifically in the Saint-Georges-de-la-Malbaie area in the municipality of Percé, are urgently asking that we repair the Saint-Georges-de-la-Malbaie wharf.

[*English*]

FOREIGN AFFAIRS

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, it is my pleasure to present a petition on behalf of citizens calling on this place to defend and ensure that we never have the situation that we saw in Rwanda, and to ensure that genocide is something that we in fact make our cause and commit to ensuring it never happens again.

[*Translation*]

Never again.

[*English*]

CITIZENSHIP AND IMMIGRATION

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, I am honoured to rise in the House to present a petition signed by the residents of Fleetwood—Port Kells.

The petitioners call upon the government assembled in Parliament to immediately lift barriers that prevent refugees from reaching Canada, to speed the immigration process for reuniting refugees and their families, to reform Canada's refugee and immigration program, to ensure full access to due process and fundamental justice, and

finally to take further measures to help newcomers integrate into Canadian society.

AGE OF CONSENT

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to present a petition today on the subject matter of age of consent that has been signed by a large number of Canadians, including from my own riding of Mississauga South.

I think Canadians would agree that the protection of our children from sexual predators must be a top priority for the Government of Canada and that studies have shown that 14 and 15 years old are the most vulnerable to sexual exploitation, including recruitment by pimps. The petitioners call upon Parliament to give serious consideration to raising the age of consent from 14 to 16 years of age.

MARRIAGE

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, today I would like to present on behalf of my constituents and the people of Saskatchewan a petition which calls for Parliament to reopen debate on the definition of marriage, and to take all necessary steps to ensure that marriage remains the union of one man and one woman to the exclusion of all others.

AGE OF CONSENT

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, I have a second petition. On behalf of the residents of my riding and Canadians across the country, I present to the House a petition that calls upon the government to raise the age of consent. Raising the age of consent would offer our children more protection from sexual predators. They are the most vulnerable in our society and we must do everything in our power to protect them from such horrible crimes.

FALUN GONG

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Speaker, I rise to present three petitions from my constituents of Okanagan—Shuswap.

The first petition draws the attention of the House to the treatment of the Falun Gong practitioners in China, particularly with reference to the illegal and inhumane harvesting of organs from Falun Gong practitioners.

The petitioners ask the Canadian government to help stop these atrocities by condemning the communist regime for committing these crimes against humanity. They urge the Chinese regime to end the persecution of Falun Gong and release all Falun Gong practitioners immediately.

• (1520)

CHILD CARE

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Speaker, my second petition comes from my constituents, requesting Parliament to provide the provinces and territories with annual funds of at least \$1.2 billion to build a high quality, accessible and affordable community-based child care system to ensure fair and effective income support for programs for Canadian families.

*Government Orders***GOVERNMENT ORDERS**

AGE OF CONSENT

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Speaker, my third petition has over 300 signatures from my constituents. The petitioners request the government to take all measures necessary to immediately raise the age of consent from 14 years of age to 16 years of age.

CHILD CARE

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, I rise to present a petition from hundreds of citizens, mostly from St. Paul's, my riding, who find the current government's universal child care plan neither universal nor about child care.

The petitioners call upon the government to honour the early learning and child care agreement as negotiated by the former minister.

THE ENVIRONMENT

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I have a petition with about 1,200 names on it from people in my riding who are concerned about the expansion of Delta Port in the riding.

The concerns of the petitioners revolve around issues of air quality, which increased truck and ship traffic will bring, the noise from the port and wildlife losses. They are especially concerned about the truck traffic that will go through our community, an issue that has not been addressed yet.

* * *

POINTS OF ORDER

ORAL QUESTIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, my comments are in response to an issue raised by the hon. member for hon. Ottawa—Vanier, requesting that the government table documents to which the President of the Treasury Board referred under questioning the other week.

I would like to inform the hon. member that those documents have been filed. I suggest perhaps he pay a little closer attention when those documents are filed in this place.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[English]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-19, An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act, be read the second time and referred to a committee.

The Speaker: When the debate was interrupted for question period, the hon. Minister of National Revenue had the floor for questions and comments, and there are four and a half minutes remaining in the time allotted for this procedure. Therefore, I call for questions or comments.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, one of the issues that has come up with regard to the bill on street racing is the broad changes that have been proposed with regard to different levels of the offence et cetera.

There has been a point raised in debate, on which I would like to have the member's comment. It has to do with whether the objectives of the bill, which I think has some general interest and support from the House, and the existing laws with regard to the dangerous or reckless use of an automobile can still apply in this case with the addition of an exacerbating factor such as street racing.

Would the member like to comment on whether the whole situation about creating a greater level of penalty with regard to street racing simply is an exacerbating factor which may be incorporated into the existing laws in the Criminal Code?

Hon. Carol Skelton (Minister of National Revenue and Minister of Western Economic Diversification, CPC): Mr. Speaker, this is a whole new bill—

An hon. member: I understand, but do we need it?

Hon. Carol Skelton: Mr. Speaker, this goes in accord with the provincial governments and enforces their laws, which they already have on the books.

Mr. Paul Szabo: Mr. Speaker, I understand that the member is not a lawyer, that she is not on the justice committee and that she is reading a canned speech. If she has no expertise whatsoever in this matter, maybe she could respond, as a member of Parliament, to the House and Canadians about whether her constituents have said anything to her about the importance of this issue. Maybe she could also respond about the issue of proportionality, or exacerbating circumstances or mitigating circumstances. It is a straightforward question about an issue that is very important to Canadians.

● (1525)

Hon. Carol Skelton: Mr. Speaker, I think he means aggravating. I take great offence to him saying that I gave a canned speech. I am no lawyer, I do not intend to be a lawyer and I will never be a lawyer.

My constituents talk to me about this a lot, and it is a very serious issue. It is time the Government of Canada made some rules and some laws that make criminals accountable for what they do. Law and order is one of the biggest issues in my riding. I take high offence to what the member said about me reading a canned speech.

Government Orders

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I want to commend the Minister of National Revenue for her excellent speech, which came from the heart. It is so refreshing to hear a minister not simply follow scripted lines, as it was so much in practice under the prior government, but to hear someone reflecting the wishes, the concerns and the desires of her constituents.

I respect the fact that she is not a lawyer. Most people in our country are not lawyers, but they still have common sense. In fact, probably because they are not lawyers, they have common sense, and I say that as a lawyer.

I want to commend the member on her support for this important bill. The bill specifically focuses on specific denounceable conduct. It does not say we are getting rid of dangerous driving or criminal negligence, but it includes dangerous driving and criminal negligence in this new offence. Sometimes governments need to make a specific statement, and this government is doing this.

I want to commend the Minister of National Revenue for her excellent presentation and enlightenment to the House.

Hon. Carol Skelton: Mr. Speaker, I came here for a purpose. I take great offence with my colleague across the way, when he accused me—

An hon. member: Blames you for not being a lawyer.

Hon. Carol Skelton: Yes, blames me for not being a lawyer, saying negative things. I am here to do a job for my constituents, and they want street racing banned.

[*Translation*]

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, since this is my first intervention in the House since the election campaign in New Brunswick, I would like to take this opportunity to congratulate the Liberal government in New Brunswick and Premier designate, Shawn Graham, and his team.

As partners, we will represent New Brunswick in a new era of relations between the three levels of government.

[*English*]

It is my pleasure today to speak on Bill C-19. It is another one of the bills presented by the new Conservative government.

Once again, with the introduction of this proposed legislation, the Minister of Justice does not address the real issue. While he and his government might be playing to another audience, an audience in large municipal centres of rich population, dense population and voters who did not support the government, they are playing to the issues that affect people very much. While the purported message in the bill is to prevent crime and keep communities safe, the real objective of the bill, like all other bills the Minister of Justice has led through the House, is political gain.

Like the hon. member for Windsor—Tecumseh said earlier, we must look at the issues involved and the real merits of the bill and compare it to other bills, which have been presented in Parliament's past, to give a good review of where we want to go. I submit that this matter be sent to committee for procedural as well as substantive review.

The real issue is the saving of lives before lives are put in danger. Instead of investing time and energy into creating new offences that have a catchy title, such as is the case with Bill C-19, we as a responsible nation and as responsible parliamentarians need to invest in prevention and education to prevent street racing from happening, rather than dealing just with the victims and deaths once street racing has occurred.

It occurred to me that this would be an appropriate time to bring forward the fact that, under the public safety and emergency preparedness cuts of last week, the RCMP cut from its budget \$4.6 million to do with the elimination of drug impaired driving programs through its training budget. It seems remarkable to me that on the one hand the government is suggesting our streets will be safer. On the other hand, it takes money away from a program that would have made the streets safer.

I am proud of the fact that Mothers Against Drunk Driving is a Canada-wide organization. It has probably met with every member of Parliament. It is very focused. I am very proud that the president of MADD currently is a resident of New Brunswick. It would not be particularly pleased that the first focus of the government, when it comes to driving offences, is street racing. For some time, it has been lobbying for measures such as those cut in the recent budget. It would like to see the penalties meted out to drunk driving offences, which have a long history in the Criminal Code, as severe as those for street racing violations, and they are not under this bill.

We can all agree that street racing is a dangerous activity and has no place in Canadian communities. I am tired of other parties in the House being castigated with the brush, that we are not for the protection of our citizens. I make a non-partisan statement that every member of the House is for public safety and safety in our streets. We will differ on how to get there. My remarks are about that.

How to address this problem is the real issue. The Minister of Justice believes that by creating a new series of offences that reference the existing Criminal Code offences, we will have a panacea. Because it is called a street racing bill, I am very concerned that members of the public will now think it will eradicate street racing. Nothing can be further from the truth.

The truth is there are in existence a number of harsh and severe offences, which have to be meted out by the justices and for which this very Minister of Justice has absolutely no respect. The Minister of Justice has showed that he does not even know how judges get appointed. He has to know what colour they are in political allegiance, but he has no idea how they get appointed. He has shown so little respect for judges and their discretion that he has held up a long overdue pay increase to them. He has criticized judges as Liberal judges. Today he might have argued that judges have no political stripes. We are waiting for a lot of answers from the Minister of Justice on his view and his level of respect for the judiciary of our country.

Government Orders

•(1530)

Clearly, by these amendments, he has no respect for judicial discretion. This is in a long line of bills that the government has presented. I am not sure the minister has read them all but they all represent one thing: no discretion to be left in the hands of judges, who are probably all Liberal judges, but of course that will gradually change appointment by appointment. The minister has no respect for the discretion of these judges. That is the case with this bill as well. It would take away discretion.

Mr. Speaker, unlike my hon. friend, I am used to the courtroom and there is decorum in a courtroom.

This bill, like Bill C-9 and Bill C-10, takes away the discretion that judges have and instead of sculpting what could be taken from the late Chuck Cadman's bill and Bill C-65 as presented, where these factors would be taken into account on sentencing, the Minister of Justice, in his marquee cinema like world, wants to name something and pretend that all citizens of Canada will now be safe from street racing. However, that is not the case. The bill, on a technical aspect, would further cloud some issues by creating these new offences.

The definition of street racing itself has been talked about so I will eliminate that from my speech. It is something that can be cleaned up at committee. As members have said, the definition as it relates to at least one other motor vehicle can be made to make sense because there are races that include only one vehicle.

There are also problems with the definition of "public place". While the bill is primarily oriented toward an urban environment, the Minister of Justice and members of the House will know, whether or not they are lawyers, that public places and motor vehicles have been defined and they may include snowmobiles on icy surfaces of lakes in rural Canada. This may be of concern as we go forward in looking at this bill.

On the solo race, the race against time and against oneself, the bill does not address that behaviour. This may be more dangerous than the actual one-on-one racing that occurs in some municipalities.

•(1535)

[*Translation*]

Bill C-19 creates another confusion. There is a lot of confusion in every Conservative bill because the Conservatives are in a hurry to leave a strong impression in Canada. It has been well established in law that objectively the offence of dangerous driving is not as serious as criminal negligence. However, this bill establishes an identical system of imprisonment for both offences. That does not make much sense.

[*English*]

It is respectfully submitted that the proper approach to deal with this dangerous conduct is simply to make street racing a mandatory aggravating factor in sentencing.

I heard talk in the House about whether people need to be lawyers but surely they do not. They need to have good sense. However, it does mean that the lawyers in this House need to have common sense too. It does not excuse the lawyers from the requirement for good common sense. The good common sense from having street

racing as a mandatory aggravating factor in sentencing means that while we trust judges, and on this side of the House we do, to make proper decisions, we are saying by way of public statement that they shall consider street racing, when it is present, as an aggravating factor. This would remove the issue of having to prove beyond a reasonable doubt that a street race has occurred.

One could imagine, in very serious circumstances, that the lawyers would spend most of their fighting over the definition of street racing because it has not been provided in the bill. The hon. Minister of Justice says that there is a lot of common law on this but common law on racing in Canada would probably be more tuned to horse racing than street racing because Canada has not had a law on street racing, which leaves it as a dog's breakfast. We probably have a whole bunch of Liberal lawyers trying to figure it out.

Instead, we would like some Liberal legislators to make it inevitable that we will not need to deal with the definition of street racing. The Minister of Justice and his cohorts can still go out on the bandstands and say that they have cured the issue but the technical aspect is that aggravating factor in sentencing would ensure the judge is just dealing with whether he thinks there was a race, whether there was dangerous operation of a motor vehicle or whether there was criminal negligence. Those are the standards that have been used. Those terms have meaning in law. They have been considered in cases. Those are judicial decisions that judges write.

This would remove the issue of having to deal with street racing, which has not been defined, just as the Liberal's Bill C-65 and, as I said before, private member's Bill C-230, proposed by the late Chuck Cadman, proposed to deal with this. I think it is the right way to go. Preferably we will deal with it in committee and, if not, by amendment at third reading stage.

It is suggested that by providing a mandatory aggravating factor in sentencing, the message to the public will be as serious as the marquee name "street racing" and the message would be heard loud and clear. It would be easier at a sentence hearing to argue that the aggravating factors existed.

Members will note in the material supplied by the Library of Parliament that a number of the cases showed that there were other aggravating factors, not mitigating factors. The Minister of Justice likes to speak about mitigating factors, the people who got off because of circumstances. We have had plenty of cases where there are multiple increased aggravating factors, such as the use of alcohol, criminal gang activity and lack of remorse. These are aggravating factors that can be combined with the mandatory aggravating factor in sentencing that was in place in Bill C-65.

Government Orders

The difference between a dangerous driving offence and a dangerous driving offence involving a race will be a dog's breakfast before the courts. I think we need to be careful that, while we agree on a goal, which is keeping the streets safer, we give, not only the judges but prosecutors, the tools they need to succeed in getting convictions and not give them loopholes with undefined terms, all for the purpose of political gain.

The bill would increase the available maximum prison terms. Once again, it is a well-established legal principle that the maximum sentence is usually reserved for the worst offender in the worst case. This might give people who are very concerned about street racing offences the false impression that every street racing offence will be charged under a maximum or asked for by charging the maximum.

We know that there are summary conviction methods of proceeding here, which give prosecutors discretion in the way they wish to proceed. We also know that maximum terms are not meted out that frequently.

● (1540)

It is important to tell the truth to the Canadian public, that even this bill, in its form, does not guarantee that every street racing offender will get 10 or 14 years. It is time to be real with the Canadian public. The bill would provide for mandatory orders of prohibition from driving.

At this time I would like to mention again the spectre of MADD. Mothers Against Drunk Driving might very well be at our doors next week or the week after, should we move this on or pass it relatively quickly, to ask where the tough mandatory orders of prohibitions are for longer periods on continued, excessive and repetitive drunk driving offences. The bill is harsher than those infractions are and those infractions were built up over a long period of time.

Though it should be easy to support this initiative with respect to the mandatory orders of prohibition, the manner in which it is addressed is inadequate, specifically when dealing with repeat offenders.

It is important to know the distinction between dangerous driving causing bodily harm and criminal negligence causing bodily harm. Let us take ourselves to a situation in an area not unlike the area that my friend from Fundy Royal represents, a countryside where there is a known repeat offender with respect to racing. This person is dangerous to the public and to himself or herself. The person is convicted the first time of dangerous driving because the prosecutor and the police, in that case the rural RCMP, say that this will show that person and this will be a deterrent. Hopefully that person is meted out the proper sentence and the proper time is served.

On the second conviction, the police might very well charge that person, because it is a repeat offence, with criminal negligence causing bodily harm. In both cases there could be bodily harm, the same *modus operandi*, the same facts, but the police authorities and the prosecutor have said that, for deterrent's sake, they must charge the person with the worse offence because the person will get more time.

Under this bill as drafted, and I hope we can sort this out at committee, I submit that the repeat offence will not be caught by the mandatory prohibitions and the longer sentences. The reason is that

the definition of dangerous driving causing bodily harm, if amended, with or without a street race, is not a repeat if it is charged under criminal negligence causing bodily harm.

These definitions and these legal words certainly have to be worked out at the committee level but there is more than that. It is not good enough for the chief law officer of this nation to sign off on a bill for which homework has yet to be done. It is not fair enough to say that we can fix this at committee. It is a trend. It is trend of the government to present ill-conceived, ill-drafted, hasty and sensational bills to this House, known more for their titles than their substance, and expect the hard-working members of the committee to set it all right.

If I could send one message to the government members it would be that they read the bills, consider them and consider that the Criminal Code of Canada is holistic, it is organic and it should be taken in this context.

When a person is charged with criminal negligence and dangerous driving causing bodily harm, it begs the question of whether this is a repeat offender. Is the criminal negligence a second offence? We would not know. The bill fails to answer those questions. I can tell members that every doubt will be cast in favour of the accused in our courtrooms, as they are constituted.

Many if not all studies have shown that there is no link between more severe, longer and harsher sentences and the diminution of crime rates. While I, as a member of society, might be very willing to go with the government on longer sentences and try the principle of sentence that says deterrence is important, I would need to know and I would need to be able to tell my constituents that it will work, that the thrill-seeking street racer will be deterred by a harsher sentence.

It goes back to our first point. Through education or funding in law enforcement and more cooperation with the provincial law authorities, I think more could be done than just simply getting it out on the five o'clock news that we will cure street racing now because we have a three page bill. That is not good enough.

● (1545)

If the minister uses the word "holistic", then let us put it into action. Let us work together to make sure that as Minister of Justice he convenes meetings with provincial attorneys general and that he sees the good work being done in cities like San Diego and Los Angeles and, if I may for local advertisement, the city of Moncton in enforcing its bylaws, in preventing drive-throughs, and in preventing people from circling certain locations on a habitual basis.

Government Orders

Let us work together with these various levels of government, because the cities and municipalities in this country are the third order of government, and let us try to make a better bill that would save the government money, but more important, would save lives.

Bill C-19 would create a new offence punishing people for street racing just as they are already being punished now for street racing. This is already covered in the current Criminal Code. This bill would allow us to arrest people only after they have put other people's lives at risk. We have to look at the big picture. We have to work with other members of other governments to make sure that we make a better law.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, there have been a number of speeches. Some have suggested that we need a whole new law, a whole new piece of the Criminal Code that is going to address street racing. We also have within the law under the Criminal Code the dangerous use of an automobile. Street racing is certainly in that family. It may in fact be an exacerbating factor in terms of the courts to determine the appropriate penalty.

I wonder if the member thinks this bill brings an appropriate balance in terms of prevention and education as well as rehabilitation or in fact giving penalties that are appropriate. I wonder if he thinks there ought to be consideration given to addressing this matter certainly within the current framework of the Criminal Code but using an element of aggravating circumstance.

● (1550)

Mr. Brian Murphy: Mr. Speaker, clearly in an area where there is a \$13 billion plus surplus, to bring in this bill and not bring in any measures to educate the driving public, and the youth public, frankly, about the dangers of street racing, and where clearly resources to the RCMP are being cut for a cutting edge prevention program, it shows that the right hand and the left hand of the government do not know what they are doing. Or worse, if the government members know what they are doing, they are more interested in laws that do not necessarily make sense.

As a member of the last Parliament, the hon. member would know that Bill C-65 did attempt to address these issues, in a more organic, more intelligent and, more important, more efficacious way. I am not talking about the subsequent prohibitions later on, but in terms of sentencing and sending the message out, the mandatory aggravating factor would work. This would give judges the hammer they need in order to fashion the appropriate sentence for a convicted street racer or a person who, in my terminology, does dangerous things with vehicles. That is really what this is about.

I think the government is off the mark here. This bill is hastily drafted. It is sensational in character. It will not get to the root cause. The people of Canada are being lulled into a false sense of security by the nightly news bulletins from the Conservative Party of Canada.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, one thing my friend from the Maritimes talked about, and certainly my colleague from Windsor—Tecumseh mentioned it, is the idea of prevention. One would submit that the best way to deal with a concern like street racing would be to prevent it. We see a possible law in front of us now that does not seem to balance that equation very well.

My friend from Windsor talked about the way the whole car industry promotes fast cars. We just need to think of some of the commercials we see on a daily basis, where we see the industry's appetite for promoting unsafe driving.

There are other things we can do. I think of the examples that we have seen with respect to impaired driving. There are laws to deal with this, but really, if we talk to people, they will tell us that education and prevention have changed the outcome. I would like to hear my colleague's comments on the whole idea of prevention and where it fits in this equation.

Mr. Brian Murphy: Mr. Speaker, my late father was a surgeon who spent a lot of time in emergency rooms. Believe it or not, in the 1960s, with some opposition, he fought for mandatory seat belts. That seems silly now. Now we are talking like MADD would to all of us about ignition control systems to prevent drunk drivers from getting in the car and causing harm. It is similar. We are on the way.

I think an ounce of prevention is worth a pound of cure. We have about two pounds of fluff, three ounces of putative cure and absolutely nothing of prevention in this bill. The hon. member is right on. The member for Windsor—Tecumseh is completely correct when he talks about prevention. He must also have an eye on the big cities in the United States that had to deal with this problem first, like the one across the river from him.

Finally, the justice critic for the NDP says, as many of us say, that the Criminal Code is a fairly ancient compilation of where we were and where we are and needs an extensive review. These extensive reviews are not going to be done with four page bills that have star quality titles and very bad inner quality, which this bill does.

Mr. Paul Szabo: Mr. Speaker, I appreciate the member's insight into this. The points are very well taken.

One of the other aspects that comes up in a lot of justice bills is whether the other jurisdictions have the resources to be able to enforce the laws and the tools to do the job and whether the courts in fact have the support they need to deal with these offences.

Certainly street racing is not necessarily something that is all across the country. It is probably in pockets. We should ensure that the enforcing authorities, which may be provincial, regional or RCMP, have the sufficient tools they need to be able to anticipate and work on the preventive side of this piece of legislation.

● (1555)

Mr. Brian Murphy: Mr. Speaker, clearly we know that under various motor vehicle statutes in the provinces there is the local power to regulate, so to speak, what can be done to a vehicle and what cannot be done.

Government Orders

Clearly at the municipal level there are bylaws and policies that could be enacted, but both of those examples, to answer the hon. member's question, come down to a matter of resources. All police forces will tell us, as the hon. member knows, that problem oriented policing is the wave of the future. This is what police officers now want to do. Rather than deal with a crime that has happened, they want to prevent crimes from happening. They want to get into the schools. In this case, they want to be out on the streets to prevent street racing events from occurring, more by their presence in a deterrent way rather than a "cover the whole area" way.

My hon. friend is absolutely right that resources to communities have to be allocated. Municipalities are the third level of government. They were doing extremely well under the Liberal-led infrastructure program. They sought and received mandates for programming of all sorts that made our cities more viable.

Instead of just trotting out a bill that has a catchy title and leads the public into a false sense of security, we have to ensure that in the future we back it up, that the government backs it up, perhaps at our urging, with the sufficient resources to enforce it and make the deterrent effects in it real, because if we are only relying on the definitions in a section of the Criminal Code, then these people, given their disrespect for judges generally, would be the first to say that is not a sufficient deterrent factor.

What has to be done is more vigilance in the community. I would think that a new government with any sort of freshness might have said, "Let us continue on the path of Bill C-65. Let us continue on the infrastructure program. Let us make our communities viable." I would think it might have said, "Let us not cut funding from public safety and emergency preparedness. Let us not cut \$1 billion of funding to the social fabric that keeps this community together".

I would have thought that would have been one of the first orders of the day, but that is not what has happened here. The money is not flowing. Bills are being presented so that they can shock the public into an awareness of crimes that in certain cases are not as bad in prevalence as is advertised. Then there seem to be the white knight cure-alls by very poor, hollow and shallow legislation, which I believe Bill C-19 is.

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, it is an honour and a privilege today to speak to Bill C-19 respecting street racing.

Today I of course will be speaking in favour of the government's Bill C-19, An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act.

We have heard members opposite say there is some magic formula that can be used as a cure-all, but I think Canadians and certainly my constituents in Fundy Royal, contrary to those members, find it extremely refreshing that we finally have a government that is taking criminal justice seriously. We know that for too long there was a Liberal revolving door to the criminal justice system. We saw a lot of fluff come out. We saw programs that did not work.

Frankly, my constituents say to me that they find it refreshing to have a government that takes seriously protecting them, protecting

society, protecting their lives and protecting their property. Quite frankly, they were fed up with the talk from the opposite side and are pleased to see some action.

As we know, and as has been said in other speeches, the matter of street racing was one of great importance to the late Chuck Cadman. Chuck was a member of Parliament for Surrey North and had twice brought forward a private member's bill on the issue of street racing, but each time the bill died on the order paper.

The previous government, as was mentioned, also brought forward a government bill, Bill C-65, during the 38th Parliament. That bill, too, died on the order paper. Like Mr. Cadman's bill, Bill C-65 took the approach of making street racing an aggravating factor for the offences of dangerous driving and criminal negligence that involve death or injury. Unlike Mr. Cadman's bill, Bill C-65 did not propose higher minimum driving prohibitions for repeat offences.

The government's Bill C-19 does follow Mr. Cadman's approach of bringing in mandatory driving prohibitions that escalate with repeat offences. We know that it is the few who are creating the problem. It is the recidivism and the repeat offenders who need to get the message that we are not going to tolerate serious street racing on Canada's streets.

In order to ensure that police and prosecutors can determine that a person is a repeat offender through the Canadian Police Information Centre, it is necessary to enact a street racing offence rather than simply create an aggravating factor of street racing. This is because CPIC does not record aggravating factors.

Some would say that past proposals to enact a requirement for judges to take into account acts of street racing as an aggravating factor in sentencing were very modest, given the fact that judges, and this is an important point, are already required to take into account all aggravating and mitigating circumstances when sentencing an offender. In this sense, enacting an aggravating factor provision would simply codify what judges already do and what they are quite rightly required to do. If a judge does not consider street racing an aggravating factor in sentencing, one would certainly expect the prosecution to appeal the sentence.

New street racing offences carrying mandatory driving prohibitions will send street racers a very clear message. It is a message that has to be sent on behalf of all Canadians. Racing on public streets is not going to be tolerated. I would point out that I am not, of course, speaking here of officially sanctioned road rallies but about those who commit the offence of dangerous driving or criminal negligence coupled with street racing. We did hear some members speaking today about legal racing, racing on racetracks, which is perfectly legitimate and which the bill does not touch on.

To those who do not heed the message sent by these new offences, Bill C-19 will deliver serious consequences.

Let me speak for a minute about those who engage in street racing. In many cases, they risk not only their own lives but the lives of others and pedestrians, innocent third parties who have in no way consented to any form of speed contest on the streets of our cities and towns.

● (1600)

My hat is off to police officers and others who work very hard with motorsport shops and organizations such as Mothers Against Drunk Driving to find safe, closed circuit venues for drivers to experience the thrill of racing. Those kinds of efforts, along with strong federal and provincial legislation, are exactly what is needed to eradicate street racing in Canada.

In my view, specific federal legislation on street racing is needed now more than ever. The evidence is quite clear on that. The existing dangerous driving and criminal negligence offences that can apply to street racing go some distance to preventing street racing by right thinking drivers, but there are still too many that will risk the lives of pedestrians and other motorists in order to engage in street racing on busy city streets.

Where Parliament can do something more than what is already in place to improve the Criminal Code measures directed against street racing or any other serious offence for that matter, it ought to do so. Bill C-19 gives parliamentarians the opportunity to contribute in a meaningful way to the combined federal, provincial and municipal efforts aimed at street racing.

Bill C-19 will enact five new offences related to street racing. Three of these relate to the existing offence of dangerous driving. The other two relate to the existing offence of criminal negligence. For all five offences within Bill C-19, the key distinguishing feature will be the commission of the underlying offence plus the act of street racing on a street, road, highway or other place to which the public has access.

Another distinguishing feature of the five street racing offences is that they will each carry a mandatory prohibition from driving in Canada. These Criminal Code driving prohibitions will escalate for repeat offenders.

I will ask the indulgence of my colleagues in the House while I briefly sketch out the mandatory driving prohibitions.

For a first offence of dangerous driving with no death or injury accompanied by street racing, the minimum driving prohibition will be one year and the maximum driving prohibition will be three years.

For a second offence of dangerous driving with no death or injury and street racing, the minimum driving prohibition will be two years and the maximum driving prohibition will be five years.

For a third offence of dangerous driving, again with no death or injury and street racing, the minimum driving prohibition will be three years and the maximum driving prohibition will be a lifetime driving ban.

Where there is a first conviction for dangerous driving with injury and street racing, the minimum driving prohibition will be a minimum of one year and a maximum of 10 years.

Government Orders

Where there is a second conviction for dangerous driving or criminal negligence with injury and street racing, the minimum driving prohibition would be two years and the maximum driving prohibition 10 years.

Where there is a third dangerous driving or criminal negligence with injury and street racing, the minimum driving prohibition would be three years and the maximum again would be a lifetime ban.

Where there is a first conviction for criminal negligence with death and street racing, the minimum driving prohibition would be one year and the maximum would be a lifetime ban.

Where there is a first conviction for dangerous driving with death and street racing, the minimum driving prohibition would be one year and the maximum driving prohibition would be 10 years.

On a second conviction involving dangerous driving and street racing or criminal negligence street racing involving death or injury, and either the first or the second conviction involved a death, there would be a mandatory lifetime driving ban.

I hasten to note that these driving prohibitions are in addition to a driving ban during any period in which drivers are imprisoned. There will be no case where convicted drivers are sitting in jail, not prohibited from driving or having the driving prohibition period running down while they are incarcerated.

I turn now to the provisions in Bill C-19 for imprisonment.

For dangerous driving with street racing where there is no death or injury, the prosecution has the choice to proceed summarily, where the maximum period of incarceration is six months imprisonment, or the prosecution in a more serious case may choose to proceed by way of indictment, in which case the maximum period of imprisonment is five years.

For dangerous driving or criminal negligence with injury and street racing, the maximum period of incarceration is 14 years under Bill C-19. The current Criminal Code provisions do not speak to street racing and the present maximum for dangerous driving or criminal negligence with injury is 10 years imprisonment.

For both dangerous driving and criminal negligence with death and street racing, the maximum period of incarceration is life under Bill C-19. The current Criminal Code provisions again do not speak to street racing and the present maximum for dangerous driving with death is 14 years imprisonment and for criminal negligence with death the maximum is currently life imprisonment.

● (1605)

I think that Bill C-19 is a balanced approach to dealing with the dangers posed by street racing. The ranges of imprisonment and mandatory driving prohibitions that escalate with repeat offences reflect the serious nature of the proposed street racing offences.

Government Orders

Although there may be the very rare case where there are drivers who repeat a street racing offence that involves bodily harm or death, the police information system, CPIC, will track the repeat offence and it will be certain that these persons will receive harsher sanctions. This is an improvement over prior street racing bills given that the police information system does not show that there was an aggravating factor of street racing in a prior conviction, but would show prior street racing offences that are proposed by Bill C-19.

I also want to set the record straight on a couple of issues. Some media articles have suggested there is nothing useful to be found in Bill C-19 or that it is simply politically motivated. Nothing could be further from the truth.

It is clear that the bill will bring in mandatory driving prohibitions that will escalate with repeat offences. The existing driving prohibition in dangerous driving and criminal negligence cases is discretionary. It is hard to imagine that even some legal commentators do not seem to grasp this very significant proposal for change.

With the number of street racing offences involving death or injury, there will be an increase in the penalty range from that which exists for the current offences of dangerous driving and of criminal negligence. This is not a cynical political attempt to grab headlines. It is a valid response to a real problem which does what the Criminal Code can logically do in order to contribute to existing combined efforts of provincial governments, police, municipal governments, and other stakeholders to eliminate street racing and its attendant dangers from Canadian roads.

While it is true that higher maximum penalties under Bill C-19, like all maximum penalties, are reserved for the worst offender and the worst factual circumstances, raising a maximum penalty is Parliament's signal to the courts that Parliament sees the problem as more serious and that a shift to higher sentences is warranted even in those cases that do not involve the worst offender and the worst factual circumstances.

Some critics have even suggested that prosecutors would shy away from a dangerous driving street racing charge and prosecute a dangerous driving charge instead. This is nonsensical. The street racing offence will carry a mandatory driving prohibition while a conviction for dangerous driving without street racing carries a discretionary driving prohibition. There is a clear advantage to the street racing charge and with the passage of Bill C-19 an additional tool for the prosecutor's toolbox.

Finally, some critics charge that the problem is one which is either small or trifling. Try telling that to ordinary Canadians who experience street racers dodging in and out of traffic, putting road users at risk, or to families who are attending funerals and hospital emergency rooms as a result of a street racing accident. We cannot give street racing the ostrich treatment and simply stick our heads in the sand saying it is not a big problem.

No member of the government side of the House is saying that Bill C-19 alone is going to end street racing. However, it is an important part of the combination of countermeasures that are needed to confront the problem. Not to bring forward these measures would be irresponsible.

Where Parliament can do something proactive and logical about street racing, it ought to do exactly that. Bill C-19 proposes measures that are logical and that can be implemented by police and prosecutors. The measures proposed are neither pie in the sky nor Draconian. They are balanced and measured. They are calculated to contribute to the elimination of dangerous driving and criminal negligence combined with street racing. Anyone who says otherwise is simply wrong in their assessment of what the bill proposes.

In closing, I want to congratulate the Minister of Justice for fending off unjustifiable criticism in bringing this bill forward. I think it builds on the work done by the late Mr. Cadman and even on the street racing bill of the previous government. It does so in a very non-partisan way.

Bill C-19 is not about locking offenders and throwing away the key. It is balanced but it is firm. It is not a single solution to street racing, but it joins in the combination of measures that are needed to eradicate the dangers on the street.

•(1610)

I will be supporting Bill C-19 and I invite all members of the House to put aside partisan politics and pass this bill at second reading to send it to the legislative committee review stage.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, there are a couple of points that perhaps the member could try to amplify on.

First, the member has indicated that CPIC does not track the street racing element under the current four provisions in the Criminal Code dealing with the dangerous use of automobiles. However, that is really only relevant, I would think, if we are preoccupied with how many repeat offences there may have been.

When it gets down to coming to the courts, and that is what the charge is for a circumstance where there was a violation under the Criminal Code and street racing was involved, the court is there, and the member also concurred that the courts now already take into account aggravating factors.

I am wondering why the member is hanging his whole argument on the fact that CPIC does not take all these things into account. The member will well know that when someone is killed in an automobile accident, or a pedestrian struck down by a car, the reports usually show that the cause of death was trauma when in fact it may very well have been something like drunk driving.

I wonder if the member could comment on what exactly CPIC should be doing that would help the courts in this particular case.

•(1615)

Mr. Rob Moore: Mr. Speaker, on the issue of aggravating factors, I stated that in the case of criminal negligence causing death or dangerous driving causing bodily harm or death, that aggravating factor that an individual was involved in a street racing situation was not tracked by CPIC. We feel it should be.

Government Orders

In order to target, as our bill does, the most serious repeat offenders, those who will go out and risk the lives of other Canadians and put them in harm's way, and in fact have already done so, we have to have a way of tracking that. That is what CPIC does. It tracks criminal activities. It tracks arrests. CPIC does not track these aggravating factors.

By having the Criminal Code offence of street racing, CPIC would be able to track that offence, so we will be able to know, the court will be able to know, and the police will be able to know that someone is being arrested for a second, third or fourth time for the same type of offence. There are a great number of offences out there that someone could take part in. However, this bill would specifically target those who would engage in street racing, particularly repeat offenders.

On the issue of the police and CPIC, I am very pleased that as a government we have put more resources into it. There was a great deal of debate today as to why we do not just put more resources in and why do we need a law. We need a law to send the message that this Parliament takes street racing seriously, but it is a multi-pronged approach. We are also putting money into front line policing, the RCMP and municipal police.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I had a couple of questions I wanted to ask my colleague concerning the area of prevention we have talked about, but also about the deterrent effects. If we are looking at this to deter, and I am assuming that is part of the rationale for this bill, where is the evidence for that? I guess it is important when we are dealing with bills of this scope that we be evidence-based. Where is the deterrence evidence that we can cite and prove because that is obviously important? That is my first question.

My second question would be, what other areas can we look at in terms of prevention? If we were to look at how street racing is being promoted in Hollywood, on our televisions, and the idea that one can pick up a magazine and have a car overhauled in an afternoon, perhaps while parents are away, et cetera, and we have heard these stories, where is the government on those issues? Many would say that is where we should start. This bill is probably not the first issue that we need to deal with. The first issue is actually the prevention, supply, demand, so to say, of street racing cars, et cetera.

Mr. Rob Moore: Mr. Speaker, this bill sends the message that we are taking this issue seriously. I think it will have a deterrent effect on someone that there is a new Criminal Code offence of street racing. We are also putting into the Criminal Code increased maximum penalties and mandatory minimum driving prohibitions. This government is taking this issue seriously.

I am a little surprised. I have heard a couple of times from members of the NDP about the image in Hollywood and so on. I do not know if they are proposing that we censor Hollywood movies, but there are images out there and they may be unrealistic images. However, we have to deal with what we can as a House of Commons. We are putting the money into front line policing, 1,000 RCMP officers, and we are working with municipalities and the provinces for 2,500 other police officers. That is on the preventive side, to get the police out there on the street where they need to be.

There is a reason we have the Criminal Code. The Criminal Code exists to send a message to would-be offenders that there are certain actions that we will not tolerate as a society. When it comes to street racing, there is no specific mention in the Criminal Code, and until we pass Bill C-19 there will not be specific mention in the Criminal Code on the issue of street racing.

By its nature, if there are two cars barreling side by side down what could be a busy street, there is an increased danger that is not currently recognized in the Criminal Code. That is the deterrent effect we want to bring in. We want to specifically sanction in the code that activity as one which society does not tolerate.

• (1620)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, there is no question that street racing is a serious issue. The previous government also brought forward legislation.

I listened to the parliamentary secretary's description of the penalties. He emphasized a moment ago the deterrent aspect of the penalties. The biggest area we have to deal with is not only on the penalty and deterrent side, it is on the whole issue of prevention.

Yes, more police officers will help, but when an individual has been arrested and charged on a first offence, is there anything from an educational aspect to talk about prevention? I do not see it specifically named in the bill and it may be a regulatory matter, but the best safety aspect of all is to prevent the crime from happening in the first place. I do not think we want to go to the United States' system of three strikes and you are out, and building more jails. The best approach is education through our schools and through public endeavours to do as much as we can on the preventive side on the danger, the injury to others and to the individuals themselves that can happen through street racing.

Could the parliamentary secretary inform us as to what the government has in mind in the broader sense of prevention?

Mr. Rob Moore: Mr. Speaker, that is a good question. As has been rightly said, and I agree with the hon. member 100%, we on this side of the House and probably all members in the House would agree that the best scenario is if a crime does not take place.

Of course we want people to get the message that crime does not pay, that there are other ways, and that they do not have to nor should they commit crimes, any kind of crimes, that have sanctions in the Criminal Code, whether it be street racing or some other criminal offence. In a perfect world that would happen; there would be no crime. But as we all know, we do not live in a perfect world, and we as legislators have to take actions to send an educational message. A big part of what we are doing today in this debate around Bill C-19 is to make people aware that the federal government through the Criminal Code is taking street racing seriously. That is an educational process.

Government Orders

An individual who has committed a first offence is not going to be treated as harshly under this bill as someone who has committed multiple offences. That is an educational process for someone who commits that first offence. Of course we want to be in a position where they do not commit that offence, and my hope is that through this bill people will think twice, that people will realize that we are taking this issue seriously.

On the preventive side also we have to have police officers out there enforcing the law. We listen to the police. We listen to the chiefs of police. Resources are an issue. That is why this government was very pleased in the last budget to put in a funding framework to increase the number of police officers acting in a preventive way to protect our streets and protect our citizens.

• (1625)

[Translation]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, I am pleased to speak to Bill C-19, An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act on behalf of the Bloc Québécois.

The Bloc Québécois supports the bill, because it considers it to be a step forward. Of course, some changes could have been suggested. We will do that when it gets to committee.

The Bloc Québécois supports the principle of Bill C-19, the purpose of which is to impose tougher penalties on people who participate in street racing, in order to deter people from engaging in practices like these that endanger the safety of the public.

We are very aware that this bill will not be sufficient in itself to put an end to the tragedies that are caused by street racing. However, sending a clear message that street racing will not be tolerated and will result in severe sentences will perhaps mean saving lives, by persuading some individuals to give up this dangerous activity that puts other people's lives at risk.

This bill provides an opportunity to steer speed aficionados toward legal racetracks that have been set up for this purpose, and to make them aware of the terrible tragedies that racing on public streets can lead to.

First, I must point out that the previous government introduced Bill C-65, in September 2005, and that in October 2005 we supported it at second reading. It will be recalled that it died on the Order Paper, at committee stage on the dissolution of the 38th Parliament on November 29, 2005.

Unlike Bill C-19, Bill C-65 did not create new street racing offences. It simply treated participating in street racing as an aggravating circumstances for sentencing purposes in cases involving dangerous driving or criminal negligence.

The present Bill C-19 therefore goes farther. However, when we pass a bill, will it have an impact on provincial laws, for example? We must always respect jurisdictions. We know that each province and territory has its own motor vehicle and highway safety legislation.

In Quebec, the maximum fine for a driver who engages in street racing is \$600. In Ontario, an offender convicted of engaging in

street racing may have his or her driver's licence suspended for a maximum of two years.

Bill C-19 does not infringe on provincial legislation, because it requires that there be criminal intent. Criminal law is clearly under federal jurisdiction.

It appears that Bill C-19 will do nothing to alter the power that Quebec and the provinces have to regulate street racing. Here is an excerpt from an analysis of the bill by Dominique Valiquet of the Law and Government Division of the Library of Parliament:

An act during a sporting event may lead to criminal charges, even though the sport is provincially regulated. A parallel can be drawn with hockey. In Quebec, a regulation has been made, under the act respecting safety in sports, about hockey safety. Such a regulation does not prevent criminal charges from being laid against a player who committed an act that is an offence under the Criminal Code. An example would be assault causing bodily harm.

In the case of street racing, the act of a driver (even during a regulated event) can give rise to criminal charges if:

the driver has the required criminal intent;

the act represents a hazard that goes beyond the acceptable risks of the sport.

Dominique Valiquet continues:

However, it is important to note that Bill C-19 applies only to street racing in a public place. The first clause of the bill uses the wording "on a street, road, highway or other public place".

• (1630)

Consequently, Bill C-19 does not apply to car races held on a track to which the public does not have access. However, in that case, criminal charges could be laid under the provisions of the Criminal Code on dangerous driving or criminal negligence causing bodily harm or death.

This opinion from Dominique Valiquet of the Law and Government Division of the Library of Parliament is clear as to the legal aspect of the bill.

We can summarize the bill by saying that it amends the Criminal Code by defining street racing and creating five new offences related to street racing. This is what distinguishes it from Bill C-65, for example, which was introduced by the other government. For three of these new offences, Bill C-19 provides for maximum sentences that are stiffer than those currently in effect for dangerous driving or criminal negligence while operating a motor vehicle. It introduces mandatory orders prohibiting offenders from driving for a minimum period, with a gradual increase in the duration of the order for repeat offences.

There is a huge difference between this bill and Bill C-65, because Bill C-19 goes further.

Let us take a closer look at this. For example, under current legislation, the courts must turn to the provisions related to dangerous driving or criminal negligence to punish those who engage in street racing. At present, the Criminal Code specifies four offences that could apply to street racing in case of death or injury: criminal negligence causing death, dangerous operation of a motor vehicle causing death, criminal negligence causing bodily harm, and dangerous operation of a motor vehicle causing bodily harm.

Under current legislation, the fact that criminal negligence or dangerous driving was committed in the context of street racing has no bearing. That is what we hope to change.

Government Orders

As for mandatory driving prohibitions, the Criminal Code currently compels judges to suspend the driver's licence of any individual convicted of impaired driving. For offences of criminal negligence and dangerous driving, such a suspension is currently at the judge's discretion. The difference under the proposed legislation is that it would not be left to the judge's discretion; rather, there would be mandatory minimum sentences.

Let us first look at clause 1 of the bill. The bill defines street racing as:

—operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place.

The expression “operating a motor vehicle in a race” does not seem to include a timed race involving only one motor vehicle. That would have to be added and defined at committee.

The definition of “motor vehicle” is found in section 2 of the Criminal Code. It includes motorcycles, snowmobiles and all-terrain vehicles. This is very important because races often take place among these kinds of vehicles.

The definition of street racing applies to organized street races as well as those improvised in inappropriate locations not intended for this purpose.

As for offences pertaining to street racing, it is important to talk about the five new offences created by this legislation. In addition to participation in street racing, an element of negligence must be present. What is the difference between criminal negligence and dangerous operation? What defines dangerous operation is that the driver's behaviour must be markedly different in terms of due diligence compared to that of a reasonable person in the same situation. In the case of criminal negligence, the driver must be found to have acted with wanton and careless disregard for the lives or safety of others. There is a distinct difference. Also, it must be shown that there was criminal negligence or dangerous operation in order for the participant to be found guilty of one of the five new street racing offences.

Whoever assists or encourages a street racer may also be considered to have participated in the offence.

● (1635)

This is important because there are promoters of these races on the Internet, who will not be charged unless they are included. Those who organize such races, not just the participants, must also be held responsible.

Bill C-19 adds the five following street racing offences to the Criminal Code: dangerous operation of a motor vehicle; dangerous operation causing bodily harm; dangerous operation causing death; causing bodily harm by criminal negligence; and causing death by criminal negligence. This is very clear.

For three of these new offences, Bill C-19 provides maximum sentences that are longer than those currently set for dangerous driving or criminal negligence in operating a motor vehicle. In the case of dangerous operation causing bodily harm, the sentence is 14 years compared to 10. For dangerous operation causing death, the sentence is imprisonment for life compared to 14 years. The

difference in sentencing and the new offences being added are significant.

Judges can also order driving prohibitions. The Criminal Code currently requires the judge to suspend the driver's licence in cases where an individual is convicted of having the care or control of a vehicle while impaired.

For criminal negligence and dangerous driving offences, such an order is currently at the judge's discretion. When an individual is found guilty of criminal negligence causing death, the licence may be suspended for life. Bill C-19 removes the judge's discretion by setting out a one-year mandatory minimum driving prohibition the first time an individual is convicted of dangerous driving or criminal negligence causing bodily harm or death while participating in street racing.

The bill provides that the minimum driving prohibition period will be increased for subsequent offences. It is important to read the driving prohibition provision very carefully. It prohibits the offender from operating a motor vehicle on any street, road, highway or other public place for a minimum period plus any period to which the offender is sentenced to imprisonment. This is in addition to any other sentence the court may impose. An offender may appeal a driving prohibition order before the National Parole Board to cancel or vary such an order. Driving during the prohibition period is punishable by up to five years imprisonment. This bill would make major changes to the Criminal Code.

Bill C-19's proposed system of gradually increasing the length of prohibition for repeat offences would have to be reviewed. For dangerous driving that does not cause bodily harm, the increasing length of the prohibition is identical to the provisions in the Criminal Code for offences involving drinking and driving. This seems reasonable to us.

However, the minimum lengths seem more problematic for repeat offences of dangerous driving and criminal negligence causing death. For example, if a person has already been found guilty of dangerous driving cause bodily harm and they cause another person's death as a result of dangerous driving, they will automatically be banned from driving for life. In that example, the fact that a judge is forced to ban the offender from driving for life could create adverse effects, effects we have gone over a number of times during discussions on minimum sentences.

Let us review the reasons that have always prompted us to be extremely cautious in using minimum sentences. Minimum sentences restrict the judges, who are in the best position to determine the most appropriate sentence in light of all the facts in each case.

Government Orders

The Bloc Québécois defends a model of justice based on a personalized process, with a case-by-case approach and with the principle of rehabilitation in mind. Minimum sentences can have adverse effects and lead to plea bargaining by lawyers wanting to have their clients charged with offences that do not have minimum sentences.

• (1640)

Minimum sentences could also compel a judge to acquit an individual rather than impose a sentence that he or she feels is too strict, in light of any particular circumstances. For example, a suspension for life, while the appropriate sentence might be a suspended licence for five years. Hence, the amendments and questions proposed by the Bloc Québécois regarding this bill.

I would remind the House that my colleague, the hon. member from Argenteuil—Papineau—Mirabel, gave an eloquent address regarding Bill C-65 and I would like to quote from it:

The message we want to send to our young men and women is that there are places to engage in racing. That is what race tracks are for. So we do not want to discourage them or deny them the full enjoyment of their vehicles. Many young people put time and money into fine vehicles which are often very powerful. This is very much the fashion, and we do not want to discourage them from it.

What we are saying to them is that, when they do this, there are places for running their automobile trials. It is quite obvious that, for a young person who has spent a lot of money, it is always important to determine in the field whether the goods have been delivered. The message that we want to send our young people is that the only way to do this is on the race track and in those places where this type of racing is permitted.

I will also quote the member for Rosemont—La Petite-Patrie, who had this to say about the Montreal police forces:

The Montreal police forces have gone to considerable lengths to try to prevent this while maintaining a respectful posture. There is station No. 24 in Montreal...which has done wonders in this regard. I think now, though, that the law needs to be toughened. These sentences, which used to be at a judge's discretion, need to be made mandatory

In closing, I will also quote the member for Gaspésie—Îles-de-la-Madeleine, who said, "Efforts have to be made in terms of prevention, education, information and so on".

In his speech, the hon. member talked about the need to go further. The discretionary powers of judges have allowed this phenomenon to expand over time. It is spreading more and more in cities, but also, as the member for Gaspésie—Îles-de-la-Madeleine said, "in rural and other areas in Quebec and Canada".

In closing, I will quote the Library of Parliament again:

Although there are supervised locations where speed lovers can test their vehicles completely legally, street racing is still popular. Street racers are often looking for thrills, and some feel that the thrills are heightened in the street, in traffic, where the unexpected may happen and racers risk meeting a patrol car.

Street racing is becoming a new challenge and is expanding, according to the research by the Library of Parliament.

Indeed, a variant of this activity has been invented — the "hat race" or "cannonball run": money is put into a hat, which is put in a location that is kept secret until just before the race starts, and the first participant to get there wins the money. No holds are barred: the drivers run red lights and ignore stop signs. These races are a clear reflection of the general attitude of recklessness that prevails among street racing participants.

That is what the Library of Parliament researcher has to say.

In my opinion, this is one more reason to vote for this bill, which is a step in the right direction. We have to put an end to street races and put them back where they belong: on race tracks and in places that are legally designated for racing.

The Acting Speaker (Mr. Andrew Scheer): It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Mississauga South, Government Accountability.

[*English*]

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, I compliment the member for the Bloc on his overview with respect to Bill C-19. He has obviously done a great deal of research on this.

My question is with respect to Dominique Vaillancourt, who was quoted by the member. I think the comment was made through that quote, and I am taking this as my inference and I do not know if it is correct or not, that Mr. Vaillancourt suggested that there was an expansion of Bill C-19, which includes liabilities that may take place on private tracks. This goes somewhat beyond the initial parameters that the bill was purported and intended to deal with, which was street racing in public places.

I was taken by the member's insights with respect to young people who are looking for a constructive outlet to participate in road sport other than on public streets. Even local police enforcement agencies are working with young people through clubs and so on to try to steer them into a regulated environment where they can participate in a positive way in road sport.

If Mr. Vaillancourt is right, and my inference is that private tracks were included with respect to some liabilities, could the member indicate whether the bill is encompassing some private liabilities? Does he think this would not be constructive and helpful with respect to the approach he has suggested, that we take a more encompassing positive one, not just one that is obviously very intent on punishment?

• (1645)

[*Translation*]

Mr. Louis Plamondon: Mr. Speaker, I would like to clarify that it was not Mr. Vaillancourt, but Mr. Valiquet.

I quoted the member of the Law and Government Division because I was wondering whether this bill might encroach on provincial jurisdiction. I was told it would not. Given that each province and territory has its own legislation on motor vehicles, I was wondering whether tabling this bill might infringe on existing provincial laws, particularly those in Quebec, which has a very good framework. I was told there was no problem because anything to do with criminal law falls under federal jurisdiction.

Mr. Valiquet said that even if there were provincial regulations, the federal government could intervene in criminal cases if, for example, an assault had taken place. Hockey is heavily regulated in Quebec. However, if someone were seriously injured during a fight and the referee's report indicated assault, the federal government could intervene under the Criminal Code of Canada even though Quebec has regulations governing hockey.

Government Orders

In Quebec, speedways are also regulated. However, if a driver deliberately hit a stopped car during a race, for example, the Criminal Code authorizes intervention.

I quoted Mr. Valiquet to show that there was no encroachment on provincial jurisdiction. This is clearly federal jurisdiction. This bill works alongside provincial jurisdiction and does not contradict it. That is what I meant.

[*English*]

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I listened intently to the comments of the member of the Bloc on Bill C-19.

In my hometown of Hamilton, particularly in the Hamilton East—Stoney Creek area, this bill has raised some concerns and questions. In the local Tim Hortons while sitting down with some friends I was asked if street racing meant operating a motor vehicle in a race with at least one other motor vehicle on a road, street, highway or other public place. That was quite straightforward, but they got a little concerned when I went on to explain that anyone who by criminal negligence caused death to another person while street racing would be guilty of an indictable offence and liable to imprisonment for life. The response came back, “Is criminal negligence causing death not already in our Criminal Code?” They also asked why would the government want to do this?

One of the persons I was sitting with had a life experience that troubled me greatly when he related it to me. As a young man of 19 years of age in the province of Nova Scotia he was riding in a car one night with some friends. He did not know the driver well. He was offered the opportunity to drive the car, which he did. He ultimately wound up being pulled over by the police. He was the only one who was caught in a stolen vehicle. Part of the common code was that one does not rat one's friends, so he did not. He wound up in penitentiary and the first night he was there, he was assaulted.

The reason I raise this in the context of this legislation is a warning that came from those good citizens in the coffee shop about what potential there is for damaging our young people by sending them off to prison for partaking in what they see as innocent fun, but we all know absolutely that it is not innocent fun.

Do you believe that this legislation will meet the test of actually getting street racing off the street, or is it only an answer to a hot political question?

• (1650)

The Acting Speaker (Mr. Andrew Scheer): I would remind the hon. member for Hamilton East—Stoney Creek to address his questions and comments through the Chair, not directly to members.

[*Translation*]

The hon. member for Bas-Richelieu—Nicolet—Bécancour.

Mr. Louis Plamondon: Mr. Speaker, the hon. member's question worries me without worrying me. It is a highly relevant question.

I remind hon. members that the bill does not specify what would happen if just one person raced for the fun of it. There has to be at least two cars for this bill to apply. That is debatable.

As far as the point made by the hon. member is concerned, this goes back to the debate on minimum sentences. I was wondering about that too, as I mentioned earlier in my speech. The judge needs to be given some latitude. I believe strongly in personalized justice with a case-by-case approach. The judge has the necessary knowledge for giving a ruling with a view to protecting the public and the individual's rights. In that sense, the question should be asked, especially when the hon. member gives the example of a young man who was inadvertently involved in an auto theft committed by his neighbour. The neighbour told the young man to drive the car, but failed to tell him the car was stolen. This poses a problem. The judge is in a good position to give a balanced ruling. If there is a minimum sentence, then the judge no longer has any choice.

He could even decide to acquit the accused because a five-year sentence would seem unreasonable.

The hon. member is right to ask these questions. I look forward to discussing this at greater length in committee.

Mr. Robert Carrier (Alfred-Pellan, BQ): Mr. Speaker, I want to commend my colleague from Bas-Richelieu—Nicolet—Bécancour for his academic presentation on Bill C-19.

Although we are in favour of the bill and most of the parliamentarians will discuss it, the effectiveness of such legislation is uncertain since it applies to young people. Young people are not aware of the changes made to laws or are not even aware of the laws.

Could we improve the effectiveness of the bill by providing more information to young people? I would like to know what my colleague thinks about that or whether he has recommendations for publicizing this legislation in order to make it work.

• (1655)

Mr. Louis Plamondon: Mr. Speaker, I know I must be brief, but I completely agree with my colleague about coercion. Such measures are needed to put a stop to these street races. However, our youth also need information, education and preventative measures, as you mentioned. They are often very amenable to such campaigns.

I think that as a follow-up to this legislation, a significant amount of public awareness must be generated using brochures and communications tools to reach youth. I would go so far as to say that we must work closely with the provinces on this and that an explanatory note should be included with licence renewals to make young people aware of the dangers of street racing.

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC) Mr. Speaker, I am pleased to take this opportunity to speak to C-19, An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act.

Criminalizing street racing is an obvious and appropriate complement to the current provisions of the Criminal Code governing dangerous driving, as well as to the legislative efforts of certain provinces to strengthen their traffic laws. The proposed changes target serious criminal behaviour.

Government Orders

The Government of Canada made a clear commitment to Canadians that it would tackle this crime, as indicated in recent months by many announcements regarding the financing of municipal and provincial programs. These crime prevention programs target youth at risk with the assistance of the National Crime Prevention Centre. These local prevention programs complement our financial commitment to help assist the Royal Canadian Mounted Police in their training and recruitment efforts.

In addition to this important and tangible crime prevention effort at the local level, we should note this government's commitment to giving more bite to our criminal laws. This government has promised to get tough on crime and that is exactly what it is doing.

We proposed reforms in several areas: strengthening the laws dealing with the national DNA data bank; making it harder to be granted bail in the case of crimes involving a firearm; increased minimum sentences for this type of crime; and limited recourse to conditional sentences for serious and violent offences.

[*English*]

This holistic approach has been in response to renewed calls for all levels of government to reassess existing practices and responses in fighting crime. The government's response clearly reflects our understanding of the importance of keeping our streets and communities safe for all Canadians.

Bill C-19 is part of this government's overall program to tackle crime. It is in my opinion a welcome and important piece of legislation which will contribute to raising the safety and quality of life for our citizens to a level that they deserve and rightfully expect from their government.

Those who exploit and abuse their privilege to drive a motor vehicle by engaging in street racing demonstrate contempt for our laws, and more significantly, contempt for their fellow citizens. Cars can be dangerous at the best of times. When operating with such wanton recklessness and disregard for the safety of others, they too can be come lethal.

[*Translation*]

A driver's licence carries with it great responsibility. I strongly feel that drivers must be held accountable for their actions behind the wheel when, for a cheap thrill, they show no regard for that responsibility.

The streets and roads in our cities and provinces are a shared public resource, to be used and enjoyed by all of our citizens. The increasing incidence of street racing is turning the pavement into race tracks, but without all of the necessary elements that are found at all legal racing facilities. As a result, too many innocent bystanders are dying or being seriously injured.

Although we do not yet have any comprehensive statistics on the prevalence of street racing in Canada, or on the exact number of related deaths or injuries, there is sufficient evidence to confirm the seriousness of the situation. Such incidents causing death or serious injury are happening across the country. Just in the past three months, for example, we have read:

● (1700)

[*English*]

In June near Campbell River, British Columbia, two 18-year-old girls were allegedly involved in a street race which ended in the death of one of the drivers and serious injuries to two of her passengers.

Also in June in Merritt, British Columbia, two 24-year-old men died and two innocent motorists were seriously injured in what is a suspected case of street racing.

In July in Winnipeg, Manitoba, two drivers were charged with street racing and had their vehicles impounded when they were caught racing at speeds of more than 165 kilometres per hour.

Just a few weeks ago in Mississauga, Ontario, a foreign exchange student was killed when the vehicle he was driving careened into a hydro pole after it was hit from behind, allegedly as a direct result of street racing.

Those are only some of the most recent examples. Innocent victims who have died as a result of street racing in the past several years include a couple strolling on the sidewalk after celebrating their wedding anniversary, an RCMP constable on patrol, a 29-year-old mother out driving, and an immigrant taxi driver just days away from his citizenship ceremony.

I for one am saddened and outraged by these incidents, the reckless trend that is behind them and the frightening prospect of more to come. These senseless tragic deaths and serious injuries were all preventable and together make clear the call for a tough response. We simply cannot allow such carnage to continue.

[*Translation*]

These crimes continue to occur and the current government is determined to give more leverage to those responsible for law enforcement in order that they may respond to this crime effectively. The provinces have sentences in their jurisdictions, including fines, licence suspensions and impounding vehicles, which hit the wallets of the offenders. Nonetheless, when money is not a driving force, such measures do little to deter street racers from adopting this irresponsible and often deadly behaviour.

I think it is important to send a strong message about the seriousness of this offence, by criminalizing such behaviour and creating serious consequences for the crime. The consequences in this bill establish a system for determining a fair and appropriate sentence based on the seriousness of these crimes, namely a maximum sentence of 14 years in prison for bodily harm and a maximum of life in prison for causing death.

This sentencing system is enhanced in an appropriate manner by gradually increased mandatory driving suspensions, starting with a minimum suspension of one year for a first offence up to a life suspension for three convictions for street racing not resulting in death or bodily harm.

I believe that these measures are necessary given the frequency and serious outcome of tragic accidents that could be avoided and too often are the result of street racing. Enhancing and protecting public safety are among the most important responsibilities of government. Bill C-19 is about enhancing public safety. It sends a clear and strong message to those who wish to engage in street racing by establishing appropriate and proportional sentences for individuals who use our streets as their personal race courses, without any regard for their own safety or that of others.

The proposed amendments to the Criminal Code, as well as other government initiatives to tackle crime, will improve the safety of our streets by putting citizens more at ease when exercising their right to use our public spaces without fear of bodily harm or death caused by behaviour completely lacking in common sense.

In closing, street racing kills. Bill C-19 is important and will make our streets safer. I urge the honourable members to join me in supporting Bill C-19 and ensuring that it is passed quickly.

● (1705)

[English]

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I have some concerns about the bill, one being how we deal with things in an evidence-based manner, that is, proving and showing to us as legislators that this is the way to deal with this problem exclusively. If not, what are some of the other things that can be done?

Some of the debate today has been around the fact that we have not looked at the full scope of how to attack the problem of street racing. I mentioned my concern about advertising, which is a concern shared by some of my colleagues. What are we doing vis-à-vis advertising? The response I received to that question was that we could not legislate what goes into Hollywood movies. I simply was pointing to the fact that some of the movies glorify street racing and that is something we should probably address. We cannot ban or censor movies but we can acknowledge the fact that they are a factor in street racing.

Something we can do and something that should be looked at is regulating advertising. We do have standards for advertising and we should look at those standards. As a member who is concerned about this issue, I would like to know what the member's feelings are about prevention. What can we do beyond this bill? I think most people would acknowledge that a law does not change behaviour in and of itself. We know other things can be done.

What is the role of those who change cars from being regular vehicles that take us from *a* to *b* to being street racing cars? This might be an underground business but we know we can find places that will soup up a car in an afternoon. How do we deal with this kind of thing? Is there something we can do as legislators in that area?

Mr. Pierre Lemieux: Mr. Speaker, we are not saying that the bill is the complete solution to street racing. There is education and advertising. We need to send a message to the public that street racing is not acceptable, both from a legal perspective and from society's perspective.

The bill outlines that we want street racing to be a criminal act. I would ask people to picture in their mind what might be going on

before a street race actually takes place. People might be milling around. Two cars might be on the street. The drivers themselves are probably thinking they can handle the speeding ticket and the demerits. They certainly do not intend to wound or kill anybody. In their mind they do not see the penalties being that grave. They think they can deal with the penalties should they happen to be caught.

That is one of the reasons that we want to break street racing out on its own. We want to tell people that it is a criminal activity. We want to let them know by advertising, by education and with the passing of this bill into law that it is a criminal activity. It is our hope that this will pass through their minds and dissuade them from street racing.

I also believe the bill would give our police an additional tool with which to act against people who are street racing. I believe our police officers need this sort of law to help them protect public safety.

As part of the bill, our government is committed to hiring more RCMP and police officers and working with communities. We want to ensure there are more police officers on the ground to help enforce a law such as this.

* * *

BUSINESS OF THE HOUSE

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, discussions have taken place between all parties concerning tomorrow evening's take note debate on Government Business No. 10 and I believe you would find consent for the following motion. I move:

That during the debate on Government Business No. 10 scheduled for Tuesday, October 3, under the provisions of Standing Order 53.1, members may be permitted to split their time by so indicating with the Chair.

● (1710)

The Deputy Speaker: Does the hon. member have unanimous consent to put the motion to the House?

Some hon. members: Agreed.

The Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

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CRIMINAL CODE

The House resumed consideration of the motion that Bill C-19, An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act, be read the second time and referred to a committee.

Government Orders

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, when the Minister of Justice spoke earlier this afternoon, he outlined the current provisions in the Criminal Code that deal with street racing. These are very serious charges. They deal with things like criminal negligence causing death, dangerous operation of a motor vehicle causing death, criminal negligence causing bodily harm, dangerous operation of a motor vehicle causing bodily harm and dangerous operation of a motor vehicle. All of them carry very serious penalties, 10 to 14 years or life is a possibility as well. There is also the possibility of a driving prohibition from 3 years up to 10 years and even a lifetime driving prohibition.

It seems to me that the Criminal Code already has some serious provisions that deal with street racing which are available to the law enforcement agencies to deal with the question of street racing. I do not know why they have not been enforced. Maybe the member could explain to me why these provisions are not working. They are very serious provisions and it seems to me that if we would enforce what is already there we would be making a dent in the problem of street racing.

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Mr. Speaker, the member is correct in that right now there are laws, not necessarily against street racing, but against reckless driving or dangerous driving. The difficulty is that there is no distinction between street racing and other forms of dangerous driving or criminal negligence. We want to create a separate offence in the Criminal Code that will specifically denounce street racing.

Street racing is a very defined activity. Reckless driving can occur but then there is street racing. In street racing one decides to participate in a street race. One decides that one will drive one's car as fast as possible in order to win whatever might be on the table. We want to basically separate this out from other dangerous driving type of offences in order to protect the public.

During my speech I listed some instances that have occurred recently and in past years where Canadian citizens have either been very gravely wounded or have actually died from street racing or alleged incidents of street racing. One of the reasons we want to protect Canadians from street racing is that it is a definable activity that is actually taking place on Canadian streets today. Having this activity hidden in among dangerous driving charges is not protecting Canadian citizens.

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, before I ask the question I would like to make it clear that the House, I think, is absolutely unanimous that these forms of absolutely preposterous activities taking place on our streets are totally unacceptable. We have seen very tragic results that have come about as a result of this kind of negligent and dangerous behaviour.

My question is on the preventive side. Throughout time, young people and people of all ages have been interested in tuning vehicles and in altering them in engineering terms. Some of us have gone and seen with great pride what people are capable of doing in terms of their innovative engineering capacities. Those are positive things but the outlet they have to then demonstrate what that capability is, is almost non-existent.

Law enforcement agencies are working, for example, around Mosport, and they are providing opportunities now for these young

people, in a positive way, to go off the street onto the track to demonstrate their capabilities.

Does the member see that as a positive way of managing what has become a very serious issue? Is the government looking at any kinds of programs in cooperation with law enforcement agencies, service organizations and others that are now attempting to bridge a very profound social problem with some positive outlets that in fact would be even more than a deterrent? They would take those young people and get them into very positive endeavours around a sport that has been recognized over time.

• (1715)

Mr. Pierre Lemieux: Mr. Speaker, Bill C-19 in no way precludes the positive steps of education and advertising. In fact, they are key supplements to what we are trying to accomplish here in the House. We are trying to put in place a law that will make street racing illegal and that will carry fairly serious penalties for those who engage in it, not just once but several times, because if they are repeat offenders then there is definitely a problem.

In my mind, there is no sense having the law if we are not going to allow Canadians to know there is such a law. That ties into advertising, into messaging and into communicating with the Canadian public, especially with our youth, about what it is we are trying to accomplish and why we are trying to accomplish it.

This is a legal type of approach but it is not the only approach and I do not think we have ever said that it is. We want to tie it in to what the hon. member is suggesting. We want to tie it into a communications strategy. We want to explain the bill, explain why we have the bill in place, explain the consequences for street racing, not just legally but to the individual should he or she happen to seriously injure or kill someone, and explain the impact on the victims.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, first let me say that I am in support of the objectives of the bill and the purpose that has been put forward. It is similar but not identical to a previous bill that was adopted in the House, as we all know, at second reading.

The term of "street racing" and criminalizing street racing is a legislative attempt to criminalize an area of activity that had fallen below, no pun intended, the radar screen in the Criminal Code. Provincial highway traffic acts quasi-criminalize reckless driving and careless driving, but in the Criminal Code the mischievous conduct, the criminal conduct, usually begins at the low threshold that is called dangerous driving. Some forms of that may actually work their way up into criminal negligence or what used to be called motor manslaughter.

So in order to apply the Criminal Code now, we actually have to get some kind of incident, some kind of damage, some kind of bad thing happening as a result of the reckless, careless, dangerous or criminally negligent driving.

Government Orders

Speeding, of course, is a crime. One could ask, do our speeding laws not cover road racing? They do, but the problem with simple speeding, if I can put it that way, where there is no injury, damage or death, is that those circumstances usually require a police officer or a radar trap to be there in order to get the evidence to convict for speeding.

In a road racing scenario, generally speaking, we probably would not need radar. We might need to have a policeman or some other evidence of the race, but we would not have the need to record the actual speed. We would not need to have a police car chasing the racers. A visual observance of a street race would probably be sufficient to get us into an offence territory and into at least the laying of a charge.

I will leave the evidentiary stuff, but it is clear that police across the country have been frustrated with this kind of problem. To now push the Criminal Code down into that territory is probably going to help them enforce a bit more order on the streets where racing has been a problem. It is not necessarily a problem across the country, but it seems to pop up in regions. There have been some very serious implications as a result of the racing that does go on.

I want to move into some technical areas, having said very clearly that I support the initiative. I want to direct my attention and remarks to some technical aspects of the bill, because I think most bills, like this one, need a bit of a tweak, a bit of an adjustment, as they go through committee and the House. I am going to suggest a few areas in which the bill may be inadequate or may have a problem.

The first one has to do with the definition of "street racing". As I read it, I note that it is really quite simple. The bill states that "street racing means operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place".

That is okay as it stands, but as I read it, it seems to include what we would call road-rallying. There are organized sport road rallies around the country. People do this quite legally. They do not usually do this in the city, but sometimes they do. This is usually done in a rural area. These drivers use public roads and highways for the road rally. It is essentially a race. The rally drivers are released once every couple of minutes or five minutes. There is a race. It is clocked.

It seems to me that the definition we are using in the bill may criminalize an area of conduct that we just call road-rallying. There are probably hundreds or thousands of road rally enthusiasts out there across the country who may have a concern about this. The bill as it is written now does not exempt this type of organized sport rally activity and seems to criminalize it.

● (1720)

The second area I will call the Formula One road racing, the very highly organized sport racing that happens with professional drivers. Sometimes it happens on a track, but other times it happens on portions of streets and roads in a city or a location where streets and roads have been blocked off, closed or otherwise.

One could argue that if one blocks off the city street that is being used for the Formula One race, it is no longer a public street. It is not really a street any more as it has been blocked off and closed. I suppose I could accept that, but the definition also uses the term "or other public place". It seems to me that the middle of a city with

blocked off streets may still be a "public place", although there may not be a street.

I think the House and the committee are going to have to look at that to make sure that very justifiable routine Canadian participation in these motor sport events is protected, be it the professional speed driving that happens on tracks or in Formula One racing or similar type sports or road rallying.

The second thing I want to discuss has already been mentioned. There is probably not a solution to this. The definition does not deal with a solo race against the clock. I do not know how often that happens. A solo race against the clock is certainly speeding, but we are back into the evidentiary issues that I referred to earlier. If there is not a race with another car or with more than two cars, this bill would not criminalize it.

The third thing I want to mention is that the bill quite properly sets out penalties for different levels of damage or harm done as a result of the road racing. It also creates motor vehicle licence suspension periods that escalate upward depending on the seriousness. It seems to me as I read it that it is not clear when a second offence occurs.

When someone is convicted a second or third time of this type of offence, there is an escalating penalty, but because the road racing offence is broken down into four or five different parts, it is not clear whether, if someone is convicted of one part and subsequently charged and convicted of a second part of the bill, it constitutes a second road racing offence. It is the way the offences are described in the bill. If it is our intention to have a second or third component of the same Criminal Code prohibition constitute a second offence, then I believe we are going to have to say it much more clearly.

The last thing I want to say is again fairly technical. As I mentioned earlier, the bill criminalizes simple road racing. I would describe that as being on the lower end of anti-social conduct. At times it can produce horrendous results. Speeding is simply bad. I am not saying it is ever good, but speeding recklessly, carelessly, dangerously and criminally negligently is a serious problem.

The bill begins by addressing street racing where it has not reached the threshold of criminal negligence or dangerous driving. It is conceptually not clear to me what our intent is when the road racing activity crosses into this other threshold. It is not clear to me which offence is intended to apply.

● (1725)

If in fact a clear dangerous driving scenario evolved out of a road racing scenario, then it is not clear to me which statute should apply when the police lay charges. In my head, I think it creates some potential double jeopardy scenarios. It might not, but I would like to be able to canvass that further.

On the assumption the bill is adopted at second reading here, I would like to address with more precision the actual legislative intent for road racing which at the same time would constitute criminally negligent driving or dangerous driving under Criminal Code offences.

Government Orders

Those are my remarks on the technical side.

I will close by reiterating that I do recognize, as I think all colleagues in the House do, that street racing is a very serious and potentially dangerous form of activity from place to place. It is quite appropriate for the Criminal Code to reach out, proscribe it and allow our police to do their job in reducing the instances of this right across the country.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, the member addressed some of the issues around definitions and the possible charges that relate to this bill. There has been some discussion this afternoon about the bill's definition of street racing. The bill defines street racing as "operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place".

The member addressed some of the issues he saw coming out of that. I wonder if he might also address the fact that there are different kinds of street racing. I do not have the popular vernacular to describe them all. There is the sort of drag race we are all familiar with and which directly involves two vehicles, but I gather that there is also a trend to timed races, where people race to a certain location and whoever gets there first is declared the winner in this bizarre sport. There are also situations that are just time trials, where whoever gets to the location runs a certain course in a certain period.

Does he see that this definition would cover those aspects of street racing? Or is this something that is missing from the current proposal?

• (1730)

Mr. Derek Lee: Mr. Speaker, there is the legislative intent of the drafters. I think this is the same definition that was included in the previous bill in the previous Parliament. On the face of this bill, the definition only includes a circumstance where there is at least one more car involved.

Now, what if the other car happens to leave the starting point 60 seconds later or five minutes later or starts at a location remote from where the first car is? Let us say that one car starts from the Petro-Canada service station at one end of the road and the other car starts from the beer store on the other side of town. Is that two cars racing? I am going to leave that to the hon. member, in all his wisdom, to figure out.

It might come within the ambit of the definition in that it may in fact have two cars, but it is not clear to me that police who would investigate and prosecute would be fully able to present the evidence that there were in fact two cars involved in a race if the police were in only one location. I think that is probably a subject that would warrant further discussion at committee to try to better capture the legislative intent of the bill.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to congratulate the member. It seems that every time he rises in this place to speak he is not bowing his head and reading from some pages that somebody wrote for him; he is speaking to the House based on his knowledge, experience and research. It is really helpful to have someone who has some experience, as he does, to share some of his insights.

One of the issues that has come up is that this bill's approach to the problem of street racing is to deal with it through the penal system, as it were, but it really does not add anything to the approach in terms of prevention and providing the tools to the jurisdictional authorities who have to enforce these laws under the Criminal Code.

I wonder if the member would care to comment on whether or not part of the solution here, and maybe part of any bill dealing with street racing, should in fact address the prevention measures that would be most appropriate to dealing with this as opposed to simply relying solely on deterrence measures.

Mr. Derek Lee: Mr. Speaker, the member makes a very good point. The bill, on the face of it, does not make an attempt to go out and deal with the deterrents or public education in a direct way. There is hardly a time in my life that I cannot recall a story about one, two, three or more young people in a car, which was involved in some kind of a street race, who were not seriously injured or killed. This seems to happen every few years in a very conspicuous way at some place across the country.

I do not have enough information to answer the member's question properly. The member has raised the point about whether this new law allow police to intervene in a more robust way in communities across the country. Will the bill encourage cities, towns and councillors to perhaps make some place available for racing automobiles, such as an automobile track?

I am assuming that most of the people driving quickly in these road racing scenarios are people under 30 years of age. There could be some older gents and ladies involved as well. The government is trying to send a message to the people, who would drive in this fashion, to look for ways to cause them to rethink their ways and find safer ways to carry on their driving competitions.

• (1735)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, at committee, I know the member looks at how legislation has or has not been enacted. He certainly comes from a background where he can see the unintended consequences perhaps of any legislation.

The member described some of the concerns he had about how the bill might be interpreted. Beyond what the government perceives the bill as being, which is something that will deal with the concerns around street racing, does the member see another way of dealing with it? We have talked about prevention, and that is fine. Are there other mechanisms that he can see available to us as legislators to confront the whole issue of street racing? I am sure he has pondered some ideas, and I am interested in hearing some.

Mr. Derek Lee: Mr. Speaker, the business of preventing crime lies with the federal government. In many areas involving social legislation such as health and welfare, the provinces have a role to play and it interfaces with our education system.

I know that Health Canada, from the federal jurisdiction, invests Canadian taxpayer money in dealing with the war against drugs. Anti-smoking campaigns were very visible, and still are, with I believe a fair bit of federal money involved.

Government Orders

Licensing of driving is very much a provincial matter as is education. Many of the drivers testing the limits of their automobiles seem to be young, but they are not the only offenders, and I understand that. If the bill is passed, and I hope it is, collaboration between the federal government, the National Crime Prevention Council and provincial authorities, which have an interest in educating young people about the real world, the risk of death and injury to themselves and others, I hope might take place and it might produce some salutary benefits.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, would the member comment on the role of popular culture in all of this and of the culture of speed that we have developed around the automobile? We see it in a number of places. We certainly see it in advertising. One current campaign features a young boy saying “zoom, zoom, zoom” as his car speeds by. This is one aspect of that kind of advertising.

I think the advertisers have also seen the concern about the kind of culture they are displaying in their ads. They now put a disclaimer on the screen that these activities are happening on a closed circuit. Clearly, the idea of liability is occurring to them in terms of the kind of speed they are promoting. However, we also see it in movies, in car chases, in the kinds of video games we have and in the whole culture of extreme sports, where risk taking seems to have an extra heavy round of glorification these days.

How does he see street racing fitting into that and how do we address those kinds of cultural aspects of street racing, which are not really addressed in this legislation?

Mr. Derek Lee: Mr. Speaker, those are excellent comments. I recently viewed a commercial to which I took some offence. It involved what I regard as if not reckless, very fast driving of an automobile in a situation that did not warrant it. That was an automobile manufacturer.

I am saying this a little bit tongue-in-cheek, but if we are thinking about putting warning labels on alcoholic beverage containers, maybe we should have warning labels on speedometers of automobiles. There are a lot of perky, fast automobiles out there that are quite capable of killing someone very quickly.

As the member is alluding to, the sooner we get to that issue we will all be better off, and I think the automobile manufacturers may have a role to play in that.

• (1740)

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Mr. Speaker, it gives me great pleasure to rise today to speak to Bill C-19 on street racing.

Bill C-19, in its current form, had a very strong supporter in one of our colleagues, Chuck Cadman, who unfortunately passed away. He sat in our caucus when I first came here. He was quite a bolster for issues concerning youth justice and was very passionate about many of those issues. I know he had tried on previous occasions to bring forward bills regarding street racing, but due to concerns of the previous government with some provisions in the bill, it never came to pass in the form of a private member's bill.

However, it is a great to see the issue of street racing finally being addressed by an amendment to the Criminal Code. It deserves

significant attention. Finally, we have the chance for some serious debate. Hopefully, it will receive a speedy passage, especially in the memory of Mr. Cadman as well as us doing something in this place to protect our youth and deter this kind of activity as well.

We have heard some different questions. A Liberal member asked about community initiatives and what our government was doing to support these initiatives. I will share an example of an initiative in Edmonton. It has been an incredibly successful program. However, first I will give an overview, as many of my colleagues have done, of the bill.

Bill C-19 would amend the Criminal Code to create a new offence of street racing, which would be defined to mean “operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place”.

The proposed offence of street racing would reference the existing offences of dangerous driving and criminal negligence, including cases of dangerous driving and criminal negligence causing bodily harm or death. In practical terms, this means that there will be unique penalties for those convicted of dangerous driving or criminal negligence offences in street racing situations.

I believe the creation of a specific street racing offence in this manner is a balanced and measured response, which will serve as a strong deterrent to a senseless and disturbing crime. One of the key things we have to remember, in creating this change to the Criminal Code, is that it sends a clear message, something that has been missing in the Criminal Code with regard to this problem, to street racers that this is not a glamorous game, but a serious crime with serious consequences.

Bill C-19 would amend the Criminal Code to include tougher penalties for those convicted of street racing crimes. Currently those convicted of dangerous driving causing bodily harm are subject to a maximum penalty of 10 years imprisonment. Those convicted of dangerous driving causing death face a maximum of 14 years in prison. Bill C-19 proposes key reforms in this area by increasing the penalties available for these offences in street racing situations to 14 years and life imprisonment respectively.

Bill C-19 also proposes important reforms to ensure that those who would abuse the privilege of operating a motor vehicle are prohibited from getting back behind the wheel for a longer period of time. Canadians do not want those convicted of street racing crimes to be able to simply get back behind the wheel and thereby place more innocent people at risk.

Mandatory driving prohibitions are an appropriate deterrent to this type of crime. A mandatory minimum driving prohibition of one year would exist for those convicted of a street racing crime and in instances where the person has been previously convicted of a street racing offence, the mandatory minimums would go up.

Government Orders

Those are some of the key reforms and the thrust of the changes to the Criminal Code. I have had nothing but positive correspondence on the change to the Criminal Code from groups across the country that are working with youth and law enforcement officials. Many people have said this is long overdue.

I will share, in particular, a program that is in place in Edmonton. The constable who is in charge of the program has shared his thoughts and has said that we are basically on the right track in finally dealing with this problem.

• (1745)

Like many communities across Canada, Edmonton has also been affected by this trend. One of the central challenges with this problem is that kids think racing is cool. Who can blame them? It involves fast cars and an interesting lifestyle. They watch races on TV often as a sport. It is an attractive thing to many. The difference is that drag racers also know that racing on the streets is not only illegal, it is dangerous.

So the challenge becomes getting young people to listen. How do we get them to change their minds on this? Edmonton has demonstrated impressive leadership in responding to the problem.

I would like to reference Constable Mike Wynnyk and his team of other police officers in Edmonton who recognized the danger of this particular problem and started doing something about it almost 10 years ago. They developed an impressive local program through the Edmonton police service to reach out to youth not only to educate and inform them about the dangers of illegal street racing but also to provide them with legal alternatives.

Harnessing his love of racing and his own experience of totalling cars unfortunately in dangerous accidents before joining the police force, Constable Wynnyk assembled Edmonton's street legal project to build and tour police race cars to local schools, trade shows, conventions, shopping malls, community events, and motor sport events to show kids that a love of racing should not mean street racing.

With the generous support of industry partners who donated parts and vehicles, Constable Wynnyk and the Edmonton street legal team have assembled an impressive police racer that they use for demonstrations across the city. The vehicles and Wynnyk's own passion for racing immediately capture the attention of youth at risk of participating in illegal street racing.

By building a credible relationship with young people, he and the rest of the street legal team enhance traffic safety by encouraging responsible motoring among young drivers, which is something crucial in trying to prevent this problem. They motivate youth to stay in school by providing a practical application for math and science education through legal drag racing. He said it was very exciting to watch the students get excited about practical math problems in calculating certain speeds for racing. It has a positive effect on their education.

In their program, they encourage self-respect and leadership among youth through team work and a positive relationship with police officers. That is something that should be commended. Those type of officers not only do law enforcement as their job but they are

getting out in the community and building trust with our youth who often are a little skeptical of law enforcement.

By encouraging youth to learn about the dangers of illegal street racing and holding illegal demonstrations at local racetracks, the Edmonton police force has built a credible working relationship with young people interested in racing.

The result has been a resounding success. Constable Wynnyk and the Edmonton street legal team have a positive relationship with local racing groups like Edmonton's 780 Tuners who openly denounce street racing and encourage their members to work with local police to ensure safe racing at the tracks.

One of the members asked what sort of support the government has received for these sort of programs, or what sort of initiatives exist. Our government has committed \$20 million to crime prevention initiatives, so that the causes of crime are addressed, particularly among our youth. Obviously, we need to support initiatives by Constable Wynnyk and his team in Edmonton who have had a profound effect on youth in deterring this sort of activity.

Interestingly enough, when talking with Constable Wynnyk, he expressed how ecstatic he was that the government was finally doing something to beef up the problem that existed in the Criminal Code and that the government was supporting the work that he and his team are doing on the ground. It is a great relief to him and others who have been working so hard that the government has recognized the need to beef up the Criminal Code to more than dangerous driving that currently exists in the Criminal Code.

This is what we have done in Bill C-19 with the changes that we have proposed. This bill would beef up those types of provisions in the Criminal Code to deter this sort of activity.

• (1750)

That way we can support the efforts of our law enforcement personnel, those who sacrifice on a daily basis their time, their energy, and their effort not only to enforce the law but to work with those groups who are often unfortunately attracted to this type of behaviour and unfortunately this sort of conduct of street racing.

It is abundantly clear to those who have been working on these particular issues, and I know many of our colleagues in the House have been working on issues of improving current criminal justice provisions and helping those to do their job on the streets, that this is long overdue. It needs to have speedy passage through the House, so that we all can finally support the work of those in the communities and to put serious teeth, as Constable Wynnyk mentioned, by beefing up the Criminal Code.

In this manner we can in fact deter the activity of youth who are attracted to this and obviously encourage them to look at the legal means to get involved with racing which would be on tracks rather than on our streets where they pose a threat not only to themselves but to innocent Canadians and many others who unfortunately can get affected by dangerous and reckless driving.

Government Orders

I encourage all members to think about this very seriously, to do the right thing, and support the changes that we are proposing in Bill C-19. As I mentioned, hopefully we can give the support to those like Constable Wynnyk who are doing such a tremendous job on behalf of Canadians and law enforcement to work with youth to deter them from that sort of behaviour.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I thank the member for raising for the information of the House a range of measures that the enforcement agencies can take from the standpoint of prevention and education which is a very big part. It seems to me that the solution to any of our social ills always involves public education, so I thank him for raising that.

However, the bill itself does not deal with public education and it does not deal with prevention. It deals with the Criminal Code and to add into it new offences which may very well have progressive penalties as a result of repeat activity.

As I think the parliamentary secretary advised the House earlier, the courts already take into account aggravating circumstances when we look at the current offences under the Criminal Code. They are: dangerous operation causing bodily harm, dangerous operation causing death, criminal negligence causing bodily harm, and criminal negligence causing death.

The bill is basically saying that the courts do not take into account the aggravating factor of being not only a violation of the Criminal Code but an aggravating factor of in fact being involved in street racing.

Does he believe that maybe the bill should have provided for greater resources for the kinds of activities that he relayed in his speech on the preventative side?

Mr. Rahim Jaffer: Mr. Speaker, I know the member often gives a lot of thought to these sorts of issues and pieces of legislation.

He raises an important point that I tried to make clear in my presentation. When it comes to the actual issue of prevention and education, it may not in fact be part of this bill. This bill tries to support those in the field, and I tried to clarify that, who are engaged in prevention and education. It would give them the teeth to actually continue on with their work on the legal side.

The member appropriately quoted the current Criminal Code where there are obviously separate offences relating to dangerous driving. The concern was and we felt we had to beef up the provisions to create a separate Criminal Code offence specifically for street racing. The legal community itself has called for the beefing up of this provision.

In essence, we are extending the measure to give it more teeth specifically with street racing. As I mentioned, there was the example of Constable Wynnyk and the work that he and others are doing. This in fact helps to extend the education and prevention work that they are doing by giving it more teeth. This is why it was requested.

The member also mentioned the issue of funding. I cited the \$20 million in our budget to look at supporting these sorts of initiatives for crime prevention in our community. It will not be in this bill because obviously it is a change to the Criminal Code, but on the

fiscal side in the budget we had attributed some extra money for this sort of initiative.

He asked whether we had faith in judges to come up with stiffer sentences resulting from people who are charged with street racing. All this does, in essence, is send a clear message, especially from our legislators, as I said, in support of the law enforcement community. The maximum punishments for dangerous driving causing bodily harm and criminal negligence causing bodily harm would remove the current requirement of 10 to 14 years under that previous dangerous driving causing death provision to 14 years to life. This proposal also provides minimum driving prohibitions, as I mentioned already, that increase on a subsequent offence.

All it does is give more teeth to our law enforcement in sending the message that this is not acceptable and makes it clear as well for judges when they are giving out the particular sentences. When reading judgments, it makes it very specific and clear as to what type of punishments should be available for those who street race.

• (1755)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I want to take issue with what the member said. He talked about the new legislation that we are debating today and saying we are putting teeth into the Criminal Code. I think the teeth are already there.

The Minister of Justice, at the beginning of the debate, talked about the five charges that are already in the Criminal Code that can be applied to street racing. There are five very serious charges that carry very serious penalties, from 10 to 14 years maximum penalties, even a life maximum penalty.

There is also the possibility of driving prohibitions from three to five years to a lifetime driving prohibition. Those provisions are already there. Maybe the member could comment on why the enforcement has not happened? What is it that has prevented law enforcement officials from actually charging people and getting them through the court system on the kinds of serious charges that are already in the Criminal Code? I would appreciate hearing his comment on that.

I also want to ask him a question about why manufacturers continue to build cars that can travel at speeds of 180 to 200 kilometres an hour, probably double the highest speed limit on any Canadian highway? Does he think there should be measures taken to ensure that vehicles are not capable of reaching those speeds and still meeting the needs of Canadians who need to travel by car? I wonder if he could comment on both of those important issues.

Mr. Rahim Jaffer: Mr. Speaker, I know that my hon. colleague from Burnaby—Douglas has taken a keen interest in the debate today and has been very active.

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I will address his first comment relating to charges and why in fact this needs to be changed; if already the provisions exist within the Criminal Code, why would we have to strengthen them? As I mentioned, with regard to the judgments that have been read, it is not just the current government that is calling for the changes, law enforcement officers across the country have said that there seems to be a problem with the actual judgments being handed down for those who are engaging in the activity of street racing. What can we do in essence to respond to that, to make it tougher, to give more teeth within the law to send the message?

Making this change sends a clear message, especially in the cases where people are charged with this particular behaviour, that the judgments need to be severe, that they need to be bumped up and that they need to have a mandatory minimum. That is exactly what we are trying to do by introducing Bill C-19, to strengthen those particular aspects of the mandatory minimums and to have, hopefully, judges enforce them once the change is made.

This is where the law enforcement community especially feels let down. While they go through the trouble of apprehending these offenders, the actual judgments do not reflect the type of penalties that are required in order to deter this sort of behaviour. It is not just us calling for this; it is law enforcement officers, those who are working, Constable Wynnyk, for example. We need to give them the support in the judgments after people are charged with these type of offences. This is why we have recommended that this particular provision be strengthened.

My hon. colleague raised the issue of vehicles and speed. I am not an engineer by any stretch of the imagination so I cannot get into some of the arguments of why cars are built with certain speed limits and some are not and why that sort of speed is needed. Obviously there is a significant part of the industry that is related to legal street racing and cars that legally race and train. Clearly there is a need for cars to be built with engines that can exceed certain speeds.

If the hon. member has issue with the current speed limits on current vehicles on the roads, maybe he would like to make some proposals as to what we could do to address that or perhaps he could take it up with the vehicle manufacturers directly. It might be a particular issue with which he would want to deal.

• (1800)

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, street racing is an issue in my community of Surrey North and in hundreds of other communities across the country. It is a concern everywhere. It is of particular concern in those communities that have seen a number of deaths as a result of street racing in the last two or three years. Certainly it is a concern in the lower mainland of British Columbia. It is important that we are having this debate today, to raise questions about what is appropriate and how we can end the pain and suffering that we see throughout the country.

In the lower mainland, there are two families that I know well who have family members who have died because of street racing. The family member was not behind the wheel of a car that was street racing, but was killed while crossing the road on foot or was in another car which was hit by another car that was street racing.

It is interesting that I have heard people say about street racing, "Well, there are a lot of hormones in young men and young women

and everybody likes speed and the impulse takes over". If they were speeding maybe, but street racing is planned. In most of the situations in the lower mainland people had actually planned the street race. They called each other and set up a time and a place. It is not simply happenstance. I do worry about it.

I worry also about this as an individual bill. Many people have been saying for quite some time that the Criminal Code in general needs an overhaul. This one aspect on street racing has been singled out and put in a bill. I would suggest that probably many more people are killed as a result of dangerous driving, by one car speeding, not racing, but we have not lifted that item out and said that we would deal with it differently. I would feel more comfortable if this were coming forward in a different context, in a more omnibus approach to changing the Criminal Code and updating a number of aspects that need to be addressed.

I thought about the purpose. I understand the purpose as the bill is written. Some people would suggest it is a deterrent, maybe an educational one. Or is it a singular response to one issue that would be better dealt with in a larger way, say with all actions that have to do with the dangerous operation of a car? Street racing is only one of many.

This piece of legislation reminds me of when a particular province passed a piece of legislation on stalking either women or men; there were more women being stalked at that time, but it had to do with stalking, period. Stalking could have been dealt with legislation that was already in existence, but because the issue of stalking was very much on people's minds, it was dealt with as a single piece of legislation, knowing there was already in legislation ways to deal with that kind of a crime.

• (1805)

One of my colleagues asked the question, and it is one which I am asking myself, if there is already legislation in place, why are judges not using it? We asked that about stalking as well. I truly do not understand. Judges have a fairly wide range of choices when someone charged with street racing comes before them. Many of the choices can be very restrictive. If that is the case, then why are we hearing so much about street racers receiving ankle bracelets and house arrest? We hear that they can leave to go to school and then return home, et cetera. I am very puzzled as to why that legislation is not being used.

There are some things we need to consider in the debate around this legislation. One of them certainly is the issue of resources. In Richmond, B.C. there are tracts of highway, at least in the Lower Mainland, that are more likely to be used for street racing than others. In Richmond there is a very long straight stretch of highway. We have had a number of street racing tragedies in Richmond.

I have also heard the Richmond, B.C. chief of police say that he thinks they are getting at that, but while they are addressing that problem, the police are not answering other calls. They do not have enough resources to place officers along that stretch of road where street racing occurs and to answer the other calls that come in from people who need police attention. The issue of resources is a very critical one.

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In my community of Surrey the police are already stretched beyond what they are able to do. It always becomes a choice of which crime is more important, which call is the more important one. I would not want to be the person who has to make that decision. I may make the wrong decision and someone's life may be lost. The resource issue is a very important one.

In some ways Bill C-19 is limited in terms of what it addresses. I am not arguing that street racing is not a very serious crime and has not been treated as a very serious crime. Absolutely, but I would refer to some of the things that people raised earlier. It is important for me to acknowledge that drinking and driving still happens. It happens less, but it still happens.

Mothers Against Drunk Driving, except it is mothers, fathers and all kinds of people, but MADD has had an extremely successful impact in its approach to reduce drunk driving and make sure that people are dealt with differently and are more aware of what could happen.

Around the issue of driving too quickly and drunk driving, there is a hospital in Cranbrook where high school students visit the hospital morgue. It is scary, but the students are not necessarily there when something is going on. The students are not there to see an autopsy. They are fairly young high school students. Simply being in a morgue after what is seen on television is a pretty scary experience.

• (1810)

I do not know how many people have ever been to a morgue but, as someone who comes from a nursing background, just being in an empty morgue is pretty chilling. Because of this program in Cranbrook, the community has seen a decrease in the number of teenagers who are drinking and driving, as well as speeding they think. It is not the same as street racing, but it does talk about the importance of the educative factor with young teens.

The health community and the education community are working together to solve a problem that is killing or maiming the future of our communities. They did not wait for the police or someone else to solve the problem. They looked for partners and actually found corporate partners to provide written materials and other materials around this to start educating teenagers in the same way we have tried to do around smoking and other things that are negatively affecting young people.

Education, obviously, needs to include the police force. I think teenagers, in particular, hear things differently from the police than from a doctor or nurse or someone in the school system. By putting those partners together who are willing to do this education means we can pick the right people for the right audience.

I guess there is the strategy of having young women or young men who have been caught street racing going into high schools and talking to students. I do not know a lot of street racers. I have only met the ones involved in programs. However, the ones whose friends were killed while they were street racing had a very important message and they were sincere in their message. They were not doing it as part of community hours or whatever. They were doing it because they wanted the 13 to 17 year olds to personally know the effect this has had, not just on them but on their friend's mom, dad, aunt, uncle, nana, grandad and a circle of friends. When one person

dies in this kind of incident sometimes 20, 30 or 40 people are pretty directly impacted by it.

I would like to see the time where we do not have to debate a bill like this and I think that will happen with the kind of education that happens in communities. I do not mean that we should not be debating it today but I would like to look at the root cause, not just the crime, so we can reduce and, hopefully, eliminate street racing. I do not want us to be dealing with this again in five years time because we were not able to reach our younger people and stop them from getting into this position in the first place.

I want to mention my grandson who I usually manage to mention in some speech. He is 11 years old now. Every time he came to stay with me when he was younger, his mom would send along a long list of things he could not watch. She listed 10, 20, whatever it was, things. I understand the effect television, movies and video games have on young people. They see car races as fun. Some video games have car races where the kids get 20 points if they knock the other car into the ditch because they went faster or they were able to cut them off. I cannot believe that does not have an impact on the actions of a six or seven year old when they are older.

• (1815)

I heard others ask about car manufacturers and advertising. If we look at car advertising, it says that if we buy this car it will go from 0 to 60 in 10 seconds or whatever and that is really cool. It is always a nice silver, sporty looking car and it is played as a positive to get there that quickly. If that is what we continue to see then we need to have an affect on advertisers as well because that is what our children see. Even if they are watching a perfectly acceptable television program, not everybody mutes the advertising or puts their hands over the eyes of their young children while the car manufacturers brag about how fast their cars go.

The other important question was whether we need cars to go that fast. Police cars, yes, but does every car we buy need to go 200 kilometres an hour? Given that the speed range in our province is 100 kilometres an hour, and it varies from province to province, I do not know if I need to buy a car that goes 200 kilometres an hour.

This is an important bill to be debating and it is an important time to be doing it. Many people who have had sons or daughters die, either as passengers in the car, as drivers or as someone who has been hit by a car, are watching very carefully. They are suffering pain and they have made their voices heard. If they had not been heard, we would not be here debating it.

What is the best solution? I am sure the solution is multiple but we need to know what the best actions are to take.

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I am interested in the debate that is going on currently and will continue to go on. I am glad that my son could only afford a car that was 15 years old and did not go very fast. He did not get the graduation present that others did. A lot of young people who graduate receive fancy new cars that look like they were made to be driven quickly. Maybe parents need to think a little bit when they buy these types of cars.

This is a real issue in the Lower Mainland in British Columbia. Many people know someone who has been involved in just such an event.

I would encourage us to think about whether there are other bills that we should also be looking at to make a more omnibus change to the Criminal Code, which people have been calling for, and to think about the community partners that must be involved in supporting this in order to have a reduction in the community, not only to have legislation but to encourage our community partners to come forward, the health system, the education system, the police system, and work with us as a group, not on individual initiatives, although those are fine too, but in a group to see what we can do so that we are not standing here debating exactly this bill in five years' time, that we will have reached those young people, as we have with alcohol and smoking, and be able to reduce that.

• (1820)

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I know the hon. member's heart is in the right place. I had a chance to work with her on private members' bills. I know she has a heart for victims and for criminal justice reform, which will make real changes.

I was intrigued by her comments about the design of cars. She is absolutely correct. Many of the cars in the market today are especially attractive to youth. They are designed to look fast and go fast.

Could she comment on whether there is a role for the federal government to legislate some kinds of controls on cars, which would prevent them from going above a certain speed, to ensure that these kinds of street races do not happen on our streets?

Ms. Penny Priddy: Mr. Speaker, it is very tempting to say, absolutely, to that question. However, I need to look at some of the implications. I have seen what has happened to the car industry. Trying to implement something like that would seem pretty challenging, given what has happened over the last few weeks.

However, I believe the government has a regulatory role to play. Car manufacturers have put alarm systems, immobilizers, et cetera in cars as a result of pressure and in some places as a result of regulation.

I would need to understand the implications better than I currently do, but in my heart, if we can make cars travel at safer speeds, yes.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, the member's speech was balanced. She acknowledged the pain and suffering that occurs among families when someone is killed as a result of street racing, but also she had questions around what would be the remedy for these tragedies and let us be evidenced based.

She identified an area in her community and talked about prevention? Could she comment on that? She talked about some examples in terms of drunken driving. As well, could she comment

on the requirements of the police services? There are laws on the books and sometimes it is a matter of not having the people, the person power, to enforce the laws.

Ms. Penny Priddy: Mr. Speaker, I hope I will remember the second part of the question after I get through the first part. With regard to the educative parts of what is happening in the community, I see young people whose friends either have been significantly physically injured or have died in street racing. They are not racers themselves. They are young people who are concerned enough about it to be holding community forums on it.

Several high schools have held community forums on street racing and what should happen. These young people are teenagers, so their views are quite black and white. They are on this side or that side. They are not very blended, but they have very strong opinions about this.

The kind of debate that engenders is a really important factor in their high schools, because young people have a chance to stand up, give their opinions, think about it and hear from other youth who are not street racing but who are concerned about what it is doing to their friends or the families of their friends.

I watched the televised funeral of a young man who had been killed in a street race. There must have been at least 150 to 200 people there, for what is a very small high school. It mattered very much to those youths that something tragic had happened. That is in part what motivated them to have high school debates.

I have no idea what the police requirements are, I have to say. I would suggest there are times when they may need to go faster, and we know that, although we have also seen a lot of debate about when police chases should be cut off, based on the speed the police cars are going. There is a safety factor at which they will call off the chase because the speed is so dangerous to other people who may be near them. I do not know what the specific needs or technical requirements are. I am not for a minute suggesting that they should not have the resources to do their job.

However, I do think that the whole issue of speeding and the fact that we have paid a lot of attention recently to stopping police chases because there have been significant injuries is enough to say that there is a broad concern out there about speed in a variety of ways, not only the street racing part but speeding for various reasons. The police have been very good about recognizing when it is time to call off a police chase and when they can continue on with safety for the people around them and for the public.

In the community I come from, our crime prevention society has worked very closely around this issue with the RCMP. I do not know about other communities. The crime prevention society in the communities in which I live, Surrey North or Surrey, does a lot of work with youth. The connection with youth is probably as great if not greater than it has been with adults. They have been involved in painting murals on walls to show things to the public, funded through the crime prevention society. There is a superb relationship with youth. There is a superb youth outreach person. I think the crime prevention societies across the country probably have a number of educative strategies.

It would be wonderful if there were a database. I do not know if there is or not. I never like to reinvent a wheel that somebody has already worked on. There could be a database of excellence that we could look at to see that Cranbrook takes its students into the hospitals or that somebody else does something that would work in our community but we have not even thought about trying. All of those pieces are going to have to come together in order to really have an impact on street racing.

• (1825)

Also, now that the question has been asked, I will have to find out what a police car needs as its top speed, because I do not know. Someone on that side probably knows.

Let me say again that it would be superb to actually have a database so one could see what is happening across the country and what might work in one's community, because all communities are different. There is no cookie cutter that says this strategy will work—

• (1830)

The Deputy Speaker: Order, please. I am sorry, but the time for orders of the day has expired. In accordance with Standing Order 38, a motion to adjourn the House is deemed to have been made and seconded at this time. Therefore, the question is that this House do now adjourn.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

GOVERNMENT ACCOUNTABILITY

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I had the opportunity to ask a question during question period in relation to a large fundraiser at which tables were \$7,500 a table or something like that. The Prime Minister attended and patronized the event as the guest speaker. It draws to this question. Can one be in favour of totally eliminating corporate donations and also reducing personal donations to \$1,000 but then turn around and patronize this kind of event?

In terms of the theme, it really had to do with whether it is a matter of do as I say but not as I do. I thought what I would like to do is ask the government if it would respond to other elements that seem to be of the same kind of attitude. It is an attitudinal thing.

How about the current industry minister who ran for the Liberal Party and then crossed the floor to become a cabinet minister in the Conservative Party? Yet this was one of the items that the Conservatives were very specific about. They were very specific about opposing the practice of floor crossing.

How about the current public works minister, who said that he was not interested in running in an election? He did not want to run, but after the election the government decided it would appoint him to the Senate and then also make him the Minister of Public Works and Government Services. Is this not the government that in its

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Conservative platform said it was in favour of an elected Senate? Again, it said one thing and did another.

How about recruiting lobbyists for government positions? There is a list that is growing daily to allow former Conservative staffers to register as lobbyists and to in fact lobby the people for whom they worked just before the election.

How about pushing through the softwood deal? The Conservatives said, hey, free trade and the dispute resolution mechanism, we have to make it work. As a matter of fact, the Conservatives said they were not accepting a penny less than \$5.4 billion. What did they do? They negotiated a deal that in fact left over a billion dollars on the table.

How about partisan appointments? There was Gwyn Morgan, a Conservative bagman, to head the supposedly non-partisan appointments commission. The Conservatives say they do not want partisan appointments, but they turn around and do it for a very important position, a person who is going to scrutinize appointments to government positions.

How about handing a \$500,000 contract as a federal negotiator to Harvie Andre, a former Conservative cabinet minister with deep ties to the Tories? How about Nova Scotia's former Tory finance minister, Neil LeBlanc? He is consul general to Boston. How about Richard Bell, co-chairman of the Conservative election campaign in New Brunswick, who was appointed to the New Brunswick Court of the Queen's Bench? How about former Conservative MP Jim Gouk going to the board of directors of NAV CANADA?

Time and time again, the Conservatives say one thing but do another. On accountability, how about the Conservative Party now being investigated by the Chief Electoral Officer, Jean-Pierre Kingsley, for failing to report delegate fees to their 2005 national convention, raising and spending millions of dollars with no transparency, as required under the act? Yet they continue to say they were being accountable.

I have more examples, but I think the government has to start responding to the question. Why is the government's attitude "do as I say, not as I do"?

• (1835)

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, let me first say I find it incredibly amusing that the Liberal member for Mississauga South would stand and try to give this government a lecture on ethics and fundraising when all Canadians know that the Liberal Party of Canada perpetrated the largest money fraud and money laundering scheme in the history of the Canadian Parliament.

The sponsorship scandal is what I am referring to, in which millions of dollars were illegally diverted back to the Liberal Party of Canada, and because of it, we have the genesis of the accountability act. It was the result of the sponsorship scandal. That is why we now have the toughest anti-corruption law in Canada being considered before the Senate. It is to put an end to those practices that the Liberal Party purported to put onto Canadian citizens and taxpayers for many years.

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For that member to stand and suggest that our Prime Minister was going to a fundraising event that really flew in the face of fundraising laws of this country is absolutely incorrect. I find it passing strange that any member of the Liberal Party could actually suggest that.

Let me also say that I find it particularly peculiar that the member for Mississauga South, who I thought would have more than a passing knowledge of electoral law in Canada and in the various provinces, would make such a ludicrous statement. I am sure the member understands that there are different election financing laws in Canada and in various provinces. In fact, in Ontario, the law states that contribution limits are \$8,400 for corporations or individuals or unions. Plus, another \$8,400 can be contributed during an election campaign.

Even more fundamental than that, if the member for Mississauga South were actually doing his homework or chose to investigate, he would understand, because he would have found out, that the recipient of the fundraising event that the Prime Minister attended was the PC Party of Ontario, not the Conservative Party of Canada. There is a huge difference. One is a provincial party and one is a federal party.

The Prime Minister did not receive any financial benefits, nor did the Conservative Party of Canada, yet the member has the audacity to stand in the House and try to accuse this government of breaking some sort of fundraising law when nothing of the sort occurred. In fact, when Bill C-2 is finally passed, and I desperately hope that happens within the next few weeks, it will be the one piece of legislation that I think will define this government, because it is the strongest anti-corruption law that this Parliament has ever considered.

The problem right now is that the Liberal Senate does not want to pass this law. The Liberals are purposely slow-walking this legislation in the Senate. Why? Not for due diligence, but to try to thwart our government for bringing in this law prior to the Liberal leadership convention.

This is unconscionable. It is shameful that unelected Liberal senators, for their own political benefit, would try to slow-walk the most important piece of anti-corruption legislation this country has ever seen. That is exactly what is happening. It is shameful. It is unconscionable. The member should be ashamed of himself. In fact, on behalf of his Liberal senators, he should apologize.

Mr. Paul Szabo: Mr. Speaker, the member says the Senate is delaying this because it wants to get it through before the leadership, but his own party says that the contributions to conventions are not included in donations anyway. He cannot have it both ways.

The member also suggested that I somehow have accused the Prime Minister of breaking the law. I did not say that. I said that his principle was that his party is against corporate donations and large contributions by individuals and it is going to change the laws of Canada; it is the spirit.

Let us go on. What about the lawyer Alan Riddell, who wanted to be a candidate for the Conservative Party? The Conservatives promised to pay him \$150,000 to step aside as a candidate in Ottawa South. Is this an ethical thing? How about Allan Cutler, who was an Ottawa candidate and was offered compensation for damage to his career by the party? Again, another ethical breach. How about a 33-day—

• (1840)

The Deputy Speaker: I am sorry to interrupt the hon. member, but his time has expired. The Parliamentary Secretary to the government House leader.

Mr. Tom Lukiwski: Mr. Speaker, I find it very interesting that an experienced parliamentarian, like my colleague from Mississauga South, has to constantly refer to notes. I would have thought he could stand up in this assembly and speak from the heart, speak from knowledge deep within, but apparently not. Apparently, he has to have some sort of a note or a canned speech perhaps in his possession. It really is quite disappointing. I would have thought he would have the experience by now, after many years sitting in this place, to ask a four minute question without having to refer to an aid, a crutch, like the notes he has clutched in his possession right now.

We all know the hon. member is off the mark. He is trying to draw a conclusion which is simply not a fact. I honestly feel he hon. member, if he has any conscience whatsoever, should stand in his place and apologize for the actions of his senators in the Senate.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24 (1).

(The House adjourned at 6:42 p.m.)

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