



CANADA

House of Commons Debates

VOLUME 141 • NUMBER 059 • 1st SESSION • 39th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Wednesday, October 4, 2006

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, October 4, 2006

The House met at 2 p.m.

Prayers

• (1400)

[English]

The Speaker: It being Wednesday, we will now have the singing of the national anthem led by the hon. member for Halifax West.

[Members sang the national anthem]

STATEMENTS BY MEMBERS

[English]

AGRICULTURE

Mr. Dave Batters (Palliser, CPC): Mr. Speaker, I am honoured to rise today in the House of Commons on behalf of the residents of Palliser and Canada's new government to state my appreciation and this government's appreciation for the tremendous contribution made by Palliser producers.

Farm families in Palliser have spent more than a decade trying to convince Liberal and NDP governments to take Canada's farm crisis seriously.

Canada's new Conservative government understands farm families. We share their values and we are standing up for them.

Our first budget provided an additional \$1.5 billion for agriculture, tripling our campaign commitment.

We are going to scrap the failed Liberal CAIS program and replace it with a new farm income support program that will meet farmers' needs.

We are moving forward with our biofuels strategy.

We have listened to farmers who told us they wanted choice in marketing.

I am proud of the outstanding contribution made by Palliser producers. I will continue to fight hard for farm families here in Ottawa.

LITERACY

Mr. Don Bell (North Vancouver, Lib.): Mr. Speaker, there has been a national outcry in response to the government's decision to slash \$17.7 million in federal funding for regional and local literacy programs. These devastating cuts will force literacy organizations across Canada to close their doors.

This is not the only blow delivered to literacy by the government. The Conservatives have also cut \$17 million from the workplace skills strategy, which has a key focus on literacy and employability.

The government has cancelled the \$3.5 billion set aside by the previous Liberal government for labour market partnership agreements with the provinces, which focused on increasing workplace training in several areas, including literacy and essential skills.

Basic education and skills are critical for Canadians trying to access employment and earn advancement on the job.

These cuts are a step backwards in our ability to meet the literacy challenges of Canadians and to build the kind of workforce our country needs.

* * *

• (1405)

[Translation]

MENTAL ILLNESS AWARENESS WEEK

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, it is my pleasure to recognize that October 1 to 7 is Mental Illness Awareness Week. This week is about fighting prejudice by bearing in mind that mental illness can affect anyone.

Indeed, statistics in this regard speak for themselves; they show that 20% of the population will experience mental illness at one time or another during their lifetime, and that 80% will be affected by the illness of a close relative.

Under the slogan "Our mother has a mental illness... We need help", this year's event is designed to reach out to children of all ages with a mentally ill parent.

Given that children have the right to know and, more importantly, to understand what is going on, let us wish all the best to those organizations which strive to reach out to them in an effort to spare them a great deal of suffering.

Statements by Members

[English]

ABORIGINAL WOMEN

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, October marks Women's History Month. This year's theme is Aboriginal Women: The Journey Forward.

Bev Jacobs is a Mohawk from Six Nations and a member of the Bear Clan. She is the president of the Native Women's Association of Canada. I have met with Bev regularly since I became an MP and she inspires me with the dedication she brings to the issues affecting aboriginal women.

Today Bev Jacobs led aboriginal women and their supporters in rallies across Canada to remember their 500 missing sisters as part of the Sisters in Spirit campaign to document violence against aboriginal women.

Bev Jacobs has also been a leading voice in denouncing Canada for its poor record on the rights of aboriginal women.

This week she hosted the UN special rapporteur on human rights, Rodolfo Stavenhagen, who disapproves of Canada's plan to derail the adoption of the United Nations declaration on the rights of indigenous peoples.

I ask my colleagues to join me in celebrating Bev Jacobs and the journey forward for aboriginal women in this country.

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FOREST INDUSTRY

Hon. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, British Columbia has been engaged in a devastating battle against the mountain pine beetle since 1993. Throughout that time, I have fought alongside the forest industry and our forestry dependent communities to help them stand their ground against the infestation and federal Liberal neglect.

Now that we have formed government, we have swiftly provided that long overdue support. This new Conservative government has committed to \$1 billion in new federal funding over the next 10 years to help B.C. communities ravaged by the pine beetle to address local priorities associated with the epidemic, diversify their economies and create new long term jobs, jobs like those the Prince George airport is striving to create through its expansion and development plans.

We will continue to invest in the scientific research necessary to help manage the aftermath of the infestation and to remain competitive under its threat in the future.

In just eight months, the Conservative government has already put B.C.'s forest industry on track for a much brighter future.

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[Translation]

LITERACY

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, on September 8, the Minister of Human Resources and Social Development stated that the Government of Canada was working to help citizens enhance their literacy skills.

Barely two weeks later, the government announced it was cutting \$17.7 million from funding to local and regional literacy programs.

These cuts will have a serious impact on services provided to minority communities in Canada. Such cuts will destroy the minority language literacy services network, including the Pluri-elles group which will have to shut down nine literacy centres in French-speaking rural Manitoba.

That is a disgrace.

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[English]

AUTOMOTIVE INDUSTRY

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, what drives the Canadian Vehicle Manufacturers' Association, the Association of International Automobile Manufacturers of Canada, the Automotive Parts Manufacturers' Association and the Canadian Automobile Dealers Association to come to Ottawa?

Climb into the rumble seat and fasten the seat belts, because it is auto days on Parliament Hill. My engine revs because these associations represent nearly 600,000 direct jobs across Canada, no mini-achievement.

In case people have not picked up on it, highly paid auto jobs power Canada's economic engine and fuel our quality of life in our communities.

It does not stop there. These associations are leading the way with cutting edge environmental technologies and processes.

I would not steer members wrong. These associations have parked themselves in Ottawa. They are not in neutral on the need for more competitiveness measures. They will not reverse their call for continued investment in this sector.

To the representatives of CVMA, AIAMC, APMA and CADA, I say welcome, and I wish them many miles of continued success in Canada.

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● (1410)

[Translation]

CRAIG PAUL GILLAM AND ROBERT THOMAS JAMES MITCHELL

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, it was with great sadness that the Bloc Québécois learned yesterday of the deaths of two Canadian soldiers, Sergeant Craig Paul Gillam and Corporal Robert Thomas James Mitchell of the Royal Canadian Dragoons. They were working on a road construction project 20 kilometres west of Kandahar.

The members of the Bloc Québécois mourn the loss of these men and offer sincere condolences to their families and friends, as well as to the Royal Canadian Dragoons.

We would like to tell the bereaved families that their loss will not have been in vain. The men were working to rebuild democracy and improve quality of life for Afghans.

Statements by Members

At the going down of the sun and in the morning we will remember them.

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[English]

FEDERAL ACCOUNTABILITY ACT

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, today is day 105 of the Liberal Senate's foot dragging and filibuster on the toughest anti-corruption law in Canadian history. It is shameful that the Liberal Senate is deliberately delaying the passage of the accountability act after this House passed it in a mere 72 days.

Canadians remember the sponsorship scandal as a terrible stain on our country's history, yet when Canada's new Conservative government acted immediately to clean up the Liberal mess and restore the public's trust in government, the Liberal Party did nothing but play games.

Canadians want to know why the party of corruption has done nothing to help move forward the federal accountability act. Canadians want action. Canadians want an end to corruption. Canadians deserve better than these games that are being played by the Liberal Party of Canada.

* * *

LITERACY

Ms. Nancy Karetak-Lindell (Nunavut, Lib.): Mr. Speaker, the Conservative government spending cuts announced last week included the slashing of \$17.7 million for literacy organizations throughout Canada. The cuts mean that local and regional literacy programs will no longer be funded.

The cuts mean that literacy organizations such as the Saskatchewan Literacy Network will have to close their doors. Yukon will lose the Yukon Literacy Coalition. Nunavut will lose its Arctic College culturally based pilot program. Manitoba will lose approximately \$620,000 from local and regional literacy programs.

Twenty-two per cent of adult Canadians have serious problems reading simple printed material. In light of these numbers, it is unconscionable that the Conservative government has chosen to slash a program to help adults who want to help themselves to learn to read and write, while at the same time posting a \$13 billion surplus.

* * *

NATIONAL FAMILY WEEK

Mr. Brian Storseth (Westlock—St. Paul, CPC): Mr. Speaker, this week Canadians across the country celebrate National Family Week. This is an opportunity for all of us to celebrate families and recognize their importance in our lives.

Strong families draw from and benefit the communities in which they live, work and play. Families are the building blocks of our society and our country. This government is committed to providing them with the support and recognition they deserve.

Canada's new government is helping families with the cost of kids' sports, public transit and everyday purchases.

We are there for farm families who need short term financial relief, while also looking at ways to improve income for the long term.

Millions of parents are now receiving direct support for child care through the universal child care benefit.

Canada's new government will continue supporting our country's future by supporting Canadian families. I ask my colleagues to join me in recognizing National Family Week.

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CONSERVATIVE GOVERNMENT POLICIES

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, far from standing up for Canada, the Conservative government is waving the white flag of surrender. We see this with the softwood lumber sellout. We see this with the Wheat Board sellout and we see it in the secret Banff meetings.

That government is prepared to give away everything in its endless efforts of capitulation to the Bush government, with ministers committed to giving away even more of Canada under the so-called security and prosperity partnership.

Remodelling Canada as a carbon copy of the United States, means lowering our quality of life and Canadian standards in food safety, health, labour rights, transportation and the environment.

The NDP is pressing for full disclosure of everything the Conservative government is doing to sell us out, just like the Liberals did, and diminish our ability to build the society Canadians deserve.

In the upcoming election, Canadians will have a clear choice between the sellout versions of Canada by the Conservatives and Liberals and a vision of a new, proud, independent Canada, promoted by the NDP.

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● (1415)

LITERACY

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, economists from across Canada agree that literacy is fundamental to boosting economic productivity and prosperity. Canada currently has one of the highest levels of post-secondary attainment among OECD countries. However, this achievement is in jeopardy, as the Conservative government does not believe in literacy.

Without warning last week and despite a budget surplus of \$13 billion, the Conservatives eliminated \$18 million from the federal literacy skills program. Incredibly, this announcement came out on the same day that the Prime Minister's wife was on the streets of Ottawa campaigning for more literacy programs.

Oral Questions

While cutting literacy programs, the Prime Minister is spending \$3 million of taxpayer dollars on renovations for his official residence at 24 Sussex. I hope that includes plans for a comfortable, new doghouse with room enough for two. I have a sneaking suspicion that the Prime Minister will be spending a lot of time in it.

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[Translation]

BERNARD LANDRY

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, yesterday, the Société Saint-Jean-Baptiste de Montréal declared Bernard Landry Patriote of the year for 2006-07.

Since 1975, this title has been awarded annually to a notable Quebecker. The official award ceremony takes place in November, the month during which we commemorate the Patriote victory over English troops on November 23, 1837, at Saint-Denis-sur-Richelieu.

As a former Quebec premier and a minister many times over, Mr. Landry helped create the quiet revolution and modern-day Quebec. His foremost concern has always been serving Quebec and the nation.

With uncommon determination and intelligence, he has worked tirelessly to this day to give Quebeckers the only tool that will enable them to express themselves and reach their full potential as a people: national independence.

He constantly reminded us that our sense of conviction keeps us faithful to our ideals. Throughout his half-century of public life, Bernard Landry remained faithful to his ideal: making Quebec a country.

The Bloc Québécois salutes Bernard Landry, a truly great patriot, on being awarded this honour.

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GOVERNMENT PROGRAMS

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, 22% of Canadian adults have considerable difficulty reading.

Funding for literacy programs does more than help only these people. We know that the literacy rate of our population is directly linked to the strength of our country's economy.

Yet the minority Conservative government is cutting funding for literacy programs by \$17 million, thus jeopardizing the survival of organizations that run those programs.

Despite a surplus of \$13 billion, seven major projects launched in Nova Scotia will no longer be funded, and the future of the PEI Literacy Alliance is now at risk. In my own riding, projects such as Tiny Pencils and the Kent dyslexic support committee are at risk. These groups deserve our support and our recognition, not a slap in the face from the Conservatives.

This money is used to help adults who want to help themselves.

I call upon the government to restore these funds immediately.

[English]

LIBERAL PARTY OF CANADA

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Mr. Speaker, as we get closer to Halloween, the Liberals continue to take cheap, partisan shots over qualified appointments, yet they remain haunted by past cronyism. Let us take a moment to remember the ghosts of Liberals past.

As immigration minister, the member for Westmount—Ville-Marie thought it fitting to reappoint her ex-husband to the Immigration and Refugee Board.

The Immigration and Refugee Board had other scary appointments, including the husband of none other than the member for Notre-Dame-de-Grâce—Lachine.

As justice minister, the member for Mount Royal tried to keep the spirits at bay by making his chief of staff a judge on the federal court.

However, nothing was more frightening than the ghost who hid out in a castle over in Denmark, as the Liberals made the great public works minister, Alfonso Gagliano, the ambassador to Denmark.

As the ghosts of hypocrisy and cronyism continue to haunt Liberals, Canadians must not be scared because Canada's new government is improving the lives of all Canadians.

ORAL QUESTIONS

[English]

JUSTICE

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, I am advised that yesterday I incorrectly attributed anti-Muslim statements to the chief of staff of the Minister of the Environment. I apologize and totally withdraw those remarks.

The other concerns raised yesterday have been borne out in the news. The government is planning legislation which will effectively destroy protections provided under the Human Rights Act.

Let us be clear. Religious freedom is fully guaranteed in law in Canada. It is in the charter. It is scrupulously protected by our Supreme Court judgments. It was guaranteed in laws passed by Liberal governments.

Since religious freedom is already fully protected, what protections is the Prime Minister presently intending to remove? Is this not just an attempt to remove sexual orientation as a prohibited ground of discrimination in our country and totally against what was already adopted by Parliament?

• (1420)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I appreciate the apology from the Leader of the Opposition. When I heard the quote, I thought it was, at least, out of context. It turns out not to have been said at all. I therefore caution the Leader of the Opposition in engaging in speculation in his next question. The government has no plans at all along the lines that he has suggested.

Oral Questions

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, I totally accept what the Prime Minister said.

I ask him then to engage on the floor of the House, since this is an opportunity to deal with that, not to engage in a smokescreen, not to let his political calculations trump his responsibility to uphold human rights and assure the House that he is not preparing legislation which has the intent to drive a horse and cart through the protections for Canadian citizens, who may be gay and lesbian, and that are provided for in the Canadian Human Rights Act, the charter and other provisions of Canadian law.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as the hon. Leader of the Opposition knows, I have been clear for some time that the government will bring forward a motion for debate and for a free vote this fall. Beyond that, the hon. Leader of the Opposition is worried about the charter. Let me read the following quote to him:

Pierre Trudeau believed the Charter of Rights and Freedoms would bring us together. Yet the results haven't worked out that way.

I take that quote from the front runner for the leadership of the Liberal Party of Canada.

[*Translation*]

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, perhaps the Prime Minister would like to answer the charges and comments made this morning in the newspapers, telling us that the Prime Minister is considering a bill that would allow discrimination when some Canadians try to do business with companies?

Can the Prime Minister tell us whether gays and lesbians will be the only victims of this obvious discrimination or are there other groups in our society that the government will be considering later?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I will say it again. Rather than engage in unfounded speculation about what this government is proposing, the Leader of the Opposition should be worrying about the positions taken by the next leader of his party.

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, for several days we have seen that the government is not serious about protecting minorities: the President of the Treasury Board is cancelling the court challenges program; the Minister of Justice is bent on prolonging the debate over same-sex marriage; and the Minister of Economic Development of Canada is using his discretion to deny the gay community of Montreal grant funding.

Has the Prime Minister given his ministers the order that no government program is to support the gay and lesbian community?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, I believe that Canadians are entitled to know that 70% of the Economic Development Canada budget envelope, which amounts to about \$200 million, is going to various non-profit organizations in the province of Quebec. That being said, when an application is submitted to me, it is analyzed based on quality and merit.

In this case, the Black & Blue Festival was asking us for \$55,000. I looked at all of the partners and we came to the conclusion that our

contribution was not essential for the event to be held. We were not mistaken, given that the event is taking place.

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, Economic Development Canada should analyze a festival's application for assistance based on the economic impact that the event will have in its region. The assistance requested was for international promotion. It is a proven fact that the gay Black & Blue Festival will produce economic benefits for Montreal worth \$25 million. The minister denied their application for funding.

What should we take from this? Did the minister's personal opinions outweigh economic development in Montreal?

• (1425)

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, my responsibility as minister is to look at all of the applications, to cast an eye over them, and to consider the value of each of them. We decided that the \$55,000 we were being asked to provide for marketing was not essential for the event to be held. We thought that it would be able to go on regardless, and we were not mistaken.

That being said, if we want to talk about homophobia, how is it that this same minister said yes when the First World Outgames were held and he was asked to advance the funds earlier to help them out? How is it that we gave \$100,000 for the Divers/Cité event held alongside the Outgames?

* * *

GOVERNMENT APPOINTMENTS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, it is becoming more and more obvious that the government is making decisions solely on the basis of ideological reasons. Again, yesterday, we learned that the Minister of the Environment has appointed Darrel Reid as her chief of staff, a man who has expressed offensive remarks regarding gays and lesbians, as well as denying that there is a problem with climate change. In addition, Mr. Reid has made questionable statements about the morality of Quebecers.

How can the Prime Minister explain his Minister of the Environment's appointment of a person with such controversial views to a key position in her office?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, Mr. Reid has personal views on questions such as marriage. The leader of the Bloc has known for a long time that it is the government's intention to hold a debate in which members can vote freely and express their views on these questions.

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GOVERNMENT PROGRAMS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, those views and remarks are offensive, that is why the prime minister kept them hidden during the election campaign.

Oral Questions

Despite contrary advice from his officials, the Minister of the Economic Development Agency of Canada for the Regions of Quebec has refused to renew funding for the Black & Blue Festival, an event that generates \$25 million in economic benefits. By way of explanation, one of the minister's political advisers said that the minister prefers to provide funding for family-oriented events.

Can the prime minister explain to us when the ideological values of his government became the criteria for awarding grants to public events?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, that criterion is not part of our analysis. All submissions are analyzed on their own merits.

I wish to remind the member that at present organizations that submit projects to this government do so on a three-year basis. If they ask us for \$3 million, that means three times \$1 million.

We now realize that people systematically seem to believe that once we say Yes it means Yes forever. We must analyze these submissions on merit; we need some room to manoeuvre in order to contribute to the economic development of all the regions of Quebec.

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, let me just go back to the Black & Blue Festival, whose grant was cut. The Minister of the Economic Development Agency of Canada for the Regions of Quebec claims that the grant was cut because this event is successfully established. That is just a pretext and not the real reason.

How can the minister claim that the Black & Blue Festival is successfully established and that is why he decided to cut its grant when the Just for Laughs Festival received \$805,000 and the Festival International de Jazz de Montréal received \$890,000? It is pretty hard to say that these are not successfully established events.

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, I would like to remind my hon. colleague that we have many cases to examine: around 1,200 a year. We cannot say yes to all of them.

My priority over the last few months has been to implement six new initiatives to promote economic development in various regions of Quebec, including regions in decline.

This case was examined. We felt that our contribution was not crucial to this event and that it could be held without our \$55,000. This festival is now in its 16th year and is well on its way.

• (1430)

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, we see now why the minister was in a rush to squeeze out his regional managers by taking away all their decision-making powers when he took over the department.

Is that not the real reason? The minister squeezed everyone out to make it easier to impose his own values and those of his party, in other words, to choose the events that suit him, period.

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions

of Quebec, CPC): Mr. Speaker, accountability is very important to this government.

Each one of us, as the minister, is responsible and must answer to Parliament for how we manage our budget, whether for Economic Development Canada or any other department.

A minister in the department made the decision to review the files himself, to take a look at them and find out how things were going. In regard to this case, the money was not crucial to the event being held. We were not wrong, either, because the event is being held in Montreal from October 4 to 10.

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[English]

AFGHANISTAN

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, evidence is mounting that Afghanistan is the wrong mission for Canada.

On Monday, the U.S. Senate majority leader conceded that this conflict would not end militarily. Today, the United Nations reports an estimated 15,000 families in southern Afghanistan have been uprooted since July. Over one million Afghans are refugees in their own country.

When will the government realize that the George Bush counter-insurgency is not helping Afghans and is not making Canadians safer either?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as the hon. member knows, the President of Afghanistan was here and expressed his support for Canada and for the help that Canadian soldiers, Canadian diplomats and Canadian public servants were giving to his country.

The member also knows full well that the United Nations mandated this mission and it has wide support and participation from members of the United Nations. We will continue to work with the international community to bring prosperity, peace and further development to Afghanistan.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the Prime Minister cannot ignore the reality. The region is not becoming more secure. It is becoming less secure. There are not more kids going to school. There are fewer kids going to school. There are not growing numbers of Canadians behind this Liberal-Conservative blunder. There are fewer.

When will the government bring Karzai, the Pakistani military leadership, and combatants, to the same table to hammer out a ceasefire that will finally bring about stability and security in southern Afghanistan? When will it do that?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the real question is why the NDP does not want the international community to succeed in Afghanistan.

Oral Questions

More important, this week we learned, sadly, of the deaths of Canadian soldiers serving valiantly in Afghanistan while they were in the process of rebuilding roads in that country for the benefit of the population. Instead of expressing support for our soldiers and sympathy for their loved ones and for those they have lost, why does the NDP get up and ask despicable questions like that?

* * *

LITERACY

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, even Conservative premiers in Atlantic Canada are opposed to the government's crippling cuts to literacy. P.E.I.'s Pat Binns and Newfoundland and Labrador's Danny Williams denounce this regressive decision.

Premier Williams even distanced himself from his federal cousins. He said these callous cuts "show the difference between true right-wing Conservatives and progressive Conservatives".

Will the President of the Treasury Board show some common sense and reverse this senseless slashing?

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we will be investing over \$80 million in literacy programs. This government is refocusing its energies and its money on programs of a national nature to help literacy at all levels. That is our commitment. We are also investing in workplace skills and in literacy issues for new immigrants, something that party voted against.

• (1435)

[Translation]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, the international adult literacy and skills survey indicates that nearly one in two Quebecers between the ages of 16 and 65 cannot read well enough to function fully in society.

In addition, since Jacques Demers' biography was published, support groups such as Alpha Laval in my riding, Laval—Les Îles, have seen a huge rise in requests for literacy services.

How can the President of the Treasury Board ignore this reality? When will he reinstate funding for these programs?

[English]

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, by focusing our energies on adult learning and literacy skills, Canadians will have access to the best literacy training available. These will, for a change, be programs that run efficiently and deliver real results for real Canadians.

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, the meanspirited cuts to literacy will force organizations that help Canadians improve their reading and writing skills to close their doors.

The government refuses to honour the labour market partnership agreement in Ontario which earmarked \$1.4 billion for workplace training emphasizing literacy skills.

The President of the Treasury Board used to believe that literacy training was key when he was an Ontario minister. Why has he abandoned Ontario adults now?

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we do believe in literacy, which is why we are investing over \$80 million and why we put new funds into the settlement funding process for new Canadians. This is money that had been frozen by the previous government for over 10 years.

We put that money in because we are investing in literacy and, by the way, the Liberals voted against it.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, Canadians are shocked and saddened by the surprise massive Conservative cuts to the most vulnerable in our society but nothing has enraged Canadians more than the senseless cut to nine million unfortunate Canadians who have problems reading.

The new Conservative government is forcing the potential closure of literacy coalitions across the north, including the Northwest Territory Literacy Council, the Nunavut Literacy Council, the Yukon Literacy Coalition and culturally based programs at Nunavut Arctic College. What a shame.

Will the minister responsible for literacy stop giving that ridiculous answer about what you are funding and reinstate the funds that you have cut to all these organizations?

The Speaker: The hon. member knows that he must address his remarks to the Chair and I would urge all hon. members to continue to do that properly.

The hon. Minister of Human Resources and Social Development.

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we will be investing in literacy but we will do it right. We will fund it with over \$80 million, with \$300 million for new settlement programs, moneys that party, despite all its claims, voted against.

Canadians want their money to be spent wisely and that is exactly what we will do.

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[Translation]

JUSTICE

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, because he is afraid of losing the vote on same sex unions, the Minister of Justice is preparing to use the law to impose his conservative values and give more ammunition to religious groups in the event the government should lose the free vote on same-sex marriage.

Does the Minister of Justice acknowledge that, in the guise of protecting freedom of religion and freedom of expression, which are already protected by the Canadian Charter of Rights and Freedoms, he is ultimately aiming to authorize religious groups to discriminate with impunity?

*Oral Questions**[English]*

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, during the election, the Prime Minister and the government made a promise that it would bring forward a motion and allow a free vote on the issue. That is what we will do. Everything else is simply speculation.

[Translation]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, the minister's intentions are clear. His bill is nothing less than a convenient way to protect the religious groups that form his most conservative ideological base.

Will the minister admit that his bill aims at nothing less than protecting religious spokespeople from potential prosecution? In short, under cover of protecting freedom of expression, what the minister is preparing to do is legalize discrimination.

• (1440)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the member—

Some hon. members: Oh, oh!

The Speaker: Order, please.

The right hon. Prime Minister has the floor to answer the question. We need to be able to hear him.

Right Hon. Stephen Harper: Mr. Speaker, the member is merely speculating. I have not seen such a bill.

Ms. Monique Guay (Rivière-du-Nord, BQ): Mr. Speaker, it is becoming increasingly evident what path this government is going down.

While preparing to sacrifice the rights of individuals for religious groups, it has appointed to the Human Rights Tribunal Kerry-Lynne Findlay, a former Alliance candidate who supported the candidature of chief of staff Darrel Reid, an adherent of the extreme right religious organization Focus on the Family.

Does the Prime Minister realize that in the presence of such ideological cronyism it is quite difficult, if not impossible, to believe that Ms. Findlay will have the requisite impartiality to make objective decisions, particularly in cases of discrimination?

[English]

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the individual mentioned in respect of the Human Rights Commission is a very competent and qualified individual. We are very proud of that appointment.

[Translation]

Ms. Monique Guay (Rivière-du-Nord, BQ): Mr. Speaker, examples of bias are growing: the Black and Blue Festival which had its grants cut, the Minister of Justice's bill, the appointment of Ms. Findlay and chief of staff Reid, the end of the court challenges program.

Are all these decisions not indicative of a shift to the right by this government, which is finally showing its true colours?

[English]

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, our record is a good one. We intend to

give Canadians good government, something the former government did not give the people of Canada, and we intend to do so on a principled basis.

* * *

LITERACY

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Mr. Speaker, the minority government has slashed \$17.7 million in funding for literacy programs, describing them as wasteful. People in British Columbia are deeply disturbed at the impact this will have on literacy services and adult education.

What does the minority government have against helping British Columbians who want to learn how to read and write?

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we are trying to help all Canadians get value for their money. We are also trying to help them get the literacy and training skills they need, which is why we are investing over \$80 million in literacy programs and over \$300 million in new settlement programs for new Canadians. I do not understand how the Liberals can say they are for literacy when they voted against that.

[Translation]

Hon. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, this morning Literacy Partners of Manitoba announced that the Conservative government cuts are forcing that literacy group to close its doors by summer 2007. The executive director, Lorri Apps, is furious over the comments of the Treasury Board President to the effect that the root cause had to be dealt with rather than fixing the ensuing problem. Furthermore, Raymond Roy told how this program had changed his life outright. He is now a confident individual and a productive member of society.

Does the Treasury Board President really believe that it was not worthwhile "fixing" Mr. Roy.

[English]

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we will be helping Canadians, those who really need it, at the national level. We will be helping youth at risk with their literacy. We will be helping aboriginals with their literacy. We will also be helping the unemployed and new Canadians to develop the skills, the literacy and the numeracy skills that they need to survive and thrive in Canada.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, my colleagues today have demonstrated how the minority meanspirited Conservative government has cut the heart out of literacy services across Canada.

As the chief hack-and-slasher, the President of the Treasury Board gave the back of his hand to millions of Canadians who need literacy help. "No value for money", he said. The government should "not be trying to do repair work after the fact". He has denied that quote.

I have two questions. First, does he know that insult was caught on tape, and second, does he still deny it?

•(1445)

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we are focusing on investing at the federal level in all Canadians who really need it.

We believe we need to focus on issues of federal importance and allowing local and regional people to deal with their local and regional issues. We will be investing over \$80 million in literacy programs to help youth at risk, the disabled, aboriginal Canadians and all those other vulnerable segments of our society.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the government has just proven my point.

As the Mike Harris hatchetman on social services, the President of the Treasury Board spent a lot of time designing meanspirited schemes to keep welfare from the poor in Ontario. One of his big ideas was that welfare should be denied, and get this, unless the poor took a literacy test. He said that literacy could empower people, improve lives, expand jobs and boost the whole economy. That was his view in 2001.

Was that just an excuse to block poor people from welfare, or will he now buy his own argument and restore \$18 million in federal funding for literacy?

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I would like to thank and congratulate the President of the Treasury Board for supporting over \$80 million in spending on literacy.

The President of the Treasury Board also supported over \$300 million that we are putting into settlement funding for new Canadians to help them learn English and French in this country, so that they will have the skills to get jobs here. Our President of the Treasury Board supported that. That party did not.

* * *

GOVERNMENT APPOINTMENTS

Mr. Bill Casey (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, recently the Prime Minister appointed Barbara Hagerman as the Lieutenant Governor for Prince Edward Island. Yesterday the member for Malpeque tried to put a negative political spin on it by undermining her qualifications.

As Mrs. Hagerman is a very well respected member of our community and our province, would the Prime Minister comment on this appointment?

Right Hon. Stephen Harper (Prime Minister, CPC): \$Mr. Speaker, I was rather surprised by the comments yesterday from the member for Malpeque. Prior to appointing Barbara Hagerman I had received letters from a number of Canadians. I received this endorsement: “Mrs. Hagerman would bring her admirably conscientious qualities to the vice-regal office with great élan and that she would therefore be an admirable choice”. That came from a colleague she served with on the Canada Council for the Arts, Senator Tommy Banks.

I also received this quote: “Her life story has been one of accomplishment and achievement. I am confident she would bring to the position of lieutenant governor a deep sense of purpose and passion”.

Oral Questions

Another Liberal, the former premier of Prince Edward Island, Catherine Callbeck—

Some hon. members: Oh, oh!

Mr. Speaker: Order, please. The hon. member for Skeena—Bulkley Valley.

* * *

[Translation]

THE ENVIRONMENT

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, the Minister of the Environment has already had to apologize for her remarks suggesting that she is not at all concerned about Quebec in terms of the environment.

We all know that the Liberals do not really care about the environment. The Commissioner of the Environment called the Liberal's plan a national disaster.

This minister has already given her friends in the oil industry a free ride. Can the minister tell us today if she has the courage and her boss' permission to impose mandatory standards for greenhouse gas emissions in the automobile sector?

[English]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, we recognize the importance of the auto sector to the Canadian economy, but we also recognize that this is a sector that needs to make large contributions to our environmental agenda.

We had a very positive meeting with members of the auto sector last night. They understand why clean air matters to them. My concern is with Buzz Hargrove and the Liberal premier of Ontario. I am sure they do want cleaner air, but if the Liberals do not want it, the Conservatives will deliver it.

•(1450)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, the minister has a number of concerns on her plate, namely that the memorandum of understanding signed by the old Liberal regime had no teeth, no enforcement and no penalties for non-compliance. This government has no strategy of how to protect Canadian auto jobs.

Last week the environment commissioner reported the pathetic Liberal climate change plans would have done nothing to reduce greenhouse gas emissions in this country. It would have allowed them to grow out of control.

Here is a skill testing question for the minister: How many tonnes of emissions have been reduced in the last 17 months by this voluntary agreement? Does she even know that?

Oral Questions

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, I am very familiar with the voluntary memorandum of understanding with the auto sector. That was a step in the right direction. As I said, members of the auto sector understand that Canadians want cleaner air and that they will be a big part of our environmental agenda. We look forward to working with them.

* * *

ABORIGINAL AFFAIRS

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, it is bad enough the Minister of Indian Affairs gave a sole source contract to his riding president and campaign co-chair's father-in-law, but he said yesterday in the House that it was "a \$50,000 contract, not \$500,000".

Why then does the government's own contract notice put its value between \$250,000 and \$500,000? Is the minister misleading the House? Moreover, why is it okay to reward his riding association's family with plum jobs? Are there even any family members left on the minister's riding association that missed his gravy train?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, Dr. Andre is qualified to serve as our northern negotiator. Dr. Andre is hired following a publicly advertised search process. Dr. Andre is capable, effective and able to do the job.

The best thing of all, if we could hold the braying, is that his contract is for \$50,000. That is 95% less than the Liberals were paying to their negotiator. Put another way, it is 100% of the value at 5% of the cost.

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, that is not what the government's own contract notice says. The fact is, the Conservatives made a promise to end patronage and they have blown it apart. The minister gave a massive gift to the family of his riding president and the co-chair of his last campaign.

The minister is trying to obfuscate the value of this contract and gave it to someone with no experience in land claims. It is time to bring this minister back to reality.

When is the Prime Minister going to take this disgraced apprentice into the boardroom and hire someone who does not spell accountability p-o-r-k?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, the contract between Mr. Andre, as the northern negotiator is for \$50,000. He is qualified to serve as the northern negotiator.

That side of the House should terminate the slander that it is spreading in the House. Maybe it is not a surprise because we are pretty close to the philosophical intellectual underpinnings of the Liberal Party: big contracts for Liberals.

Mr. Gary Merasty (Desnethé—Missinippi—Churchill River, Lib.): Mr. Speaker, the Minister of Indian Affairs and Northern Development claims to care about poverty facing aboriginal Canadians. However, his actions show he cares more about creating jobs for Conservative friends and cronies. It is not just the patronage

contract he gave to Harvie Andre. He also hired a failed Conservative candidate to campaign in northern Saskatchewan.

The minister is paying Jeremy Harrison to campaign in northern Saskatchewan and send out news releases on Conservative Party letterhead while listed as a government employee. Why are Canadians being billed for the re-election campaign of this defeated candidate?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, yet more malignant slander from the party opposite. Mr. Harrison is a respected former parliamentarian. He is someone who is working on assigned tasks for me and that is the bottom line on it.

● (1455)

Mr. Gary Merasty (Desnethé—Missinippi—Churchill River, Lib.): Mr. Speaker, Saskatchewan has not seen abuse like this since the days of the Grant Devine government in Saskatchewan.

Mr. Harrison has stated he plans to run again in the next election. and the minister is using taxpayers' money to finance his pre-election campaign. This is disgraceful. A defeated MP is being paid by Indian Affairs to spend his days driving around northern Saskatchewan polling chiefs and Métis leaders on what they think his electoral chances are, and this after Mr. Harrison called aboriginal communities "banana republics".

When will the minister stop abusing the public purse for his friend and cronies, show more accountability, and fire this defeated candidate?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, I say to my colleague opposite, it does take gall. This, a day after the Public Service Commission, an independent arm's length body reporting to Parliament, identified the political assistants who were hired by Liberal ministers who invented phantom jobs.

I can tell the member opposite, we will be asking some very significant questions of the member for Vancouver South and the member for Kings—Hants, who engaged in what is nothing more than fraudulent political activity at the cost of the public service.

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[*Translation*]

FIREARMS REGISTRY

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, for purely ideological reasons, the government has decided to eliminate the part of the firearms registry concerning long guns. But over five million such arms have already been registered.

Oral Questions

If his bill is passed, can the Minister of Public Safety tell us what he plans to do with these registrations. Is he going to delete them from the registry so that they will no longer be accessible to the police or is he going to keep them?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, we want a more effective system. We want a registration system that works. The Auditor General told us that the old system was not working. We want to have a system that works. We want to protect our communities and our citizens.

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, I think you will see that this response was not an answer to the question I asked. I understand that the minister is thinking about the question. I hope that he will think about it enough to realize that it would be a real waste to get rid of the registrations already completed.

If he keeps the registrations, is the minister aware that there will be two categories of citizens: those who complied with the law and are registered, and those who defied the law and are not registered?

Personally I think that those who defy the law are as a rule more dangerous than those who comply with it.

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, we will keep all the names of the people who own firearms, firearms that are not prohibited, as well as firearms that are prohibited.

We will keep the list of all the names of those who own firearms.

* * *

[English]

SUDAN

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, last night Conservative government members acknowledged that there is a genocide occurring in Darfur. The government would only promise action if given permission by the same murderous regime in Khartoum that is engaging in this genocide.

Even the Prime Minister said at the Francophonie summit that we must act to save a desperate population.

Will the Prime Minister act to support UN Security Council resolution 1706, take a leadership role, and get those forces on the ground now to stop Darfur's agony?

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, there was a very fulsome debate last night here in the chamber. We discussed in great detail the need for Canada and other countries to do more with the United Nations to see that the transition between the African Union and the United Nations mission takes place.

We need to continue to work diplomatically to see that this happens, not embark on some kind of a unilateral invasion, which is what the member opposite advocated.

• (1500)

[Translation]

EMPLOYMENT INSURANCE

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, many workers are affected by the turbulence experienced in the manufacturing sector.

I would like to ask my hon. colleague, the Minister of Human Resources and Social Development, what our government intends to do with regard to the impending expiry of the transitional measures for employment insurance in New Brunswick and Quebec.

Hon. Diane Finley (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I am pleased to announce today that the transitional measures for the employment insurance regional boundaries of Madawaska-Charlotte, in New Brunswick, and Lower St. Lawrence—North Shore, in Quebec, have been extended.

This extension will protect the workers in these regions while the government completes the five-year review required by law.

* * *

[English]

FISHERIES AND OCEANS

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, today in the United Nations there is a debate going on among countries around the world to stop high seas dragging. Australia has led the way. The United Kingdom and other countries now are following suit.

My question is for the fisheries minister of Canada. Will he now show leadership for all of us in this Parliament and tell the world that we will support a moratorium on high seas dragging?

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, I was exceptionally pleased yesterday to see the direction given by President Bush to his secretary of state and secretary of commerce. The instructions and directions he gave them were very similar to the ones I gave our group that went to the NAFO meetings.

The difference was we went and we delivered on the directions given. We are not only talking about them. We are glad to see that President Bush and the United States are now supporting our direction.

In relation to dragging, if we ban dragging, we wipe out a number of fishing communities in—

The Speaker: The hon. member for Sackville—Eastern Shore.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, what absolute nonsense. The last time I checked, my paycheque was paid by the taxpayers who are fishermen in this country. They want their oceans protected. They want dragging stopped on the high seas to protect the fish stocks for Canada.

I am going to ask the Prime Minister of Canada a very simple question. Will he now show leadership and support the UN call, support the Australian call, to ban dragging on the high seas once and for all?

Routine Proceedings

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, we are working with our UN counterparts to make sure that we protect the habitat, that we protect the fish stocks, but let me say to the hon. member that we have to make sure our decisions are based on science.

Banning technology is one thing. Improving technology is something else. Let us not cut off our nose to spite our face, but let us make sure that we do protect the habitat and the stocks. We will take the leadership in doing whatever has to be done to achieve that aim.

* * *

SUDAN

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, through you to the Minister of Foreign Affairs, I am not quite sure when supporting a UN Security Council resolution entails an invasion. Perhaps one day he could explain that.

His own government said that enforcement action or military intervention is required when peaceful means have failed. Genocide is occurring. Diplomacy has failed and the time for half-measures is over.

Again I want to ask, why is the government being so hypocritical saying that an intervention is required in Darfur now, but it will not support that same intervention?

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, first let me say that Canada is doing an incredible job supporting the people of Darfur. We are contributing over \$320 million.

Let me say to the member for Esquimalt—Juan de Fuca, I will do him one better. I will tell him exactly what he said last night, “Yes, we should get troops into Darfur. If the member wants to call it an invasion, then it is an invasion”. Those are his words.

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FISHERIES AND OCEANS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, key stakeholder groups such as the Ontario Federation of Anglers & Hunters as well as the Sportfishing Industry Association have raised serious concerns over proposed changes to Ontario fishing regulations. They are seeking regulations based on the best science available and to ensure that their views are duly considered prior to federal approval of these important regulations.

Given the concerns voiced by these groups, would the Minister of Fisheries and Oceans ensure that they will be taken into account?

• (1505)

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, let me assure my colleague that proper fisheries regulations are the key to conservation and management.

We have a philosophy which involves the provinces and the stakeholders as we make regulations pertaining to certain areas. In this case, these regulations are provincial ones being developed in consultation with the affected groups and which will come to us for approval. We are looking forward to their completing their

negotiations and we will certainly approve sound-based regulations in which they all have input.

The Speaker: That will bring to a conclusion the question period for today.

ROUTINE PROCEEDINGS

[Translation]

INTERPARLIAMENTARY DELEGATIONS

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour of presenting to the House, in both official languages, the report of the interparliamentary delegation of the Canadian section of the Assemblée parlementaire de la Francophonie, which met with officials of the Secrétariat général of the APF in Paris, on May 19, 2006, and which travelled to Amman in Jordan, Jerusalem in Israel, Ramallah on the West Bank and Damascus in Syria, from May 21 to 26, 2006.

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[English]

COMMITTEES OF THE HOUSE

ACCESS TO INFORMATION, PRIVACY AND ETHICS

Mr. Tom Wappel (Scarborough Southwest, Lib.): Mr. Speaker, I have the honour to present the first report of the Standing Committee on Access to Information, Privacy and Ethics.

It is a succinct report that is very short. It says that further to the testimony of the Minister of Justice and the Information Commissioner, the hon. John Reid, before the standing committee, the committee recommends that the government introduce in the House, no later than December 15, 2006, new strengthened and modernized access to information legislation based on the Information Commissioner's work, as promised by the Conservatives during the election campaign.

* * *

PETITIONS

DATE RAPE DRUGS

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, I am pleased to present a petition signed by a number of Canadians from across the Lower Mainland, Abbotsford, my constituency, Richmond, West Vancouver and elsewhere.

The petition deals with an issue on which I have fought hard for the past six years as a member of Parliament and that is to have tougher laws to fight the cowards who use date rape drugs to abuse women.

I present this petition to be sent to the justice committee.

PEDOPHILES

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, I am presenting a petition containing 119 names. The petitioners want to protect children from sexual predators.

Routine Proceedings

The petition comes from various people throughout my riding which extends from the Manitoba border to Lake Superior, a wide range of territory.

CHILD CARE

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I am presenting a petition signed by a number of people in my riding of Nanaimo—Cowichan who ask for annual funds to build high quality, accessible and affordable community based child care systems.

• (1510)

TRANSPORTATION

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I rise today to present a petition from hundreds of residents in Langley.

The petitioners ask that traffic issues in the riding be dealt with. They recommend that there be a development of a long range, 50-year master transportation plan for the Lower Mainland assisting Langley in determining whether alternate safe routes for the bulk and container traffic that travels through Langley is warranted, that the federal government provide adequate funding for rail and road separation projects and potential alternate routes, and assist Langley to secure efficient, workable and affordable transportation systems, including light rail at surface levels with growth capacity as required.

AGE OF CONSENT

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, it is an honour to rise on behalf of my constituents to present a petition to the House to support the raising of the age of protection from 14 years of age to 16 years of age, something I fought very hard for in my nine years at city council. The city of Kelowna and the mayor have expressed great support for this particular initiative. The measure would go a long way to show some protection against the scourge of sexual predators in our society.

AUTISM

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I rise to table a petition regarding autism spectrum disorder. The petitioners request that the Canada Health Act be amended to include specialized therapy for treatment of autism and for increased educational resources to train more persons to treat autism.

The petition has 56 signatures from my riding of Western Arctic, from the communities of Fort Smith and Yellowknife. I support this petition fully.

MARRIAGE

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I rise today to present two petitions calling upon Parliament to re-open the issue of marriage in this Parliament and 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. There are many signatures on these two petitions.

AGE OF CONSENT

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, I rise today on behalf of 342 constituents. This is the third petition that has been tabled on this subject today.

The petitioners pray that the government, assembled in Parliament, take all measures necessary to immediately raise the age of consent from 14 years to 16 years of age.

MARRIAGE

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Mr. Speaker, I am tabling a couple of petitions in which the petitioners are calling on Parliament to re-open the issue of the definition of marriage and to repeal or to amend Bill C-38 and recommit itself to the real definition of marriage as between one man and one woman. These petitioners are from British Columbia. I have a similarly worded petition from the Halifax West riding in the province of Nova Scotia.

SUDAN

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Mr. Speaker, in this petition the petitioners are urging the government to appeal to the United Nations to provide international peacekeepers from European and North American countries to stop the bloodshed in Darfur.

They are also appealing to the United Nations to send aid directly to the marginalized people and not through the government of Sudan, and that the Canadian people appeal to the United Nations that those who have committed human rights violations in Darfur be brought before international courts to be tried in such a context. The petition is from a number of people across the province of Alberta.

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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.

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MOTIONS FOR PAPERS

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 notices of motions for the production of papers to be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS***[English]***AN ACT TO AMEND CERTAIN ACTS IN RELATION TO
DNA IDENTIFICATION**

The House resumed from October 3 consideration of the motion that Bill C-18, An Act to amend certain Acts in relation to DNA identification, be read the second time and referred to a committee.

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, I am pleased to have this opportunity to speak on Bill C-18, which is a bill to amend certain components of the law pertaining to the DNA Identification Act.

As has been mentioned by other speakers, Bill C-18 impacts the Criminal Code of Canada and the DNA Identification Act as well as the National Defence Act.

Allow me to say at the outset that I am in agreement with government members and other members that the bill should be directed to the justice committee for further scrutiny. It is actually refreshing to speak in favour of a bill that has been introduced by the government, perhaps because this bill is essentially a successor to Bill C-72, which had been introduced by the then minister of justice under the former Liberal government.

Bill C-18 is very similar to Bill C-72 which, as I have mentioned, was introduced by the Liberal government in the last Parliament, the 38th Parliament.

Certain other bills that have been introduced by the government reflect, if I may term it such, a rather simplistic view of the criminal justice system and, by extension, an overly simplistic view of human nature. Would that preventing wrongdoing be as simple as making punishments increasingly harsh for certain offences. Those who advocate such an approach to the criminal justice system, such as those who advocate something akin to “three strikes and you are out”, are creating a false expectation among citizens that the crime rate will automatically be reduced if the punishments for criminal activity are only increased substantially.

Regrettably, that conclusion is reflected to a large extent in the criminal justice system in our neighbour to the south, and the crime rate is actually higher in the United States than it is here in Canada.

When it comes to predicting human behaviour and to taking measures to reduce wrongdoing or criminal behaviour, it is not a simple task, certainly not as simple as imposing considerably harsher punishments in the hope or expectation that criminal activity will therefore decrease.

However much I have difficulty with certain bills which have been or will likely be introduced by the government, Bill C-18 is truly a step forward and, at a minimum, should be sent to committee.

I practised family and criminal law in the city of Brantford and in other centres for a period of some 25 years. In my practice, I had abundant opportunity to represent hundreds of individuals who had been charged with one or a series of criminal offences and, on occasion, had opportunities to prosecute accused persons as a part time crown attorney.

During my years practising law I had an opportunity to work with and to admire the skills of crown attorneys such as Don Angevine, Bob Kinson, George Orsini and others, and to learn a great deal from very distinguished defence counsel in the persons of Gerry Smits, John Renwick and others.

I also had the benefit of observing the balanced, fair approach that was customarily adopted by various judges in the country of Brant, including Justice James Kent, Justice Ken Lenz, Justice Gethin Edward, Justice Lawrence Thibideau and others.

I was and remain acutely aware of the maxim which must necessarily govern any criminal proceeding, that is, “if the criminal justice system renders it too easy to convict the guilty then the system renders it too difficult to acquit the innocent”. Simply put, it is important to ensure that individual rights are protected and that the potentially overwhelming crushing power of the state is harnessed and kept in check by rules of evidence and principles of sentencing that are eminently fair, reasonable and balanced.

As do many others, I well understand the concept of civil liberties, and I am always, through dint of experience, wary or leery of any measure which curtails individual liberties or allows the power of the state to interfere with an individual's rights of freedom and security of the person.

● (1515)

In my view, Bill C-18 strikes a proper balance and is not inappropriately intrusive of individual rights or freedoms. Rather, it strikes the appropriate balance between the maintaining of individual freedoms and the fundamental right of the state or society to take appropriate measures to ensure the safety of all citizens.

There are many offences in the Criminal Code which require an individual accused person to provide samples of his or her fingerprints to the police merely upon that individual having been charged with a criminal offence. In essence, the mere fact that an individual has been charged with a criminal offence, not convicted, allows the criminal justice system to procure his or her fingerprints. Failure on the part of the accused person to provide his fingerprints results in a further criminal charge being laid against him.

This particular section of the Criminal Code has been tested before courts in Canada, and courts have concluded that it is reasonable, in the best interests of all citizens and community safety, to obligate accused persons charged with certain offences to provide their fingerprints to the authorities. I would, and so many others would as individual citizens, be tremendously troubled by any bill which obligated all persons or citizens to provide their fingerprints to the police, as such a requirement would be unnecessarily interfering with the rights of citizens to be free from unreasonable search and seizure.

However, this government bill, Bill C-18, does no such thing, and again, I am in support of the bill being referred to the justice committee for further consideration.

As members in this chamber will know, the science of DNA has been advanced considerably over the last 10 or 12 years, and experts have concluded that the analysis of DNA has become a very exact science. Certainly the public has come to accept DNA evidence as very significant, representing proof beyond a reasonable doubt, for instance, in criminal proceedings.

Such was not always the case. I think back in particular to the case of O.J. Simpson in or around 1995. It is difficult to know what was in the minds of the jury that ultimately acquitted Mr. Simpson. Mr. Speaker will know that jurors in the United States are at liberty to comment on their deliberations and their verdicts, unlike the system in Canada as it pertains to our juries.

Many analysts at that time commented that the evidence against Mr. Simpson was quite overwhelming and that the DNA evidence in particular was compelling and persuasive. However, the jury ultimately acquitted Mr. Simpson, which caused legal commentators to state that the members of the jury in acquitting Mr. Simpson and in seemingly ignoring the DNA evidence was the equivalent of a jury a century ago acquitting an accused person even though a photograph of the accused person committing the crime had been introduced as evidence.

A hypothetical jury of a century ago was suspicious of evidence which had been obtained by the use of, at that time, a newfangled device called a camera. One can only presume that the jury which found Mr. Simpson not guilty was suspicious of the DNA evidence which had been gathered and suspicious of the science behind the DNA.

We know differently now. DNA has come to be accepted as a very valuable tool in fighting crime and in determining the real wrongdoer or culprit.

Arguably, but for DNA evidence which was ultimately used to exonerate them, David Milgaard's name would never have been cleared, and Guy Paul Morin, wrongfully convicted of murdering Christine Jessop some years ago, would still be languishing in a penitentiary. DNA was used in those cases, and in many others, to exonerate an individual who had been, as it turned out, wrongfully convicted of a serious crime.

In that sense, DNA evidence assists each citizen of Canada as it can be used to eliminate innocent persons as well as potential suspects. For that reason, I have no difficulty, either personally or professionally, with Bill C-18.

• (1520)

As has been noted by others in their comments on the DNA Identification Act, “this Act is to establish a national DNA data bank to help law enforcement agencies identify persons alleged to have committed designated offences, including those committed before the coming into force of this Act”.

Certainly, the National Data Bank follows strict guidelines, as specified in the DNA Identification Act, and the biological samples collected from convicted offenders and the resulting DNA profiles can only be used for law enforcement purposes.

I believe it is beyond dispute that the National DNA Data Bank assists law enforcement agencies in various ways to solve crimes by,

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first, helping to identify suspects, second, eliminating suspects when there is no match between the DNA found at the crime scene and a DNA profile in the national data bank, and third, linking crimes together when there are no suspects.

Simply put, we on this side believe that this legislation is a vital tool to protect the safety of Canadians. It is for that precise reason—

• (1525)

The Speaker: I am sorry to interrupt. The hon. the chief government whip on a point of order.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

FISHERIES AND OCEANS

Hon. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, I humbly apologize for interrupting the hon. member's remarks. I hope that any time taken up with this procedure will be added to his time so he does not suffer unduly for this interruption. There have been discussions among all the parties and if you were to seek it I believe you would find unanimous consent for the following motion. I move:

That, in relation to its studies on the Canadian seal hunt and grey seals, 12 members of the Standing Committee on Fisheries and Oceans be authorized to travel to St. Anthony, Gander, Cap-aux-Meules and Yarmouth in November 2006, and that the necessary staff do accompany the committee.

(Motion agreed to)

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[English]

AN ACT TO AMEND CERTAIN ACTS IN RELATION TO DNA IDENTIFICATION

The House resumed consideration of the motion that Bill C-18, An Act to amend certain Acts in relation to DNA identification, be read the second time and referred to a committee.

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, as I was saying, simply put, we on this side believe that Bill C-18 is a vital tool in protecting the safety of all Canadians. It is for this precise reason that our government, many months ago, originally introduced a bill very similar to the bill now before the House; that is, we introduced a bill dealing with the DNA data bank.

When it comes to fighting crime and to ensuring that our communities are as safe as possible, partisanship should not rear its head. I know, in that vein, members opposite will agree that this bill was essentially a parroting of a bill which had been introduced previously by the Liberal government.

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By way of background, the DNA Identification Act was created in 1998 and came into force on June 30, 2000. Section 13 of the act clearly states that within five years of the act coming into force, a review of the provisions and operations of the act should be undertaken by a committee of the House, committee of the Senate, or by both. The review has not yet taken place, though obviously more than five years have passed since the act first came into force.

The current Minister of Justice was quoted earlier this year as stating that the review “should begin as soon as possible after this bill receives royal assent”. Unquestionably, the review should happen as soon as possible and to be candid, the review is already overdue. I hope we will eventually hear from the minister as to when the review will take place, and one hopes that compliance with section 13 is a top priority for the Minister of Justice.

DNA has become so important in the investigation of crime and the pursuit of the criminal element that strict compliance with the act should certainly be the order of the day. It is obvious that the use of forensic DNA analysis in solving crime has emerged as one of the most powerful tools available to law enforcement agencies for the administration of justice. It is not an exaggeration to compare the impact of DNA to the introduction of fingerprint evidence into court more than a century ago.

DNA, often referred to as the blueprint of life, is the fundamental building block of a person's entire genetic makeup and is found in virtually every tissue in the human body. It is a very powerful tool for identification purposes, except with respect to identical twins. The DNA molecule itself is extremely stable and can withstand significant environmental challenges, which allowed authorities, for instance, just a few years ago to locate DNA evidence which exonerated David Milgaard of a murder which took place over 30 years ago.

The National DNA Data Bank, located here in Ottawa, is responsible for two principle indices.

The first index is the convicted offender index, an electronic index which has been developed from DNA profiles collected from offenders who have been convicted of designated primary and secondary offences identified in Canada's Criminal Code. As of May, the convicted offender index had nearly 100,000 entries.

The second index is the crime scene index, a separate index composed of DNA profiles obtained from crime scene investigations of the same designated offences. There are several thousands of DNA samples of convicted offenders, which are included in the national DNA data bank, along with thousands of samples from various crime scenes across the country.

Police officers all across Canada have received extensive training on the process involved in collecting DNA samples and in the process of forwarding those samples for analysis to the National DNA Data Bank. Obviously the data collected as a result of this science has to be managed appropriately. It is fair to say that consultations with the provinces and the territories, as well as members of the public, have been instrumental in developing amending legislation over the past several years.

Under the act as it is currently constituted, there are both primary and secondary designated offences. The primary designated offences

are considered the most serious criminal offences such as murder, manslaughter and sexual offences. The secondary designated offences include, for instance, arson and assault.

When an individual is convicted of a primary designated offence, the sentencing judge is automatically required to make an order for the collection of a DNA sample from that convicted individual, unless that individual can convince the court otherwise. With respect to a secondary designated offence, a DNA sample collection order is not automatic, but may be granted if the court, upon application by the prosecution, is satisfied that it is in the best interests of justice to do so.

The previous Liberal government moved a number of previously listed secondary offences to the primary list, including the new offence of Internet luring of a child. Other offences which were moved to the primary list included child pornography and robbery.

In essence, the sentencing judge orders the convicted individual to appear in order to provide a DNA sample. Bill C-18 would make it an offence for that individual to fail to appear for DNA sampling purposes, similar to the offence for failing to show up for fingerprinting. There needs to be some teeth in the law in order to ensure compliance, and Bill C-18 would provide that.

Bill C-18 is essentially an enhanced version of previous government bills. Again, I believe it is appropriate to send this bill to committee for appropriate consideration.

• (1530)

The Supreme Court of Canada in its deliberations has recognized the importance of DNA and DNA legislation and has decided in the case of *R. v. Rodgers* that the collection of DNA samples for data bank purposes from designated offenders is reasonable. I agree.

The Criminal Code and other related legislation and the criminal justice system under which the legislation operates must do all it can to ensure community safety. Any suggestion by civil libertarians that this legislation is too invasive of a person's freedom or rights, or forces an individual to essentially incriminate himself, are outweighed by the need for community safety, and the passage of legislation which will assist in assuring the safety of the community.

In my view Bill C-18 accomplishes that.

• (1535)

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, I enjoyed listening to the arguments that the very learned member of Parliament made. I would like to ask him a question vis-à-vis the legality of the DNA samples.

Is he aware of any instances where even though DNA samples are presented, they are seriously challenged in hearings and in court, and whether there is an almost automatic acceptance of it?

The reason I ask is that it has occurred to me that since so much weight is now being put on DNA, perhaps someone, who is intent on doing something bad and wants to frame someone else for it, could plant some DNA, obtained surreptitiously, at the scene of a crime or wherever and thereby implicate someone else.

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Mr. Lloyd St. Amand: Mr. Speaker, the member's question is an important one. As I have indicated in my remarks, police officers across Canada have received extensive training with respect to DNA and, in particular, with respect to the gathering of evidence, which includes DNA.

However, to answer the member's question in short, I am not aware of particular cases in which it has been alleged that DNA evidence has been planted with the intent of framing someone else. It may be that those cases do exist, but I am not aware any.

The Acting Speaker (Mr. Andrew Scheer): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Andrew Scheer): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: On division.

The Acting Speaker (Mr. Andrew Scheer): Accordingly the bill stands referred to the Standing Committee on Justice and Human Rights.

(Motion agreed to, bill read the second time and referred to a committee)

* * *

CRIMINAL CODE

Hon. Vic Toews (Minister of Justice and Attorney General of Canada, CPC) moved that Bill C-23, An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments), be read the second time and referred to a committee.

He said: Mr. Speaker, I will speak, not surprisingly, in favour of the provisions of Bill C-23, An Act to amend the Criminal Code, which deals with criminal procedure, language of the accused, sentencing and other amendments.

As members know, this government has introduced in the House a number of legislative measures that contribute to the protection of law-abiding Canadians. I believe ensuring that our criminal justice systems remains modern, efficient and effective is an important component of the multi-faceted goal of tackling crime, which the government has made one of its key priorities.

This initiative is an example of work of the Department of Justice to update, modernize and improve the law and to respond to the ongoing need to make technical amendments, such as addressing procedural anomalies, making corrections, clarifying current ambiguities in some Criminal Code provisions, as well as modernizing other provisions by introducing the use of communication technologies. So-called housekeeping amendments of this kind are needed from time to time.

The changes proposed in Bill C-23 may not appear to some people as a pressing initiative, but it is an important bill that will contribute to the smooth functioning of the criminal justice system and it will assist the day to day functions of those who work within the system.

I believe these types of amendments are necessary from time to time and such bills should find their way to the House on a regular basis, as needed.

As many of these amendments have been developed in collaboration with justice system partners, this initiative also illustrates the government's resolve to work in cooperation with its provincial and territorial counterparts, as well as other justice system stakeholders, such as the Uniform Law Conference of Canada, to improve the Canadian criminal justice system.

The amendments contained in Bill C-23 fall principally within three categories; criminal procedure, language of the accused and sentencing.

Without describing each proposal introduced by the bill, which are for the most part so-called technical amendments, I would like to highlight some of them. First, I will deal with the criminal procedure amendments.

Several criminal procedure amendments serve to clarify the application and purpose of certain provisions, as well as improve procedural efficiencies by permitting the use of modern technology and rationalizing existing provisions.

For instance, one amendment is proposed to streamline the procedure for executing search warrants in a jurisdiction other than the jurisdiction where the search warrant was obtained. Currently, out of province search warrants can only be endorsed by presenting the original warrant for endorsement to a judge or a justice in the province where the warrant is to be executed. This, of course, takes time and is labour as well as resource intensive. This amendment would allow the search warrant obtained in one province to be submitted by electronic communication to the court in the province where a copy of the warrant would be endorsed by a judge or a justice, thus expediting the process for executing out of province search warrants.

Another criminal procedure amendment will serve to clearly set out the right of an accused person to change his or her mode of trial when the Supreme Court of Canada orders a judge and jury trial to be retried. The proposed amendment will introduce more flexibility and will assist in avoiding unnecessary jury trials where the accused prefers to be retried by a judge alone.

An additional procedural amendment would clarify that in the case of the summary conviction trial, which involves multiple defendants, the court may continue the proceedings against all of them, even where one of the co-defendants fails to attend.

The Criminal Code currently provides several provisions dealing with the proof of service of court documents, such as a notice, subpoena and a summons. The bill includes a series of amendments that will effectively consolidate into one provision all relevant sections dealing with the proof of service of court documents, thus ensuring that this regime is governed by one easily referenced provision.

Other amendments would refine the jury selection process to better protect the impartiality of prospective jury members, as well as sworn jurors. Another amendment would correct inconsistencies in this process with regard to peremptory challenges.

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● (1540)

Before moving on to the other two categories, I would like to mention one last criminal procedure amendment. The offence of possessing break-in instruments is currently a straight indictable offence. Experience has shown us that this offence is often committed together with the offence of “break and enter into a place other than a dwelling house”, which is a hybrid offence; that is, an offence where the prosecution can either elect to proceed by way of indictment or summary conviction.

The amendment would hybridize the offence of possessing break-in instruments, thereby allowing crown prosecutors, in appropriate circumstances, to proceed with one single trial by way of summary conviction for both offences.

I believe the examples I have listed together with other criminal procedure amendments contained in this bill are necessary and provide practical procedural improvements to the Criminal Code.

I would now like to turn to the amendments in Bill C-23 with respect to the language rights of the accused person during a criminal proceeding. Sections 530 and 530.1 of the Criminal Code of Canada guarantee the right of all accused persons to have their preliminary inquiry and trial before a court that speaks the official language of the accused and to have a crown prosecutor conducting a prosecution who speaks the language of the accused.

These rights are an example of the advancement of language rights through legislative means as provided in subsection 16(3) of the Charter of Rights and Freedoms and have been in force throughout Canada since January 1, 1990. However, since the coming into force of these provisions, studies and public consultations have demonstrated that these language rights are often misunderstood by accused persons, the bar, crown prosecutors and judges.

This situation may well result in some accused not invoking their rights in a timely fashion, thus presenting a barrier to the full exercise and implementation of these rights, as well as creating additional difficulties and costs for the justice system. In turn, such misunderstanding has led courts to identify certain shortcomings and to issue rulings that do not always correspond with the intent of the existing provisions.

The amendments proposed in Bill C-23 would clearly set out the full extent of these rights and would assist in better implementing the language requirements in the Criminal Code and in rectifying some shortcomings identified in various studies and by the courts, notably by the Supreme Court of Canada in *R v. Beaulac* in 1999. The amendments also bring greater clarity to the provisions, thus ensuring greater efficiency throughout the criminal justice process.

The amendments would also provide solutions and improvements that respond to a 1995 study by the Commissioner of Official Languages entitled “The Equitable Use of English and French Before the Courts in Canada”. In the study, the Commissioner of Official Languages identified a number of barriers to the exercise of the language rights of accused persons.

The commissioner recommended that all accused be better informed of the right to a trial in the official language of their choice.

The commissioner also indicated that there appeared to be little logic in providing a trial in the language of the accused while failing to provide the accused with a version of the originating documents leading to his being on trial in the language as well.

Finally, the commissioner identified a number of practical issues that arise in the context of bilingual trials and which have led to contradictory approaches and court decisions.

The amendments proposed here address many of these concerns. For example, amendments to the language rights provisions would heed the advice given by the Supreme Court of Canada in the *Beaulac* decision by requiring the court to inform all accused persons of their right to be tried in their official language whether they are represented or not.

The amendments also follow court decisions requiring that the charging document must be translated in the language of the accused upon request. This appears to be a necessary complement to accused persons exercising their language rights. The proposed amendment would standardize existing practices in that regard and ensure the wording in the Criminal Code more accurately reflects the state of the law.

● (1545)

By the same token, to satisfy the need for certainty and precision in criminal proceedings where the charging document has been translated, a further amendment would make it clear that where there is an inconsistency between the original version of the charging document and the translated version, the original document ought to prevail.

Finally, the proposed amendments would provide the presiding judge with the power to issue appropriate orders to ensure that bilingual trials run smoothly and efficiently. The absence of such a provision has led to fruitless debate and it is time to bring greater efficiency to such proceedings.

I would now like to turn to the sentencing provisions. Bill C-23 gathers together several technical sentencing amendments. The purpose of this series of amendments is similar to that of the other two categories, namely, to clarify the intent of certain sentencing provisions and improve efficiencies in the application of certain court sentencing processes. There are also other amendments that serve to update the law or extend existing measures to protect victims.

I would like to highlight some of the changes that are proposed in sentencing. One area where uncertainty warrants changing the law is the penalties for impaired driving. As I will detail in a moment, the following amendment will provide courts, the parties to the proceedings and, in particular, impaired driving offenders with some certainty regarding the exact sanction that will apply to a person convicted.

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Given current uncertainty in judicial decisions, this change will have the effect of clearly stating that the minimum fine and minimum jail terms that apply for a first, second and third impaired driving offence, such as the operation of a motor vehicle while impaired and refusal to provide a breath sample, do apply to the more serious situations of impaired driving causing bodily harm or death. Accordingly, this amendment will also clarify that conditional sentence is not available for these offences as this type of sanction cannot be imposed for offences that attract a minimum penalty.

Another impaired driving amendment that I would like to highlight here is with respect to concurrent driving prohibition orders. The Criminal Code currently provides that impaired driving offenders who breach a driving prohibition order can receive a subsequent driving prohibition order. However, this subsequent additional prohibition order runs concurrently with the initial order imposed. As both orders run at the same time, the second driving prohibition may be rendered less meaningful. The amendment that is proposed would expressly provide that the second order is to be served consecutively with any existing driving prohibition orders.

This bill also contains two additional amendments with respect to impaired driving offenders who participate or wish to participate in an interlock ignition device program with a chance to make an early return to driving. These interlock device programs are currently offered in a number of provinces across Canada. Alberta and Quebec were early leaders in implementing such programs.

Criminal Code provisions enable provinces and territories, if they wish to do so, to permit an impaired driver who drives a motor vehicle equipped with an ignition interlock device to drive during the driving prohibition period imposed by the court, but only after a minimum period of time has passed based upon whether the impaired driving conviction was a first, second or subsequent offence. Just to clarify matters, if it sounded as though we are allowing impaired drivers to drive, that is not the intent of the legislation. It is those who have been convicted of impaired driving. This does not change the law in that respect.

One amendment that would provide that for greater certainty an impaired driving offender is only permitted to drive while being the subject of a driving prohibition order if he or she has registered in an alcohol ignition interlock device program and is in compliance with the conditions of the program. This amendment is intended to make it clear that the offender must not only be enrolled in the program, but must also comply with all the terms of the program during the driving prohibition period.

● (1550)

In addition, currently the only proceeding by which an offender can request permission to be enrolled in an interlock device program is at the time of sentencing. Where this request has been omitted at the sentencing stage, the opportunity to request permission to enrol in such a program has been lost, as no other proceeding is provided in the Criminal Code to address this request at a later time. Therefore, a minor amendment would ensure that unless the sentencing court states otherwise, all impaired driving offenders will be authorized to apply for an enrolment in an alcohol-ignition interlock device program in those jurisdictions where such a program, with an early return to driving, is available.

Before I conclude, I would like to highlight two additional sentencing amendments contained in the bill that may be of particular interest to my hon. colleagues. I hope this next amendment will give victims some reassurance as it provides sentencing courts with an additional tool to protect them from unwanted communications while the offender is serving a jail term.

Courts currently hold the power to order accused persons and convicted offenders not to communicate with victims while they are either in remand, out on bail or on probation. However, no similar power exists to order an offender not to communicate with victims while the offender is serving a jail sentence. Practises for dealing with unwanted communications in correctional institutions vary among jurisdictions with most situations being addressed on a case by case basis and handled through disciplinary measures.

The amendment will extend the existing measures to protect persons from unwanted communications by providing sentencing courts with the power to order an offender not to communicate with victims, witnesses and other identified persons while the offender is in custody.

The amendment also includes the creation of an offence as an enforcement mechanism for a breach of such an order. I believe the amendment will provide the missing link in the chain of prevention measures against unwanted communication by accused persons and convicted offenders.

Last, I would like to bring to the attention of my colleagues an amendment with respect to fines. The current maximum monetary penalty for summary conviction offences of \$2,000 has remained unchanged for over 20 years. Other monetary limits in the Criminal Code have been adjusted over the years. Bill C-23 proposes to increase the maximum fine to \$10,000. This adjustment would allow crown prosecutors to seek a higher fine when proceeding by summary conviction.

As members can see in some, the amendments, as highlighted by the examples presented today, would strengthen sentencing measures, enhance the efficiency of criminal procedures and clarify court related language rights provisions.

I would like to call on all members of the House to join me in supporting this important legislation.

● (1555)

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, Bill C-23 is a good clean-up bill because it takes care of a lot of loose ends. The Department of Justice should be complimented on its good work.

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However, I cannot say the same about the justice minister's implications in this bill. The bill was the fruit of the good work of the Law Commission, which has been eradicated. One of the first steps of the Minister of Justice, through the government purse keepers, the Minister of Finance and the President of the Treasury Board, was to cut the Law Commission.

Would the minister agree that the government was hasty in completely gutting the Law Commission?

The second point I would like to make is that the new Official Languages Commissioner, Graham Fraser, before the official languages committee said that he would be in favour of keeping the court challenges program.

The minister will know, at least I hope he knows, that the battle and struggle for language rights in this country has been in part as a result of successful court challenges applications and the testing of municipal and provincial laws and even, in some cases, federal laws to ensure that francophones across the country have the rights that have been improved in Bill C-23 but were in fact instituted by court challenges. Will the minister reconsider the efficacy of the court challenges program?

Finally and briefly, the imposition of a fine up to \$10,000 on summary conviction offences from \$2,000 is certainly to be lauded. This is a modernization of the reality of the effect of crime and the willingness to pay and the capacity to pay which must be judged by a judge. The judge's judicial discretion in deciding up to \$10,000 in the capacity to pay area is something that acts totally against what the government has done to the judiciary. It was held up, I learned today, and it completely delayed bringing back the discussion in the House of the pay packages for our judges, ripping them of their discretion when it comes to Bill C-9 and Bill C-10, and yet in this case lauding the fact that we are increasing the discretion to \$10,000 on summary conviction offences when in fact every other step of the government and the Minister of Justice has been an attack on the judiciary and its wise use of discretion.

Those are three little questions on which I will await the minister's response with apt attention.

• (1600)

Hon. Vic Toews: Mr. Speaker, I do not take the same position as the member across the way. For example, I support the mandatory revocation of driver's licences for impaired driving for those who kill on our roads. I know the member may not support that but I believe the majority of members in the House do.

This type of attitude that parliamentarians cannot send out messages in our legislation setting certain floors is a completely irresponsible attitude. We would not be responding to the demands of our constituents.

When I look at the calls by people like MADD Canada, the Mothers Against Drunk Driving, it calls for mandatory licence prohibitions and the elimination of conditional sentences for those who kill on our highways. The member across the way may not have concerns about those kinds of killings but killings on highways, for example, are one of the leading criminal causes of deaths. The member may not be concerned about that but I am.

I have worked long and hard in the justice system to bring about administrative licence suspensions roadside and the administration seizure of motor vehicles for those who drink and drive.

I was very disappointed to see the member stand in the House and say that we should just open this up and remove mandatory sentences, such as licence prohibitions, fines or conditional sentences.

I do not know whether the member is a lawyer but he sounds like a lawyer who is more interested in representing the interests of the accused. Our government is interested in rebalancing the system to ensure that victims have a voice in our country's legal system. This bill, in that respect, reflects that and I am proud of the steps our government has taken.

I would discourage the member from making those kinds of irresponsible statements about what Parliament should be doing in respect of helping victims.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, in a few minutes I will have the opportunity to deliver my speech informing the House that the Bloc Québécois is favourably disposed towards this bill. I am, however, going to take advantage of the minister's speech to try and get a few clarifications. We know that the minister is an extremely enterprising man, who in a way practises judicial activism. At present, six bills are under consideration, and there is a rumour, which I would be inclined to believe has some foundation, to the effect that six other bills will be tabled.

I would like the minister to tell us, in order, his government's priorities. Does he hope to begin with the passing of Bill C-9? Is it Bill C-10, followed by the bill respecting age of consent? Is it the one dealing with DNA data banks?

Soon there will be more bills than the minister has teeth. It is not easy to figure out what the government's priorities are. Each bill will be discussed in committee and in the House. Some are good, others less so, but overall, I would say that the output is fairly discouraging.

Can the minister, for each of the bills and in numerical order, tell us his government's priorities? I am sure that he does this in consultation with the leader.

[*English*]

Hon. Vic Toews: Mr. Speaker, I must thank the member for Hochelaga for his diligent work on the justice committee. It is certainly a pleasure to have him on the justice committee to ensure that a different perspective is brought to the administration of justice. He and I may not agree in every respect but I respect his integrity.

In respect of the issues regarding the priorities, we have attempted to list bills in the priority that we would like to see them passed.

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I know that some of the bills are more difficult. Bill C-9 has raised a number of issues. I have made comments in front of committee on that issue. We know that the bill regarding judges' pay is before the committee. I know there are many bills and much work to be done by the justice committee. We have issues, such as the review of the DNA legislation, a task that should have been done a couple of years ago but was not.

While I may have my own priorities and this government may have its own priorities that are reflected in the way that we have introduced legislation, I have full confidence in the member and the other members of the justice committee to understand the priorities of Canadians and to respond accordingly. I would rely on his wise judgment in that respect.

• (1605)

[*Translation*]

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, the rights of accused persons to a trial in their own language—, in French or in English, have certainly evolved over the years. This has not always been the case. I remember a few years ago some young francophones who were charged and tried in English in Vancouver, and the only services they had were those of a single interpreter. So this is considerable progress and this bill seems to settle some technical issues.

In my opinion, the minister should acknowledge that it is often thanks to court challenges that francophones have succeeded in winning their case in many of these language issues. As for me, since I am from Manitoba, I know that court challenges have helped francophones to maintain their cultural identity.

I would ask the minister to please acknowledge the importance of court challenges for Canadians.

[*English*]

Hon. Vic Toews: Mr. Speaker, I am no stranger to that litigation in Manitoba and I am no stranger to the issue of francophone language rights. I have been a strong defender in Manitoba of francophone language rights. Indeed, I represent a riding that probably has the highest number of francophones in any rural riding in western Canada. I believe my riding is second only to Saint Boniface in terms of the percentage of francophones.

I understand the francophone people and their desire for equal language rights, even though I do not speak French. However, I respect that and I work toward that goal.

I know there are other mechanisms other than the court challenges program. Even before the court challenges program, some of the initiatives were taken in Manitoba, for example, through the Public Interest Law Centre. An individual by the name of Arne Peltz used to take many of these cases, which were all funded through legal aid. Legal aid does much of that itself. Therefore, there are mechanisms to advance these types of cases.

I am mindful of the comments made by the member but I believe there are appropriate mechanisms that remain available, including work by interested lawyers who want to advance cases in the interest of justice in this country.

This particular bill is a very necessary bill. It helps, not only to improve language rights, which I support very strongly, but it helps to modernize the criminal justice system. One of my concerns is the whole issue of the efficiency of the criminal justice system. This bill would assist in that respect.

[*Translation*]

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, it is a pleasure for me to rise today on Bill C-23, which will amend the Criminal Code in several respects.

This is an omnibus bill concerned more particularly with criminal procedure, the language of the accused, sentencing, and other changes.

• (1610)

[*English*]

The proposed legislation is essentially a cleanup bill with the objectives of ensuring that the Criminal Code is up to date and to maximize its efficiency. Bill C-23 includes many substantive amendments to the Criminal Code, changes that touch on a number of issues, mostly to modernize the Criminal Code.

This is why we believe that this bill, if sent to committee to be thoroughly examined, would result in good law. At committee, experts can be called as witnesses to give evidence on the efficacy of each section of the amendments, whereby we might get closer to improving the Criminal Code, which we all recognize is a tired, well-worn and incomplete document for our criminal justice system, but it is the best we have had.

I do give compliments to the other side in suggesting that the Criminal Code was the child of a Conservative finance minister and subsequent prime minister in the 1880s. It has been patchworked together over the years, but no full and final revision of a modern Criminal Code has been undertaken, and it is long overdue.

However, this bill seeks to band-aid and fix up what we can to modernize certain sections of the code and we on this side welcome its implementation.

Some clauses included in Bill C-23 are aimed at keeping up with today's society, such as increasing the maximum fine for a summary conviction offence from \$2,000 to \$10,000. Although this might seem to be quite a jump, I believe that judges, with their cautious deference to the circumstances that exist, will use fair determinations to determine if an accused, based on capacity to pay, can make the payments and if the amount of the fine is indeed proportional to the person's capacity to pay.

Here I want to interject something that I think is very important to the whole tableau of justice bills that are before the House in this session. The 39th Parliament has seen a plethora of legal bills, but many of them and many of the actions of the government, despite the inundation of law, have really ripped apart the sense that we respect the judiciary.

Government Orders

I think of the delayed report on justices' salaries, now further delayed, we understand today. I think of the comments made by the Prime Minister of Canada in this House that Liberal lawyers were running the court challenges program. I think of the comments made by the Minister of Justice at the Canadian Bar Association conference in St. John's, and of those of the Prime Minister about Liberal judges made on occasions during the campaign of December and January of last year .

Notwithstanding that everybody might have a problem with certain appointments, when a judge becomes a member of the bench, he is a judge. He is an "Honourable Justice". He is an interpreter of the laws. He deserves all of that respect.

The government has done nothing to further the cause of respect for the judiciary. It may be the on first day of civics class in grade 1 or grade 10, or in undergraduate or law school, that one learns that unless people have respect for the law through its judges, the law will not have the impact we all need it to have.

[*Translation*]

As the member for the riding of Moncton—Riverview—Dieppe, which is probably the most bilingual and most bicultural riding in the country, I am happy to see that Bill C-23 will reinforce the right of accused to be tried in the official language of their choice, and more particularly, the right to a bilingual trial in cases where two or more accused speak different official languages.

This is an important measure to ensure that all Canadians can have justice in either official language. As I was saying, in my community it would not be uncommon for an anglophone and a francophone to be tried together. The change to the law and the proposed amendments will ensure a trial in the preferred language of the accused. This is basic to our judicial system and would be just and fair.

●(1615)

[*English*]

At this time, I would also like to interject that this side of the House is for safer communities. This side of the House is for law and order. This side of the House is for the victims of crime as much as anything else that we stand for.

We differ in the ways to ensure that victims are safe in their communities. It is not enough to grandstand with bills that have catchy titles and catch the six o'clock news. To make people feel that they are going to be safer, the laws have to be effective. For the laws to be effective, institutions like the Law Commission and programs like the court challenges program are essential to ensure that we have a just and equitable society and that people feel safe in their communities.

More than that, in the situation and the environment where there is some \$13.2 billion in surplus, we need to see that there are more resources in the community to enforce the law and to enforce programs that the police forces believe in, such as problem-oriented policing, which means having the police presence in the schools and in the community to prevent crime from happening. And that is to say nothing about the whole concept of rehabilitation, which must wait for another day.

Another aspect of the bill that I find very interesting, at least in principle, is the aspect of the issues surrounding subsequent prohibition from driving for consecutive offenders on impaired driving charges. As a father of three beautiful young girls, it enrages me to hear on the news of repeat drunk drivers and the menace they pose to our society.

I am proud to say that the president of Mothers Against Drunk Driving is a New Brunswicker. I am proud to say that the very first meeting I had in my constituency office was with the president of Mothers Against Drunk Driving. I know it is especially important to look and to act as if we as parliamentarians care about what happens when someone gets behind the wheel of a car impaired, not for the first time and certainly not for the last time if they do not get consecutive sentences that restrain them from driving.

Some people cannot get the message. They must be restrained from driving. This bill does that. It is long overdue. I think all sides can agree with the wise impact of that amendment. We often learn in these cases that it is these irresponsible individuals who have been arrested many times before for drunk driving and are out again in the community posing danger to our community.

However, here is where I must interject as well. In recent announcements by the government, \$4.6 million has been cut from a pilot program administered or put in place by the Royal Canadian Mounted Police to determine if someone is impaired from drug use while driving. While the acronym MADD might stand for Mothers Against Drunk Driving, they might as well be MAID, mothers against impaired driving. It matters not the source of the stupefier or the ingested product, whether it is alcohol or drugs. What matters is the danger to our innocent public.

It is insincere to cut this program on the one hand and on the other hand suggest that this law is in step with what the government feels. Through Bill C-23, the government has added prohibitions that were long thought of, but on the other hand it has stopped a program that might easily identify people who are impaired from other sources. It completely misses the mark. It is completely inconsistent. It makes me think that the Minister of Justice has not thought through the implications of his whole dossier in justice.

Of course, justice should not just be about more severe sentences and longer jail terms. Justice is about making our country safer. I strongly believe that this is not done by locking up criminals and throwing away the key. It is done through prevention, to protect potential victims from living through the recurrence of dramatic events. When it is not possible to prevent crimes, I believe justice is done through proper treatment to ensure criminals understand what they have done. This should, we all hope, be the first step in rehabilitating them and preventing further crimes. Again, our concern is about the victims: prevention of crime.

Government Orders

• (1620)

Bill C-23 is proposing to allow a sentencing delay in order to enable the offender to receive treatment. Bravo. This is finally the government suggesting that it believes in principles of sentencing other than deterrence and denunciation. It makes me think again that this bill, which we support, really is not a bill of the government. This was not the brainchild of the government. This is a fix-up bill that was well under way prior to the change in government.

So I must applaud the other side for seeing the sense in these parts of the amendments. I am very pleased that the Minister of Justice is bringing such a liberal approach to his department in this respect. I would almost be tempted to congratulate him on realizing the important role of treatment and rehabilitation, but of course we all know, both at the committee and in the public, that there are many other bills that have been before the House, and are to be before the committee, which strip away at the sincerity of the government's posturing toward treatment and rehabilitation. So I came close to complimenting the minister, but I cannot.

I must say it is refreshing to see the Conservative minority government respect some of these principles. We would like to see more action on them as it relates to the bill.

I am very interested in having the House discussing the omnibus bill one week after the Conservative government abolished the Law Commission of Canada. As most members are probably aware, the main objective of the Law Commission of Canada was to advise Parliament on how to improve and modernize its laws. Is that not ironic? We are here discussing Bill C-23, which is essentially a modernization, a keeping up to date of the Criminal Code, one of our oldest statutes, and as most members are probably aware, the Law Commission of Canada is to exist no more.

The Law Commission of Canada provided exceptional advice on such topics. This is why we are at a loss to explain that on the one hand we see parts of this omnibus bill that obviously recognize the evolution—somebody watching the Criminal Code as it evolved and coming up with these proposals—and on the other hand the government is saying it is not really interested in organically studying the evolution of law and it will cut the Law Commission just like that without any real reason.

I would say, if I could make a statement here, that in the space of a few days, the government in fact has shown its support for the Law Commission of Canada by speaking in favour of the bill. It is cutting funds to the Law Commission of Canada, and on the same day, as we know, there was a surplus announced of over \$13 billion.

Generally speaking, Bill C-23 is all about details, but as we all know, some amendments have been made to the Criminal Code, and sometimes they look pretty small and unimportant. They often, however, have long term implications. Any of us following the saga of Bill C-9 on conditional sentencing will know that in what was more than the stroke of a pen, in what was a 60 page decision of the Supreme Court of Canada in *R. v. Proulx*, what seemed like a very ordered system to deal with the application of conditional sentences turned into something completely different.

I believe, however, that we must study each of these amendments further at committee and learn more about the implications of some of the changes.

[*Translation*]

The purpose of Bill C-23 is to clean up, modernize and update the Criminal Code. We still have a responsibility, though, to study it thoroughly and understand the implications of the proposed changes.

The proposed amendments are quite varied and touch on several areas of the Criminal Code. It would be a very long, complicated process, therefore, to discuss them in detail in the House. For this reason, it is very appropriate to send Bill C-23 to committee to ensure that each of these changes is well understood.

[*English*]

I am looking forward to studying this bill in the justice committee and the workings therein. With almost 50 clauses, Bill C-23 will definitely need some serious consideration to ensure we do actually clean up and modernize the Criminal Code, and not create more problems.

One last thing that concerns me is the workload that is being sent to the justice committee, not because the members of the committee from all parties are afraid of work, we are sitting three times a week now, but because of the sheer volume of bills presented to the committee. It seems like the government is more interested in putting these bills in the front store of its populist democracy and has no real interest in making sure that these bills are passed by this Parliament in a quick and just way.

I caution members of this House, if we are serious about keeping communities safer, if we are serious about protecting victims, then let us back up our words, as much as we agree on certain bills, and get these bills through this House.

That is why I emphatically endorse Bill C-23. Members will find that on this side of the House, in the House and in committee, we will put forth our very best efforts to see to it that it is passed with speed because this party and this side believe in safer communities and in the safety of victims.

I hearken back to my comments about my three daughters, aged 7, 8 and 10. If I thought we were not of ultimate dispatch in passing the amendments to this bill that call for further and subsequent prohibitions from driving for repeat drunk drivers, I would hold all of the members here accountable for not having done enough. Let us get to work on this bill.

• (1625)

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, the member across complained vigorously about the Conservative government's decision to get tough on crime. He complained loudly that the Conservative government has introduced over a dozen tough on crime bills in the House of Commons. He complained that it is too much legislation for the House of Commons to deal with and that we should not be getting so tough on criminals.

Government Orders

I would like to point out that during the election the Liberals claimed, for about two weeks, that they too were tough on crime. They claimed that they too supported mandatory jail time for gun criminals and serious offenders. They claimed that after 13 years, they had learned their lesson and that all the soft on crime provisions that they had brought in over those 13 years would be removed if they were re-elected.

Now that they are back here in opposition, it is clear that they have learned nothing. The Liberals are still soft on crime. They oppose mandatory jail time for hardened criminals and gun criminals. The Liberals oppose our decision to end house arrest for serious sex offenders. They oppose our bans on street racing. They oppose all of our efforts to crack down on the growing scourge of gangs, guns and violence.

I have a question for the hon. member. Why will he not stand in his place and admit that his party, the Liberal Party, will always be soft on crime, and that crime victims can never rely on Liberals to keep our communities safe?

Mr. Brian Murphy: Mr. Speaker, I am acquainted with the hon. member. We worked very hard and diligently on Bill C-2, the accountability act. I am very familiar with his absolute ability to have a drive-by political bombast, as we just witnessed.

If there was a question there, the question should have been on Bill C-23, but I will underline that this party is about keeping communities safe. This party, on this side, does care about victims' rights, which is precisely why, and it is so evident in the member's question and comment, we like to take a fact-based approach.

We would have appreciated the Minister of Justice and the parliamentary secretary coming to the justice committee with some studies or some facts to back up their storefront democracy version of events. This suggests that these laws that they are proposing, mostly written on the backs of napkins and usually three pages in length, are the panacea, and that they do not give people out there a false sense of security.

We believe in keeping communities safe and spending some of that \$13.2 billion in surplus on resources in the community. I would love to discuss this with the hon. member and have him say that we are not giving enough to the police forces in our communities, that we have cut \$4.6 million from a trial project administered by the RCMP, who they so steadfastly support and so do we, for drug-impaired reactions.

I know it is very difficult for members opposite to focus on what is before them, but this bill is the fruit of the good work of people at the Law Commission, and people in the Department of Justice. It is a good bill, having nothing to do with the Minister of Justice and his parliamentary secretary and the members opposite.

• (1630)

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, I have to admit to this House, and to anyone who is watching, how much I appreciated the comments of my colleague who just spoke.

I would like him to provide us with a bit more information about the particulars of this bill as it regards ensuring the rights of two co-accused, each one from one of our two official languages, to have a

bilingual trial to ensure that each one would be able to have their trial in their language of choice.

There is first, the fact that this charter right, which we now are finding in this bill, actually comes out of court challenges which were funded under the Court Challenge Program which this new Conservative minority government has just cut. Second, there is the fact that many of the issues that are being dealt with within this bill are as a result of work that was done by the Law Commission, which again this new minority Conservative government is cutting funding for, notwithstanding that it was created by parliamentary statute.

Mr. Brian Murphy: Mr. Speaker, where I come from, Acadia, we certainly recognize that the Court Challenges Program has brought many cities, villages and provinces along with the federal government in interpreting the charter toward increasing the rights of francophones, primarily as the minority in New Brunswick, to have access to government services in the language of their choice.

I was a little dismayed when I heard the Minister of Justice say that he has a large francophone portion in his riding, he understands francophones, he cannot speak French, he represents them, he cares about them, he was an attorney general, and all that sort of thing. Yet, he cannot recognize that although the charter of rights gave entrenched rights to francophones and anglophones to have trials in the language of their choice in 1982, we are in 2006 realizing, after having been tested through the Court Challenges Program, that this needed to be ratcheted up a bit as this section would do.

How is the minister, from rural Manitoba, going to find out about other holes in charter rights across the country if he does not have court challenges or the Law Commission? I am not sure he is going to get it from the members opposite. I have not seen minority language rights as the storefront democracy document that the Conservatives are using. They are using the scare tactics of justice on the streets and they are using hyperbole, which will not get the job done.

As a result of court challenges and because of the Law Commission, which have now been obliterated by this government, it is very clear to Canadians that there is one side of the House that cares about justice, and that is this side, and one side of the House that does not care about justice. The Conservatives are not concerned with justice issues.

The Minister of Justice should be aptly renamed the "minister of what's popular in a scare tactics world". That would be too long so we could make it an acronym. But the bottom line is that this minister and this government are only interested in very shallow bills that have a great ability to get on the six o'clock news.

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The people of Canada should be aware that they are breeding a false sense of security out there because these bills are not supported by any facts or any studies, and the Conservatives are not doing the best they can to protect the victims as we are doing on this side.

Mr. Brian Fitzpatrick (Prince Albert, CPC): Mr. Speaker, I heard the member's comments about studies and to me the best study is real experience.

The State of New York and the City of New York in the 1980s and 1990s had bleeding heart liberal democrats running both the city and the state. It was not safe to walk through Central Park at two o'clock in the afternoon, as a prosecutor found out back in the 1990s.

There was a change in that state. Rudy Giuliani was elected mayor of New York and George Pataki as the governor and they got tough on crime. They pushed aside all this liberal bleeding heart stuff to the sidelines, and got to the root cause of crime and got tough on it.

Today, New York City has a lower crime rate than any city in Great Britain of 500,000 people or less. That is based on real experience, not a bunch of bleeding heart criminologists cranking out some sort of opinionated, slanted report on crime. This is a real study in criminology.

If we want results, look to where we are getting results and follow those things. We have had 13 years of Liberal dithering. The only thing the Liberals could come up with was to register every firearm in the country as some sort of way of getting tough on crime. It did not make any difference in this country, as we have seen.

The Liberals did not want to put resources where they were really needed, putting police on the streets where crime is happening and getting the people that endanger our communities off our streets and out of our communities, especially the chronically dangerous type of criminals.

This is what the member opposite fails to address. I think he must have spent most of his years defending criminals in the criminal courts of our land. I am here to—

•(1635)

The Acting Speaker (Mr. Andrew Scheer): Order, please. I must give the hon. member for Moncton—Riverview—Dieppe an opportunity to respond.

Mr. Brian Murphy: Mr. Speaker, I thank the hon. member for his examples from the United States. We all know how fond the other side is of following whatever is done in the United States.

Let me correct what he may think about the State of New York. Yes, George Pataki was the conservative republican governor who came in. Yes, he is the governor under whose administration most of the mandatory minimum sentences in the State of New York have been revoked. This is Bill C-10 for the member's information.

The mandatory minimums in that state have completely been removed. I know it is not popular, but the facts show it does not work.

We have to be oriented toward the facts in all of these cases. I was simply saying on Bill C-23 that these are good amendments. The fact is they were born by contests in the Court Challenges Program and

the good work of the Law Commission. Now we do not have these programs, so we will probably not have a Bill C-23 in the future.

I would like to agree with the member that these are good reforms and they will improve our society and make them better. Basically, they are the fruit of Liberal institutions.

We will see if the member will put his vote where his mouth is and vote against this Liberal bill presented under the guise of the Conservative government and truly not want more safety in our community which this side wants.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, thank you for allowing me to speak to this bill, which, let us be frank, is really somewhat technical.

Before starting, I would like to take a few moments to comment on the news. I am a little discouraged with this government. People who know me know that I am an optimist through and through. I love life. I am even a rather affable fellow: I keep my cool and I get angry only on very rare occasions. I am a little worried about this government, however. Frankly, we get the impression that this government has assigned itself the job of making life difficult for minorities. It is unbelievable that this government, which is not even a year old, would decide to cut off programs that deal with the status of women and that fight illiteracy.

We might think that in our society, illiteracy is a marginal phenomenon, that people who need to learn how to read are found in marginal groups. When we look a little closer, we realize that there are people in all walks of life who, as a result of problems in their lives, are illiterate. Not knowing how to write has nothing to do with people's intelligence or with how well off they are. The phenomenon is somewhat related to social status, however. Statistically, there is in fact a higher risk that poverty, in the broad sense, will lead to illiteracy. Nonetheless, it would be a major sociological error to think that illiteracy affects only people from disadvantaged backgrounds.

We also know that this government has chosen to attack gay rights, at a time when considerable progress had been made. We have to ask ourselves: why reverse the gains that have been made and that are no threat to anyone?

Earlier, in reply to a question I asked him, the Minister of Justice said that there was no basis for this. I hope that we will never, in this House, be told that we are going to have to examine a bill that will, in the name of freedom of religion, allow disrespect to be shown for the homosexual communities, for lesbians or gay men.

We have a duty to keep a very close eye on this government. In the area of criminal justice, it has been a long time since we saw, in a democracy, a government that is not merely conservative, but completely reactionary. We have to ask who this government is speaking for. A demagogical line is being drawn between public safety and the desire for harsher sentences, and we know that there is not one member of this House who is not concerned about public safety.

Government Orders

In August 1995, in my neighbourhood, Hochelaga-Maisonneuve, on Adam Street, near my office, I witnessed a car bomb explode. The explosion was part of a conflict going on between motorcycle gangs. All of the members who followed the news at that time will recall that a young man, Daniel Desrochers, lost his life in that explosion. He was in the wrong place at the wrong time.

I immediately joined with all parties in this House to determine what we had to do to respond to this new phenomenon of organized crime. Organized crime was wearing a new face, it was different from what we had seen at the CIOC.

I recall having conversations with senior officials. I do not blame them because this was a new phenomenon. Some officials had the strange notion that it would be possible to break up the 38 criminal biker gangs by using provisions on conspiracy. It is one thing to conspire, and it is quite another thing to be actively involved in a criminal gang. A new law had to be created. The Bloc Québécois devoted itself to that task through the work of my former colleague, the member for Berthier—Montcalm, my colleague from Saint-Hyacinthe—Bagot, and my former colleague from Charlebourg—Haute-Saint-Charles.

• (1640)

That was a time when Charlebourg—Haute-Saint-Charles was well represented. I am convinced that this mistake will be corrected in the next election.

So, it was necessary to create a new law, to establish new provisions and the Bloc Québécois at that time supported the new section 467 of the Criminal Code which established the criminal organization offence. It was not perfect and it was quickly recognized that the criterion of having five members who had previously received sentences of five years during the previous five years—the three fives rule—was not really operational in terms of the law. Why? Because the criminal biker gangs set up what could be called farm teams that recruited people who were not so well known to the intelligence services and the police. As a result, it continued to be difficult to bring those people before the courts.

Suffice it to say that it is sometimes necessary to establish new offences. Some of the social problems we were faced with call for a solution based in criminal law. Given the times we live in, we cannot follow the government in certain matters. Criminal activity has never been so low. Obviously, if there is a crime, some wrongdoing, a robbery or a sexual assault, that is one too many. That is clear. Nevertheless, as legislators we must think of the overall picture, of prevailing trends. It is clear that currently crime is on the decline; and that is true for all western societies.

Why is crime on the decline? Because we are living in a society where, in terms of population, people age 50 and over represent a much greater share of the population. There is an obvious correlation between population distribution and criminal activity. That is the first explanation. The second factor is that the economy is doing well. We are not in a period of recession, as was the case in the 1980s or the 1990s. Of course, that does not mean that we can cut the POWA program. Obviously industrial sectors are facing obsolescence, but overall the economy is doing well.

So if the government had said that its first legislative action was going to be to amend the Canadian Human Rights Act to include social condition or status as a prohibited ground of discrimination, the Bloc Québécois would have acknowledged that the government had a degree of sensitivity. Instead, the first bill that the government brought forward relates to the issue of conditional sentences, against a backdrop of demagoguery the likes of which has rarely been seen before. God knows that I have had some experience of it. I have been here for 13 years, and I have taken part in a number of public debates.

I want to say a few words about conditional sentences before getting to the heart of the bill. I imagine that no one in the Bloc Québécois or among the other parties thinks that in every possible scenario we must allow prisoners to serve their sentences at home. Socially, one does not need a Ph.D. in criminology or political science to understand that there are some offences that call for real denunciation.

That is the purpose of sentencing. When we look at the objectives in section 718 of the Code, we see rehabilitation and denunciation. Denunciation means that there have to be exemplary sentences. Some offences are so heinous, arouse such disgust that we cannot imagine that people could serve their sentences in their communities.

But the Conservative government, with its obvious lack of nuance, says that this will apply to all offences punishable by more than 10 years in prison. Obviously, the fact that an offence is punishable by more than 10 years does not mean that a judge will hand down a 10-year sentence. We are well aware of this.

An offence that is punishable by 10 years, that could be the case for counterfeiting currency or pirating software. It can also apply in the case of simple possession of marijuana. So obviously the marker for detention in the community cannot simply be the 10-year sentence criterion.

• (1645)

On the other hand, some offences—such as child neglect and abuse—are not punishable by 10 years' imprisonment. But do we want people convicted of that kind of abuse to be serving their sentence in the community? Of course not.

For organized crime, section 467, that I spoke about earlier, contains certain provisions—sections 467.1, 467.2 and 467.3—that provide for offences that are not punishable by more than 10 years in prison.

We therefore see that this is a very odd sort of government. And it is very plain that it is completely at odds with the values that Quebecers uphold. I also think that in the next election we will be looking at a government that is refusing to resolve the fiscal imbalance issue.

It really is quite unbelievable. The Prime Minister was elected because of the Gomery Commission. He talks about transparency, accountability, keeping his word. He goes before the Chamber of Commerce in Sainte-Foy and he makes a speech.

Government Orders

We told ourselves that, if the leader of the Conservative Party had something to say about this, it was because he believed in what he was saying and he was saying what he believed, and that he would turn the commitment he had made into a reality. He undertook to solve the fiscal imbalance. In fact, the Séguin commission had mentioned a shortfall of \$50 million a week for the Government of Quebec, in light of its responsibilities in such areas as education, culture and income security.

Imagine our disappointment when we heard the Prime Minister say on *Le Point* a few days ago that he was not in a hurry and that we would see.

He wants the consensus of all the provinces. All those who read the O'Connor report know full well that a consensus of the provinces regarding the fiscal imbalance and equalization will be hard to get. They do not agree on either the inclusion of natural resources or what has to go into the actual equalization formula.

Let us stay on topic. I want Quebeckers to remember how this government is on the verge of becoming dangerous for our democratic values.

The bill that the government has submitted, however, does contain some relatively positive measures overall. It is fairly inoffensive, seeking to reform some procedural provisions, such as the one on service.

The former premier of Quebec loved to quote the old Latin adage *Audi alteram partem*. Premier Bernard Landry also said, "That which does not kill us makes us stronger". He used this expression in an election campaign, but of course I am not here to talk about him although I must say that former Premier Landry was a great debater. He was a very great premier, let us never forget.

That being said, the bill before us is interesting in some respects because it will harmonize the rules of service. According to the principles of natural justice, it is unthinkable that an accused person might be brought before the courts without knowing exactly why the law is concerned about him. When one is brought before the courts, one must not only have a clear idea of the charge, but one must also have complete access to the evidence. This was the ruling by the Supreme Court in 1992 in *Stinchcombe*.

Of course this revolutionized the whole justice system, as my friend the Parliamentary Secretary to the President of the Treasury Board knows. Incidentally, I just learned that he and I share a common passion, as he was an Olympic wrestler. Of course, we are not in the same weight class since he has put on a few kilos over the years, but I know he is in great shape. He goes to the gym regularly and it would be a great pleasure for me to take him on in a friendly competition if he so wished.

That being said, the bill contains interesting aspects on the whole issue of evidence.

• (1650)

We are interested in looking a little further to better understand this bill, but we are reassured with regard to this aspect.

Another positive aspect is the use of telecommunications to forward warrants to be executed in a different jurisdiction than the one where the search took place. It is called a change of venue.

There are also changes to the process with respect to the challenge of jurors in order to help preserve their impartiality, among other things. This is an interesting aspect since the use of jurors comes from the common law system. It may be the only direct way for our fellow citizens to take part in the judicial process if they are not the victims or the accused, or if they do not themselves work in the justice system.

However, the challenge of jurors is not that simple since it is a random system, something we must not forget. Parties may challenge jurors on the basis of their background, their bias, their statements, their roles, etc. We are indeed very happy to learn that there will be an updating of the way jurors can be challenged.

I was somewhat concerned after reading one aspect. We will see what it means in due course. An appeal of a superior court order with respect to things seized lying with the court of appeal is not always a simple matter, because some appeals are appeals as of right—an appeal *de plano*—while other appeals are appeals with leave.

The majority of appeals are made with leave to appeal, which clearly involves some degree of discretion. For example, in the case of a conditional sentence of imprisonment, it was not clear whether a conditional sentence order could be suspended. It appeared that the department had agreed and that it is not a provision that is reflected in the bill. That is, perhaps, a less positive aspect. We will see exactly what meaning is to be given to it, but that does not compromise our wish to see the bill referred to committee. However, overall, it is less positive.

In closing—I have the feeling that my time is quickly expiring and if all is well, Mr. Speaker, please let me know—I want to speak about one aspect about which we have some questions. The severity of the sentence can be appreciated depending on whether it is a summary prosecution or a criminal charge. We consider that a criminal charge is generally more serious in terms of the offence, the penalty and the judicial process because the laying of a criminal charge leads, more often than not, to a trial by jury.

Now, on the subject of fines and summary conviction offences, the maximum fines have been increased from \$2,000 to \$10,000. I am concerned about that. However, it is true that the amounts had not been revised for 20 years. We will see what the witnesses have to say on that subject.

This is a strange government, somewhat removed from the values of Quebeckers, but it has introduced a bill that deserves consideration not because it deals with the substance of the matter but with the rules of procedure. We will be pleased to work in committee to obtain the most information possible and to ensure that we produce the best legislation possible.

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• (1655)

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, I listened carefully to the member's presentation. It is with great satisfaction that I noted, as he did, that a change had taken place in the riding of Charlesbourg—Haute-Saint-Charles, now represented by a colleague who sits on the government side and who helps bring forward concrete legislative measures like the bill before us today.

During the summer, that member took the time to hold consultations in his riding to ensure that the measures brought forward will help improve our justice system. I myself took part in some of those meetings, including with women's groups that are trying to deal with the problem of domestic violence and that are looking for ways to help rape victims and to prevent these types of crimes.

The groups we met were very pleased with the measures proposed by our government. What is nice about being a government member is to be able to propose concrete measures and to go forward with them with the cooperation of other parliamentarians.

This bill will make several improvements. I would like to have my colleague's opinion on three of those. I would like to know if he supports them. First, this bill proposes to give our justice system a means to deal with child pornography. It also provides that the examination of an accused be conducted in the language of the accused. Finally, it limits or prohibits communications between the accused and the victims.

I would like my colleague to tell us what he thinks of those three measures, which I believe are excellent and will improve our justice system.

Mr. Réal Ménard: Mr. Speaker, our rules prevent us from saying bad things about our colleagues and I will definitely not engage in that.

However, I must say that the last time I saw the hon. member for Charlesbourg—Haute-Saint-Charles, it was on the TVA television network, when he had to apologize for making comments that hurt his constituents. Be that as it may, we are not allowed to say bad things about our fellow members.

As regards the Quebec Conservative caucus, I do not question the hon. member's good faith when he says he wants to make a contribution. However, when it comes to major issues—such as the fiscal imbalance, UNESCO and the protection of Quebec's interests—if I were to make an analogy with a movie and the Conservative caucus in Quebec, the title that comes to mind would be “The Silence of the Lambs”, since its members are so terribly silent on these matters. I hope that when it is realized that this government is not fulfilling its commitments regarding fiscal imbalance, the hon. member for Lévis—Bellechasse will put partisanship aside and rise to call his Prime Minister to order and tell him that he must first protect the interests of Quebec, and not those of a man who has decided to team up with Jean Charest.

• (1700)

[English]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I always enjoy listening to the member address the House. He made a statement that we should not stray too far from the bill. That was

after he had talked about a number of items such as fiscal imbalance, wait times, EI benefits and a few others.

It supports his assertion, and I tend to agree with him, that the government is dangerous for our democratic values. I thought immediately of the vote to extend the Afghanistan mission for two years. The Prime Minister rose in this place and said that even if members voted against it, he would still extend it for a year. The member is quite right.

This is an omnibus bill that would make a variety of changes to the Criminal Code. The member will well know that it is extremely difficult to deal with bills such as this. We need to have a copy of the Criminal Code with us to see the context in which the changes are made.

Would the member not agree that it would have been better to have sent the bill to committee before second reading so the items of concern could have been brought to the attention of members and we could have had a more informed debate at second reading?

[Translation]

Mr. Réal Ménard: Mr. Speaker, I thank the hon. member for his question. I also thank him for pointing out that I always try not to stray too far from the substance of the issues before us.

This minority government was elected in a legitimate fashion. However, almost seven Canadians out of ten did not vote for it. It must be recognized that, in terms of democratic values, and particularly those values that are deeply rooted in Quebec's collective fabric, this government is light years away from that kind of debate and understanding. We will have the opportunity to point this out regarding several issues, such as the status of women, literacy, the rehabilitation of young offenders, criminal law, community life and so on.

Only when voters cast their votes, at a time to be determined by this House, can this situation be corrected.

[English]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I also enjoy hearing the speeches by the member. Sometimes he even speaks on the matter before the House and that is even more enjoyable.

I would like to draw his attention back to the specific provisions of the bill. One of the provisions in the bill is to increase the fine for summary conviction offences from \$2,000 to \$10,000. Has the member any thoughts on whether that is too steep an increase? Does it have the risk of compelling people who cannot afford to pay the larger fines to jail time as opposed to wealthier people who can easily pay fines? Do we have a povertization of crime in this process?

Could the member comment on that?

Government Orders

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, I have had the opportunity to speak to this point before the House. I also share this concern. As I said, there has been no increase for 20 years. Additionally, speaking of summary convictions, they often involve less serious offences and people who may have financial problems. Of course, we realize that this is not always the case, but I am very anxious to hear the witnesses.

Depending on any additional information, this should be one of the first things amended in committee. Indeed, I have concerns about jumping from \$2,000 to \$10,000 all at once. I will reserve my judgment for an open and honest discussion with the witnesses, who will no doubt enlighten us. Nevertheless, I share my colleague's concerns completely.

• (1705)

[*English*]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, Bill C-23 is a series of amendments to the Criminal Code with regard to, primarily, criminal procedure but also with regard to some changes in the sentencing provisions in the code and some, what I would see as improvements in the language rights of people who are accused and appearing before our courts.

I know I sound like a broken record but I will be raising, as I have just about every time I have spoken to a bill, particularly a crime bill from the government, the need for a major overhaul of our Criminal Code. It is long overdue. It is not in the process at all. The government has made no serious attempt to bring the Criminal Code into the 21st century. In some respects, this mini omnibus bill is a reflection of the need we have to reform and, in many respects, rewrite our Criminal Code.

The code contains serious contradictions and gross inconsistencies, both in crimes and the sentencing that we apply to crimes, crimes in some cases where the maximum penalty is way out of line with the seriousness of the offence in the sense that it is either way too low or, in other cases, way too high.

This is not just an academic discussion. The courts, all the way up to the Supreme Court, have made it very clear, particularly with regard to the sentencing provisions within our Criminal Code, that there has to be a reasonable proportionality between the seriousness of the offence and the sentence that is imposed. I believe we are at risk at some point of defence lawyers beginning to consistently challenge, I believe ultimately successfully, a number of provisions within the Criminal Code in that the penalties are widely disproportional to the severity of the crime and grossly inconsistent with other crimes that I believe objectively most people would say are less severe but have greater penalties. That is just one example of the problems in the code as we have it.

We have not had a major revision to our Criminal Code since, I believe, sometime in the 1970s. We are getting on close to 40 years since there was an overall to the code, and even that was not a complete revamping of it.

I compare that to the number of times this has occurred in other common law jurisdictions around the globe. A number of states in the U.S., in England, Australia and New Zealand, countries like that,

have all done much better, more efficient and more timely work on their criminal codes than we have.

I believe this problem is heightened now by what happened a week ago when the government, in a very arbitrary manner, decided to kill the Law Commission, which was probably, in my opinion, the only body in the country that could have organized the necessary talent and brought it together. I do not think there is one institution, one law school or even the Law Commission itself that would not have had the resources or the talent, quite frankly, to be able to prepare a draft Criminal Code in order to update it and bring it into the 21st century.

• (1710)

The Law Commission will be gone if the government is successful in its meanspirited approach to that particular institution, an institution that is renowned in the common law jurisdictions around the globe. It is interesting to read the number of commentaries that have come in from our Commonwealth partners in particular about the work the Law Commission has done. It has done cutting-edge work that a number of other countries have looked to and, in some cases, used extensively in revamping various parts of their justice system and their laws.

It will be a real shame if the government is ultimately successful in destroying that institution because with the kind of problems we have with our Criminal Code it will no longer be a resource that is necessary to get the draft of the code in place so that it can be considered by the House at some time in the future.

Some of the changes the Conservatives are proposing in this mini omnibus bill reflect the technological advances that have been made but have not been taken into account. I will use a simple example. Under the Criminal Code, as it is now, we can send documentation by fax machine to other jurisdictions and the document that comes out of the fax machine is sufficient for the court to use as proof of the validity of the document and it can then be used in the court proceedings in the new jurisdiction. However, this cannot be done by telecommunication. An email cannot be sent the same way. The bill, assuming it passes, will allow the criminal justice system to use that advance in telecommunications.

Another provision to which I think we are all sensitive is communication equipment, computers, et cetera, that are used for the purposes of child pornography or luring children. The Criminal Code has no provision for that equipment to be seized after an accused has been convicted. It is just a blank because 10 or 12 years ago the Internet did not exist for mass use and, therefore, there was no need for that provision.

This is yet another example of where we need to update the Criminal Code in order for our courts to be able to adequately deal with convicted persons and dealing not only in penalties of imprisonment or fines but also being able to seize the equipment that they used to perpetrate those crimes. Both of those are clear examples where the Criminal Code has not been able to keep up with technological changes in our society.

Government Orders

Another proposed amendment is to modernize how we deal with betting and bookmaking. As it stands right now in the code, there are quite severe limitations on what that means and a great deal of bookmaking at this point is conducted by way of modern technology, telecommunications, computers, et cetera. As those crimes are now defined in the code, when they are performed that way they are almost certainly not crimes under the code. We need to update that and say that the conduct is the same as it would be if one were running numbers and communicating those by way of a computer over the Internet that would now be a crime. It is not at the present time, which is why the code needs to be updated.

All of those are clear examples of the inadequacy of the Criminal Code in this country at this time and they are a clear reflection of the need for a major overhaul of the code. It is so confusing and so complicated it really impairs our ability to run an efficient justice system.

However, because the government is much more concerned with the hot button items, we consistently see, time after time, very short bills coming through dealing with one hot button crime to draw attention in the electorate, but, quite frankly, in a very cynical way, having no intention of dealing with the problems in this Parliament.

We were doing some scheduling work in the justice committee yesterday and it will not see this bill, assuming it gets through second reading and out of the House, until the fall of next year and it may even be into 2008 before the committee sees it because it is that backlogged. We have many bills and we have been told that we will get two more the week after the break. The list seems to be unending.

● (1715)

Rather than dealing with this in a reasonable fashion and recognizing that it has to stop playing politics with crime, the criminal justice system and policing in this country, the government moved to do an omnibus review of the Criminal Code and brought back a whole new code to Parliament. As long as the present government is in power, which, hopefully, will not be for too long, we will continue to see consistently small bills coming through addressing hot button items that will have no chance of ever being dealt with by Parliament simply because the justice committee is so backlogged already.

With regard to the balance of the bill, I want to address some comments to the sentencing provisions generally, but the specific concern I have is with the increase in the fines for summary conviction offences. Those are the lower offences in terms of seriousness as opposed to indictable offences.

Fines used to be \$1,000 and then they were increased to \$2,000 back some time in the 1970s or 1980s, about 20 or 25 years ago. The government is now proposing to increase the \$2,000 fine by a multiple of five to \$10,000.

The concern I have is that those summary conviction offences tend to be the lower end ones. They tend to involve, in a vast majority of cases, individuals who are at the lower end of the socio-economic levels in our society and who would be most affected negatively in terms of their ability to pay fines. It appears, whether it is intended or not, and with the present government we never know for sure given some of the vindictiveness in its cuts last week, that

the government is intentionally targeting that lower socio-economic group within our society.

However, whether it is intentionally targeting that lower socio-economic grouping within our society or not, we will end up, almost certainly, with more people from that lower socio-economic grouping being incarcerated in our provincial prisons.

This would have a double impact. It, obviously, would have a very negative impact on those particular individuals, and unfairly so compared to people who have a better economic status, but it is also a form of downloading responsibility on to the provinces. The federal government is attempting to pass a law that will require the provincial governments to increase the number of cells they have because of the number of people they will now have incarcerated in their prisons because of these new offences. If those individuals cannot pay the fine they will be going to provincial prisons, not federal prisons.

We know, from all sorts of evidence that we heard fairly recently at the justice committee, that our provincial jails are way overcrowded. There is not one province in this country that does not need additional cells. In some cases, particularly in the provinces where there is less wealth, there is a very strong need for their prisons to be expanded. This would only dump more people into those provincial jails with the end result being that the provinces will need to find ways to pay for it.

This is a double whammy because our provincial jails have no more capacity. Not only will we have an increase in the yearly administration costs, because so many more people will be incarcerated, but the provinces will need to move out substantial amounts of capital dollars to build additional prisons at the provincial level. With those huge amounts of capital dollars that will go out, there will be substantial increases in their yearly administration and operation costs for those same jails.

● (1720)

There was no proposal in the last budget, and no proposal with regard to this legislation or any of those other crime bills we have seen, for the federal government to give any additional money to the provinces to respond to the need that is going to be created by the federal government but dumped on them, leaving them the responsibility to find dollars in order to be able to house these additional convicted criminals in a prison setting.

We need to take a very close look at this when it gets to committee, assuming it gets there, as to whether the fine should be increased to \$10,000 or to an amount that is perhaps more in keeping with inflation since the last time the amendment was made to the level of fines for summary convictions.

I am conscious of the time. If I have time, I will come back to the sentencing issue in a few minutes, but I do want to speak about two other issues.

Government Orders

One issue is procedural. It is with regard to these relatively minor but important changes that need to be made when we are selecting juries. Basically what is happening is that if a juror is being challenged for what we say is "cause", the cause being some declared bias either against the accused who is before the courts or the Crown, that juror can be challenged in appropriate circumstances. It has been difficult in the past to determine how we decide whether the evidence we are getting from that prospective juror is sufficient to show a conflict and a bias to the extent that he or she would be excluded.

The amendment being proposed, which I think is a good one, is that if jurors are already selected, we would allow two jurors to make a determination, a finding, in effect, taking the place of the judge, as to whether the person has a clear bias and should be excluded from the panel.

If we do not have sufficient jurors already on the panel, then two would be picked at random from the general panel sitting in the courtroom at the time. They would be sworn in and would be required to make a decision as to the bias of the juror in question and determine whether the juror is to be excluded or included in the panel.

I think that is a major step forward in the jury selection process. I think it makes it more credible. It makes it more accountable to the panel of jurors that is there.

There are some additional provisions to clarify the availability of a person's right to use the alternate official language from the one that is customarily used in the court. There have been some problems with that as to when it is available. Oftentimes it crops up when there are co-accused, each of whom has as his or her primary language one of the official languages but not the same one. There is clarification in this bill, which I believe will go some distance toward rectifying some of the problems our judges have had in determining how extensively available trials in both official languages are in this country. That is a major change, one that would be welcome.

With regard to a number of other criminal procedural matters, again, it is a criticism of both the previous government and the current one that we have not done these before. They are quite straightforward. They should have been done a long time ago. In some cases, these problems were identified as long as 10 to 12 years ago and we are just now getting around to it. We have no way of knowing whether we are actually going to get through this bill, as I said earlier, but it may be some time down the road.

● (1725)

Let me conclude, in my last minute, by saying that we badly need a total revamp of our Criminal Code. This bill is a clear example of all sorts of corrections to the code, corrections that have been needed for a long time. We are probably not going to get to them in this Parliament. I keep emphasizing the need for this major revamp and reform so that our Criminal Code is in the 21st century, not back in the 1900s.

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, the member spoke of the Conservative government's decision to get tough on crime. He is right.

We have made the decision to raise the age of protection to protect children against sexual predators.

We have cracked down on Internet child pornography.

We are bringing in tough three-strikes legislation to ensure that offenders who commit three serious violent or sexual offences serve jail time for an indefinite period of time.

We have replaced house arrest with mandatory jail time.

We are banning street racing.

These are the tough on crime measures that we promised during the election campaign and they are the measures that we are now delivering.

Here is the question. During the election campaign, the Liberals and the New Democrats claimed to support tough on crime measures. They claimed they were behind mandatory jail time for hardened criminals. Now that the election is over, they are breaking their promises and holding up these important tough on crime measures. We—

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Mississauga South on a point of order.

Mr. Paul Szabo: Mr. Speaker, if I were to pull out Marleau and Montpetit I am sure I would find the section which indicates that debate in the House should be relevant to the order of the day before the House. I understand the member's points, but there is an important bill before the House and his statements validate the point raised about the government throwing bills at us to make it look like it is doing something when it has no intent. We do not have to be paranoid for them not to be out to get us.

The Acting Speaker (Mr. Andrew Scheer): I think that is a point of debate. The hon. parliamentary secretary is addressing things that the member for Windsor—Tecumseh raised in his speech. We will allow the hon. parliamentary secretary to continue.

Mr. Pierre Poilievre: Mr. Speaker, I see we have struck a nerve here. I know that particular member has received a lot of pressure from his constituents, who are very angry that he broke his promise and that his party broke its promise to support mandatory jail time for hardened criminals. That is a big issue in his riding. That is why he leapt to his feet to try to silence me.

The reality is that we are getting tough on crime and we have kept our word, whereas the Liberals and the NDP, which claimed to support these tough on crime measures when it was election time, are now holding up at least 12 tough on crime bills that are before the justice committee. If they really believe in keeping criminals behind bars and keeping our families, communities and children safe, they will immediately pass these bills through the justice committee, out of the House of Commons, through the Senate and into law, so that we can make our streets safe again.

Mr. Joe Comartin: Mr. Speaker, I thought that was just a speech. I think he forgot the election was over about nine months ago.

Government Orders

It is so typical of the Conservatives not to understand our platform. We were very specific. If we are going to get serious about dealing with crime in this country, which they are not, a series of pieces of legislation just thrown into the House will not solve the problem. There are any number of other ways in which we can deal with crime.

Have the Conservatives done anything yet about delivering on their promise to deal with programs that would prevent crimes from ever occurring?

An hon. member: None.

Mr. Joe Comartin: Actually, they did, and we told them it would cost about \$100 million a year. What did the Conservatives do? They put in \$20 million for two years in the budget delivered in the early part of this year.

When the Minister of Public Safety and the Minister of Justice appeared in front of the committee in the springtime, I asked them how they were going to spend the \$10 million allotted for this year. They could not tell me about one point that they were going to spend money on. Not one. The money is inadequate in terms of doing preventative work and the government does not know what it is going to do with it anyway. That is so typical on crime because the government has no idea what it is going to do.

The government brings in pieces of legislation that it knows will not get through the justice committee, yet it just keeps dumping legislation into the House. The Conservatives are not serious about crime. They are misleading the Canadian people. That was their pattern in the election and it is a pattern with them in government.

● (1730)

The Acting Speaker (Mr. Andrew Scheer): There will be five minutes left for questions and comments when this bill comes before the House again.

* * *

**SOFTWOOD LUMBER PRODUCTS EXPORT CHARGE
ACT, 2006**

The House resumed from October 3 consideration of the motion that Bill C-24, An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence, be read the second time and referred to a committee, of the amendment and of the amendment to the amendment.

The Acting Speaker (Mr. Andrew Scheer): It being 5:30 p.m., the House will now proceeding to the taking of the deferred recorded division on the subamendment of the member for Burnaby—New Westminster on the motion at second reading stage of Bill C-24.

Call in the members.

● (1800)

Before the Clerk announced the results of the vote:

The Speaker: The hon. member for Winnipeg—Transcona is rising on a point of order. I will recognize the hon. member in this unusual circumstance.

Hon. Bill Blaikie: Mr. Speaker, I know it is an occupational hazard of being a little guy and hard to notice, but I was rising with my party to vote for the subamendment and my vote was not recorded. I want to be recorded as having voted in favour of the subamendment.

● (1805)

The Speaker: The hon. member was rising for whatever reason to vote and his vote will be counted as requested. As unusual as it is for the Chair to recognize a point of order before the announcement of a voting result, and I do not regard this as a binding precedent, I felt in the circumstances, since the Deputy Speaker was unable to be seen to be voting, we missed out despite his diminished size.

[*Translation*]

(The House divided on the amendment to the amendment, which was negated on the following division:)

(*Division No. 37*)

YEAS

Members

Alghabra	Angus
Atamanenko	Bagnell
Bains	Barnes
Beaumier	Bélanger
Bell (Vancouver Island North)	Bell (North Vancouver)
Bennett	Bevilacqua
Bevington	Blaikie
Bonin	Boshcoff
Brown (Oakville)	Byrne
Cannis	Charlton
Chow	Christopherson
Coderre	Comartin
Crowder	Cullen (Skeena—Bulkley Valley)
Cullen (Etobicoke North)	Cuzner
D'Amours	Davies
Dewar	Dhaliwal
Dhalla	Dosanjh
Easter	Eyking
Folco	Godfrey
Godin	Goodale
Graham	Holland
Hubbard	Ignatieff
Jennings	Julian
Kadis	Karetak-Lindell
Karygiannis	Keeper
Lapierre	LeBlanc
Lee	MacAulay
Malhi	Maloney
Marleau	Marston
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Martin (LaSalle—Émard)	Martin (Sault Ste. Marie)
Mathysen	Matthews
McDonough	McGuinty
McGuire	McTeague
Merasty	Minna
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Nash	Neville
Owen	Patry
Peterson	Priddy
Proulx	Ratansi
Redman	Regan
Robillard	Rodriguez
Rota	Russell
Savoie	Scarpaleggia
Sgro	Siksay
Silva	Simard
St. Amand	St. Denis
Steckle	Stoffer
Szabo	Temelkovski
Thibault (West Nova)	Tonks
Valley	Wappel
Wilson	Wrzesnewskij
Zed- — 105	

Private Members' Business

NAYS

Members

Abbott	Albrecht
Allen	Allison
Ambrose	Anderson
André	Arthur
Asselin	Bachand
Baird	Barbot
Batters	Bellavance
Benoit	Bernier
Bezan	Bigras
Blackburn	Blais
Blaney	Bonsant
Bouchard	Boucher
Bourgeois	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Brunoogoe	Brunelle
Calkins	Cannan (Kelowna—Lake Country)
Cannon (Pontiac)	Cardin
Carrie	Carrier
Casey	Casson
Clement	Crête
Cummins	Davidson
Day	DeBellefeuille
Demers	Deschamps
Devolin	Doyle
Duceppe	Emerson
Epp	Faille
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Gagnon
Galipeau	Gallant
Gaudet	Gauthier
Goldring	Goodyear
Gourde	Grewal
Guay	Guergis
Guimond	Hanger
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Jaffier
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Komarnicki	Kotto
Kramp (Prince Edward—Hastings)	Laforest
Laframboise	Lake
Lauzon	Lavallée
Lemay	Lemieux
Lessard	Lévesque
Loubier	Lukiwski
Lunn	Lunney
Lussier	MacKay (Central Nova)
MacKenzie	Malo
Manning	Mark
Mayes	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	Nadeau
Mourani	Norlock
Nicholson	Obhrai
O'Connor	Ouellet
Oda	Paradis
Paquette	Petit
Perron	Plamondon
Picard	Prentice
Poilievre	Rajotte
Preston	Richardson
Reid	Roy
Ritz	Schellenberger
Scheer	Skelton
Shipley	Solberg
Smith	St-Hilaire
Sorenson	Storseth
Stanton	Sweet
Strahl	
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	Toews
Thompson (New Brunswick Southwest)	Turner
Thompson (Wild Rose)	Van Kesteren
Trost	Vellacott
Tweed	
Van Loan	

Verner	Vincent
Warawa	Warkentin
Watson	Williams
Yelich — 163	

PAIRED

Members

Ablonczy	Del Mastro
Freeman	Lalonde
St-Cyr	Wallace — 6

The Speaker: I declare the amendment to the amendment lost.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

KYOTO PROTOCOL IMPLEMENTATION ACT

The House resumed from September 27 consideration of the motion that Bill C-288, An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol, be read the second time and referred to a committee.

The Acting Speaker (Mr. Andrew Scheer): The House will now proceed to the taking of the deferred recorded division on the motion at the second reading stage of Bill C-288 under private members' business.

● (1815)

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 38*)

YEAS

Members

Alghabra	André
Angus	Asselin
Atamanenko	Bachand
Bagnell	Bains
Barbot	Barnes
Beaumier	Bélanger
Bell (Vancouver Island North)	Bell (North Vancouver)
Bellavance	Bennett
Bevilacqua	Bevington
Bigras	Blaikie
Blais	Bonin
Bonsant	Boshcoff
Bouchard	Bourgeois
Brown (Oakville)	Brunelle
Byrne	Cannis
Cardin	Carrier
Charlton	Chow
Christopherson	Coderre
Comartin	Crête
Crowder	Cullen (Skeena—Bulkley Valley)
Cullen (Etobicoke North)	Cuzner
D'Amours	Davies
DeBellefeuille	Demers
Deschamps	Dewar
Dhaliwal	Dhalla
Dosanjh	Duceppe
Easter	Eyking
Faille	Folco
Gagnon	Gaudet
Gauthier	Godfrey
Godin	Goodale
Graham	Guay
Guimond	Holland
Hubbard	Ignatieff
Jennings	Julian
Kadis	Karetak-Lindell

Private Members' Business

Karygiannis	Keeper
Kotto	Laforest
Laframboise	Lapierre
Lavallée	LeBlanc
Lee	Lemay
Lessard	Lévesque
Loubier	Lussier
MacAulay	Malhi
Malo	Maloney
Marleau	Marston
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Martin (LaSalle—Énard)	Martin (Sault Ste. Marie)
Mathysen	Matthews
McDonough	McGuinty
McGuire	McTeague
Ménard (Hochelaga)	Ménard (Marc-Aurèle-Fortin)
Merasty	Minna
Mourani	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Nadeau
Nash	Neville
Ouellet	Owen
Paquette	Patry
Perron	Peterson
Picard	Plamondon
Priddy	Proulx
Ratansi	Redman
Regan	Robillard
Rodriguez	Rota
Roy	Russell
Savoie	Scarpaleggia
Sgro	Siksay
Silva	Simard
St-Hilaire	St. Amand
St. Denis	Steckle
Stoffer	Szabo
Temelkovski	Thibault (Rimouski-Neigette—Témiscouata—Les
Basques)	
Thibault (West Nova)	Tonks
Valley	Vincent
Wappel	Wilson
Wrzesnewskyj	Zed- — 152

NAYS

Members

Abbott	Albrecht
Allen	Allison
Ambrose	Anderson
Arthur	Baird
Batters	Benoit
Bernier	Bezan
Blackburn	Blaney
Boucher	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Calkins
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)
Carrie	Casey
Casson	Clement
Cummins	Davidson
Day	Devolin
Doyle	Emerson
Epp	Fast
Finley	Fitzpatrick
Flaherty	Fletcher
Galipeau	Gallant
Goldring	Goodyear
Gourde	Grewal
Guergis	Hanger
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Jaffer
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lemieux	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	MacKenzie
Manning	Mark
Mayes	Menzies
Merrifield	Miller

Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	Obhrai
Oda	Paradis
Petit	Poillievre
Prentice	Preston
Rajotte	Reid
Richardson	Ritz
Schellenberger	Shiplely
Skelton	Smith
Solberg	Sorenson
Stanton	Storseth
Strahl	Sweet
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Toews	Trost
Turner	Tweed
Van Kesteren	Van Loan
Vellacott	Verner
Warawa	Warkentin
Watson	Williams
Yelich- — 115	

PAIRED

Members

Ablonczy	Del Mastro
Freeman	Lalonde
St-Cyr	Wallace- — 6

The Acting Speaker (Mr. Andrew Scheer): I declare the motion carried. Consequently, this bill is referred to the Standing Committee on the Environment and Sustainable Development.

(Bill read the second time and referred to a committee)

* * *

[English]

CRIMINAL CODE

The House resumed from September 29 consideration of the motion that Bill C-277, An Act to amend the Criminal Code (luring a child), be read the second time and referred to a committee.

The Acting Speaker (Mr. Andrew Scheer): The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-277.

● (1830)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 39)

YEAS

Members

Abbott	Albrecht
Alghabra	Allen
Allison	Ambrose
Anderson	Angus
Arthur	Atamanenko
Bagnell	Bains
Baird	Barnes
Batters	Beaumier
Bélanger	Bell (Vancouver Island North)
Bell (North Vancouver)	Bennett
Benoit	Bernier
Bevilacqua	Bevington
Bezan	Blackburn
Blaikie	Blaney
Bonin	Boshcoff
Boucher	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Byrne
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cannon (Pontiac)

Private Members' Business

Carrie
Charlton
Christopherson
Coderre
Crowder
Cullen (Etobicoke North)
Cuzner
Davidson
Day
Dewar
Dhalla
Doyle
Emerson
Eyking
Finley
Flaherty
Folco
Gallant
Godin
Goodale
Gourde
Grewal
Hanger
Harvey
Hearn
Hill
Holland
Ignatieff
Jean
Julian
Kamp (Pitt Meadows—Maple Ridge—Mission)
Karygiannis
Keeper
Komarnicki
Lake
Lauzon
Lee
Lukiwski
Lunney
MacKay (Central Nova)
Malhi
Manning
Marleau
Martin (Esquimalt—Juan de Fuca)
Martin (Sault Ste. Marie)
Matthews
McDonough
McGuire
Menzies
Merrifield
Minna
Moore (Fundy Royal)
Murphy (Charlottetown)
Neville
Norlock
Obhrai
Owen
Patry
Petit
Prentice
Priddy
Rajotte
Redman
Reid
Ritz
Rodriguez
Russell
Scarpaleggia
Sgro
Siksay
Simard
Smith
Sorenson
St. Denis
Steckle
Storseth
Sweet
Temelkovski
Thompson (New Brunswick Southwest)
Toews
Trost
Tweed
Van Kesteren
Vellacott

Casson
Chow
Clement
Comartin
Cullen (Skeena—Bulkley Valley)
Cummins
D'Amours
Davies
Devolin
Dhaliwal
Dosanjh
Easter
Epp
Fast
Fitzpatrick
Fletcher
Galipeau
Godfrey
Goldring
Goodyear
Graham
Guergis
Harris
Hawn
Hiebert
Hinton
Hubbard
Jaffer
Jennings
Kadis
Karetak-Lindell
Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)
Kramp (Prince Edward—Hastings)
Lapierre
LeBlanc
Lemieux
Lunn
MacAulay
MacKenzie
Maloney
Mark
Marston
Martin (Winnipeg Centre)
Mathysen
Mayes
McGuinty
McTeague
Merasty
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Murphy (Moncton—Riverview—Dieppe)
Nash
Nicholson
O'Connor
Oda
Paradis
Peterson
Poilievre
Preston
Proulx
Ratansi
Regan
Richardson
Robillard
Rota
Savoie
Schellenberger
Shipley
Silva
Skelton
Solberg
St. Amand
Stanton
Stoffer
Strahl
Szabo
Thibault (West Nova)
Thompson (Wild Rose)
Tonks
Turner
Valley
Van Loan
Verner

Wappel
Warkentin
Williams
Wrzesniewskyj
Zed- — 217

Warawa
Watson
Wilson
Yelich

NAYS

Members

André
Bachand
Bellavance
Blais
Bouchard
Brunelle
Carrier
DeBellefeuille
Deschamps
Faille
Gaudet
Guay
Kotto
Laframboise
Lemay
Lévesque
Lussier
Ménard (Hochelega)
Mourani
Ouellet
Perron
Plamondon
St-Hilaire
Basques)
Vincent- — 47

Asselin
Barbot
Bigras
Bonsant
Bourgeois
Cardin
Crête
Demers
Duceppe
Gagnon
Gauthier
Guimond
Laforest
Lavallée
Lessard
Loubier
Malo
Ménard (Marc-Aurèle-Fortin)
Nadeau
Paquette
Picard
Roy
Thibault (Rimouski-Neigette—Témiscouata—Les

PAIRED

Members

Ablonczy
Freeman
St-Cyr

Del Mastro
Lalonde
Wallace- — 6

The Acting Speaker (Mr. Andrew Scheer): I declare the motion carried. Accordingly the bill stands referred to the Standing Committee on Justice and Human Rights.

(Bill read the second time and referred to a committee)

* * *

TRENT-SEVERN WATERWAY

The House resumed from June 12 consideration of the motion.

Hon. John Godfrey (Don Valley West, Lib.): Mr. Speaker, I really would invite those who are fleeing to return because this is a pretty exciting motion.

I do not think the member for Simcoe North will be accused of being overly assertive in the framing of his motion. I would not say he was being aggressive. I would say he was being quite tentative. In fact the motion reads:

That, in the opinion of the House, the government should consider the advisability of evaluating the future of the historic Trent-Severn Waterway,—

Presumably nothing would have prevented the government from doing so on its own if it had not been prompted to so by the member for Simcoe North. There is nothing here that we would wish to oppose, although we might want to add a few things to the list of suggestions which the member puts forward tentatively in terms of what the government should consider.

Private Members' Business

He does mention a number of factors that the government should look at considering its potential to become a premier recreational asset; a world-class destination for recreational boaters; a greater source of clean, renewable electric power; a facilitator of economic opportunity and renewal; and a model of environmental sustainability.

What seems to have been left out of the equation is an element which was central to the management plan that was put forward by the National Historic Sites of Canada tabled in the House on June 7, 2001. The missing element in the member's proposal refers to historical heritage.

In fact, if one considers the vision which was laid out by the historic site folks in 2001, there are four pillars to the vision. The first one is the protection of the cultural and natural heritage, followed by the management of water levels and navigation, and presentation of waterway heritage to the public. It also mentions things like heritage destination and the provision of excellent facility services and programs, and providing strength to the local economy.

It does so in a spirit which suggests that we need to have a greater cooperative effort of all stakeholders and clearly a defined leadership. There is also the importance of public private partnerships, the creation of new services, programs and businesses, and reinvestment by Parks Canada.

The thrust on community involvement is important. That is what the hon. member wishes to occur perhaps even more. There is an obligation for reports to be made on a periodic basis by Parks Canada on how this is working out. However, the one deficiency in the member's motion is the non-reference to heritage matters.

Yet, in the management plan, if one turns to page 97, there really is quite a lot of reference to that. I would hope that if the government were to follow the advice of the hon. member that these things would be taken into account.

The sorts of issues that are raised in the report are the history of the construction and operations of the Trent-Severn Waterway for example. The people who built it, the contribution of technology developed due to the waterway, and the architectural presence and evolution since 1833 of the waterway. Then it follows through on the historical evolution of the waterway since 1833, but it also returns to an earlier period.

It suggests that we need to take into account the aboriginal use of the waterway which goes back no less than 11,000 years. It was during all the major periods of Ontario native history. The Trent-Severn Waterway was central to communication. There was a dynamic and diverse nature of aboriginal cultures as they evolved and adapted to environmental circumstance, and they interacted, of course, and respected the rich natural resources of the area which contributed to the special development of the region.

This is something that we do not want to lose sight of in any consideration by the government of the waterway. This would include as well, and the hon. member's motion picks this up in his last point, the natural heritage component of this, the landscapes, the interaction between human beings and natural resources, and the importance of the wetlands in maintaining environmental quality. So

we are dealing here with fish and wildlife populations, erosion control, flood regulation, and water quality.

● (1835)

As we look forward to supporting the motion, I would simply urge both the member and the government, as they move forward in taking into account this motion should it pass, that the heritage component be explicitly enunciated by the member and understood by the government.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, it is a privilege to participate in this debate tonight on Motion No. 161 presented by the member for Simcoe North.

I want to read the motion so folks know what we are talking about. It reads:

That, in the opinion of the House, the government should consider the advisability of evaluating the future of the historic Trent-Severn Waterway, one of Parks Canada's National Historic Sites, and its potential to become: (a) a premier recreational asset; (b) a world-class destination for recreational boaters; (c) a greater source of clean, renewable electrical power; (d) a facilitator of economic opportunity and renewal in the communities along its 386 km length; and (e) a model of environmental sustainability.

I am pleased to support this motion. It may seem a little strange that someone from Burnaby—Douglas is taking a particular interest in the Trent-Severn Waterway, but I did grow up in Ontario, in Oshawa, and often, family outings were to go somewhere along the Trent canal, as we called it. So, it is not totally unusual.

I wanted to reference the debate that we had in the first hour where a concern was raised about a potential conflict of interest with the member who introduced this motion. I want to put on the record that I understand the Ethics Commissioner did rule that there was no conflict of interest for this member to place this motion. I am glad that issue has been resolved by the Ethics Commissioner.

The Trent-Severn Waterway is a significant waterway in southern Ontario with 386 kilometres from Trenton on Lake Ontario to Port Severn on Georgian Bay and Lake Huron. There are 43 locks, two marine railways, and 33 miles of canal channels associated with the waterway.

One of the great features of the Trent-Severn Waterway is the 65-foot hydraulic lift lock in Peterborough, which was often the destination of our family outings. I can remember as a young child being fascinated at the operation of this hydraulic lift lock, which is one of the engineering marvels of the world and probably one of the highest hydraulic lift locks in the world. Many an hour was spent by my family watching the boats move up the canal at the lift lock in Peterborough. I also understand that there is another hydraulic lift lock, a little smaller, at Kirkfield, on the canal as well. It is a 45-foot one.

It is a pretty impressive engineering feat and an interesting location for a family outing, and certainly something that this motion calls on us to explore further about how we can exploit those possibilities. My family experience would certainly lead me to believe that is possible.

The Trent-Severn Waterway rises over 100 metres over its full distance, from where it begins in Lake Ontario to where it enters Lake Huron.

Private Members' Business

This waterway contains parts of old first nations trade routes, ancient trade routes, in southern Ontario that were used by the Huron and the Iroquois in days gone by.

It is also interesting to note, and something that I remember from my university Canadian history days, that this region was also the site of one of the earliest canals with lift locks at the Jesuit settlement at Sainte-Marie, near Midland. There was a lift lock built in that community to bring canoes from the river outside of the settlement to inside the walls of the community. That lift lock was contemporary with locks being built in Europe.

There was new technology, canal-building technology, lock technology, used in the early settlement of New France and in this region. I think it is fitting that the Trent-Severn Waterway, with its many locks, is a tribute to that history. That technology was contemporary in the region with what was happening in Europe at the time.

The modern Trent-Severn Waterway was first constructed in 1833, with a lock at Bobcaygeon. Over many years various parts of the waterway were built. There were often debates in the legislature of Ontario, and probably nationally as well, about the building of the Trent-Severn Waterway. It was not finally completed until 1920. The first vessel to complete the full navigation of the waterway was the *Irene*, a motor launch, which made that trip in 1920.

● (1840)

It is interesting to note that the first vessel to go all the way through the Trent-Severn Waterway was a recreational vessel. I think that heralds the modern use of the waterway and the fact that the motion calls on us to explore and promote further recreational uses.

The Trent-Severn Waterway has also been important in the hydroelectric power generation story for the province of Ontario. The Big Chute generating station is a significant part of generating hydro in Ontario and of the hydrogeneration history of Ontario. It was one of the first pieces of Ontario Hydro assembled by the Government of Ontario back in the early 20th century, and it continues to play a role in the generation of power for Ontario. That is also a significant feature of this motion.

There are possibilities for exploring the expansion of hydroelectric generation capacity on the Trent-Severn Waterway, without enlarging the footprint of the dams and the generation facilities already there. There is a possibility of adding to the capacity of electricity generation already there. That would be a good thing. Even Trent University has its own hydrogeneration station on the Otonabee River on the Trent-Severn Waterway, and I understand it generates about half of the power used by the university.

When the canal and the waterway was originally built, it was used for freight and passenger services, often for the export of sawn lumber. As freight capacity dwindled over the years, it was used primarily for recreational use. There is real potential in that today.

Canals like the Trent-Severn Waterway are great tourist destinations. We have seen this with the Erie Canal in New York State as well as with other canals in England, Scotland and other European countries. The tourist dollars they generate have been significant to the economies of the communities along those routes. A study was

done on the future of the Trent-Severn Waterway. We can also look to those examples to see other possibilities for the Trent-Severn.

We have heard from a lot of folks who are concerned about this. Cottagers in the region and cottagers who have recreational properties along the Trent-Severn Waterway are concerned about water levels. Many have written to the member for Skeena—Bulkley Valley, who has responsibility for Parks Canada on behalf of the NDP. They have also written to the member for Hamilton Mountain as well as other members of our caucus about this issue. Water levels need to be considered in any study that will be done. How does the Trent-Severn Waterway contribute to water level issues? How can it help maintain water levels in the area? This is clearly of importance to the people who vacation along the waterway and who have cottages on the rivers and lakes that connect into it. I would hope this could be part of the parameters of the study.

The Trent-Severn Waterway is an important historical feature of Ontario. It has been designated by Parks Canada as a national historic site. It would be a shame not to take advantage of its full recreational, economic, hydroelectric and environmental possibilities of the waterway. We can do this in a way that would be respectful of the environment, that would be sustainable and would respect the concerns of residents along the waterway.

I lend my support to the motion, and I thank the member for Simcoe North for putting in on the agenda of the House.

● (1845)

Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, it is an honour for me to take part in the debate this evening. As the Trent-Severn Waterway cuts across the middle of my riding, it is big issue for many people in my riding, both along the waterway and north of that.

I will not go into a description of the waterway as many of my colleagues have already done that very ably in the first hour of debate, as well this evening. The member for Don Valley West talked about some of the characteristics of the waterway, how large it is, how important it is and the importance of some of the heritage. My colleague from Burnaby—Douglas has also touched on several of those issues. I did not know that he was originally from Ontario and had actually spent time along the Trent-Severn probably in my riding.

It also appears that if the Liberal Party and the NDP are supporting this motion that it will probably pass. I sincerely hope it does and I hope the government and the minister will proceed with it. I am optimistic in that regard.

I believe it is time to conduct a comprehensive review of the Trent-Severn Waterway. This system really has two parts. The first part is the waterway itself, the part everyone thinks about, which is the recreational canal that stretches from Georgian Bay at Port Severn through central Ontario down to Trenton and into Lake Ontario.

However, the second part of this waterway that is very important is what is referred to as the reservoir lakes. Most of these lakes are in Haliburton county, which is my home. Over the course of the summer, water is drawn down from those lakes to maintain a static or constant level in the waterway.

Private Members' Business

For those who actually live on the Trent-Severn Waterway itself, their water level does not change at all because the system draws water from Haliburton. As a resident of Haliburton, as a resident on the system and as a former realtor in that area who sold cottages to people, I am very aware of water level issues and how they affect recreational users in Haliburton county.

First, I support the need for this review and I look forward to it taking place. I would like to offer my advice to the minister and the government, if they go ahead with this, on how they ought to conduct or structure this review. I would argue that there are two principles that need to be put forward. The first is that we need to ensure environmental sustainability. There are a wide range of environmental issues that arise when we talk about the Trent-Severn.

I think it is important for people to realize that more than 100 years ago nature in central Ontario was altered when this canal system was created. The reality that exists today is not natural to what was there 200 years ago, but it is the new reality and we need to recognize that the water system of the Trent-Severn exists. It is there and it must continue to be operated and maintained. Abandoning it is not an option even in a theoretical sense. This waterway must stay in operation, must be maintained and we must deal with the environmental issues that arise, some of them as a direct consequence of the fact that the waterway is there.

The second principle that I would like to put forward, and this follows up on the point that the member for Don Valley West made, is that we must also protect heritage values. Some of those heritage values are natural and some are from our aboriginal history. I know there are places along the waterway where there are paintings on the rocks that date back hundreds or thousands of years, and that is very important. There is also heritage in terms of more recent history. In fact, many of the locks themselves are historic sites.

It is quite amazing that something built over 100 years ago still works. This is an operating system. My colleague mentioned the two hydraulic lift locks. The famous one is in Peterborough but the equally impressive and only a slightly smaller one, which most people do not know about, is in Kirkfield. Those are tourist attractions. Not only do tourists and their families visit these attractions, but engineers also visit them and marvel at how a system that just uses the weight of the water to push the hydraulic lift locks up and down works so well.

I would also like to set out three, what I would call, priorities for this study and I encourage the government to consider these carefully. The first would be public safety.

• (1850)

The system has 160 dams on it. Some of these dams do not look very impressive when one stops the car to look at them. They only become impressive when one realizes this. If the lake level has been raised by six feet, eight feet or ten feet and we multiply that by how many acres of water are behind it, we realize if the dam ever let go what the consequences would be downstream.

During the first hour of debate one of the members from the Bloc suggested that the member for Simcoe North, the sponsor, may have a conflict because his family operated a business on the system. I must declare that I may also have a conflict in this regard because

live below one of these dams. I have stood in my backyard, looked at the river and have tried to decide that if the Drag Lake dam let go, would I lose my whole backyard. I think the house would be safe because it is on the side of a hill.

I believe public safety is the first priority. I believe each of those dams should be inspected for structural integrity.

I have no reason to believe that there is anything wrong with these dams. The staff do an excellent job. They visually inspect them on a regular basis. I also know there is modern technology akin to an X-ray that can look at these dams and determine whether they are structurally sound.

Infrastructure failure is never a story until it happens. Unfortunately this past weekend we had a tragic example of that in Montreal. All I can say is if one of these dams ever let go, the consequences would be far greater.

My second priority is to look at the interests of the communities and the property owners along the system. There are many towns and villages. There are literally thousands of property owners. Property in this area has become very expensive. People moving into the area, retiring in the area or buying cottages, when they are paying \$300,000, \$400,000, \$500,000 and \$600,000 for waterfront property, want water there. When something happens downstream and they draw the lakes down by six feet or eight feet and all of a sudden the beach disappears and the dock is high and dry, those people are not very happy.

It is really important to the communities and the property owners along the system, in particular those who live on the reservoir lakes and who have to deal with these dramatic changes in water level, that their interests are carefully considered and are put near the top of the priorities.

The third priority is visitors and other users. As has been mentioned, this is a common and popular tourist destination for people in the GTA and southern Ontario, whether they are boat owners and boating on the system or families going up to use public beaches or parks along where these locks exist. Visitors and the way they impact the tourism economy is very important. An example is the town of Bobcaygeon, which is on the Trent-Severn. It is a very popular site for tourists. They go there to eat lunch or shop. Bigley's shoe store there is famous. Every woman in Ontario knows where Bigley's shoe store is because most of them have visited it a time or two.

Last year, when there was an interruption in the operation of the locks, it had an immediate and detrimental impact on a lot of merchants and businesses along the system. How we develop and market this diamond in the rough, as I have heard it referred to, is important. We need to let people know it is there and encourage them to visit.

Private Members' Business

Other users is a broad category, and I probably do not have time to get into all this tonight. As has been mentioned already, hydroelectric power is something that is generated at many places along the system. There is much evidence that, with improved technology, we could probably generate more power from the same facilities. There is new technology, such as run-of-the-river, that can generate green power. However, it is important for people to realize that if we augment the power generating capacity and that draws more water, we are exacerbating the problems of the property owners have with lack of water in front of their properties.

We need to look at all these users and interests. I am very confident that through this process we can come up with a strategy to move forward to put the Trent-Severn Waterway on a sound footing, to launch it into the next 100 years. I am also confident that we can address all of these issues, come up with a plan that is workable, a work plan and an action plan for the staff at Parks Canada as they go about operating the Trent-Severn.

● (1855)

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, I am pleased to rise today to speak in support of Motion No. 161. I am very pleased that the member for Simcoe North is putting forward this motion. It is important that the people of Simcoe North understand the important work their member is doing. I can certainly commend him to his constituents for doing some very good work on their behalf in the House. This motion is no exception.

The motion calls on the government, specifically the Minister of the Environment, to consider evaluating the future of an asset that is truly important to the people of Ontario and Canada: the Trent-Severn Waterway. This is a national historic site that belongs to all Canadians and is managed for them by their federal government, specifically the Parks Canada Agency.

I am a history major and I know that the Trent-Severn Waterway was originally conceived as a way to facilitate commercial navigation from Lake Ontario to Lake Huron. In fact, the House may be surprised and pleased to know that its first lock was built of wood in 1833, when early loggers were exploiting vast stands of white pine in the region.

While the waterway was first managed for commercial navigation, recreational uses became more and more prominent over the years. Today, residential, cottage, municipal and tourism growth along the waterway corridor has added a broad range of management needs and responsibilities that the early builders never contemplated.

Today the waterway is vitally important to the more than one million Canadians who live in its 18,600 square kilometre watershed. It is also a piece of living Canadian cultural, social and economic history. It stretches for 386 kilometres, linking the Bay of Quinte and Lake Ontario with Lake Simcoe, Georgian Bay and Lake Huron.

In addition to the economic importance of tourism, there are approximately 50 communities located along its course, everything from tiny hamlets, towns and villages to cities like Peterborough, Trenton, Orillia and Lindsay. As different as these varied communities are in size and nature, they have one thing in common. Without the rivers, lakes and man-made features that comprise the

Trent-Severn Waterway, they would not exist. The sustainability of the waterway, therefore, is vital to the sustainability of these communities.

The word "sustainability" is very popular these days. It is almost a buzzword, so to speak, and it is not only used but misused. But with regard to the Trent-Severn, I think it is entirely accurate to talk about sustainability, both for the waterway itself and for the communities that rely upon it. Without a sustainable waterway, it would be impossible to have sustainable communities.

According to the Centre for Sustainable Community Development:

A sustainable community uses its resources to meet current needs while ensuring that adequate resources are available for future generations. It seeks a better quality of life for all its residents while maintaining nature's ability to function over time by minimizing waste, preventing pollution, promoting efficiency and developing local resources to revitalize the local economy... A sustainable community resembles a living system in which human, natural and economic elements are interdependent and draw strength from each other.

The motion before us today addresses the well-being and long term sustainability of the Trent-Severn Waterway directly. It states that the government should consider the future of the waterway in ways that are specific, yet interlinked. These would include its uses as a recreational asset, a world-class destination for pleasure boaters, a source of clean, renewable electric power, a facilitator of economic opportunity and renewal for the many communities along its great length, and, perhaps most important of all, a model for environmental sustainability.

● (1900)

It goes without saying that as a national historic site of Canada the Trent-Severn Waterway must be preserved for present and future generations of Canadians. Parks Canada is to be commended, I think, for the excellent job it is doing in this regard under its present mandate.

In addition to the waterway's role as a treasured asset of the Canadian people, however, it also functions as the very lifeblood of more than 50 communities. If it is not sustainable, neither are they, in the fullest sense. These communities depend on the waterway for their supplies of clean, fresh water, but also for much more.

The Trent-Severn provides clean, renewable hydroelectricity and is a source of economic opportunity. It provides wonderful recreational opportunities and I think it is important to know, too, that caring for the waterway is the bedrock of the region's social and community values. In short, the need to care for the waterway and that which needs to be done to ensure its long term health and viability provide a road map, pointing the way to the goal of having sustainable communities.

Unfortunately, the long term sustainability of the waterway is at risk due to the deterioration of its aging infrastructure and a regulatory and governance regime put in place long ago. This regime has not evolved to suit the present multi-faceted role of the waterway and the many differing federal, provincial and municipal responsibilities for it.

Private Members' Business

These responsibilities include the management of a complex water regime that ensures water for navigation, as well as allocating increasingly scarce water resources to many competing demands, and it include the provision of municipal and domestic water supplies. There are also requirements to protect water quality, preserve species at risk and natural resources, control damaging floods, and ensure the provision of renewable energy through hydroelectric generation.

Unfortunately, work done by Parks Canada indicates that in some ways the sustainability of the waterway and its communities is in question.

Approximately 1.5 million people from across Canada and around the world visit the waterway as tourists every year. Many thousands more come by boat. Over 100,000 people now own property along the shores of the waterway. It has experienced exponential residential, cottage, municipal and tourism growth along the waterway corridor and around the shores of dozens of lakes.

Potential threats to the long term sustainability of the waterway include the deterioration of its dams and locks, which need substantial investment to remain safe and functional. There are also issues that are even more difficult to get a handle on, including fertilizer runoff, phosphorous enrichment, pollution caused by excessive plant nutrients, overdevelopment, and habitat loss.

Trends in some parts of the waterway, such as Pigeon Lake, for example, indicate that phosphorous enrichment is on the rise, presenting long term problems. The trend in Pigeon Lake shows that water quality is decreasing.

Needless to say, the greater the human footprint, the less space left for wildlife habitat. Road density within the watershed is also increasing, fragmenting habitats and creating barriers to wildlife movement.

Fortunately, the Trent-Severn communities are well aware of these problems. Eighty per cent of the lakes within the system have set up associations and there are an additional 11 associations on the major connecting rivers. The Federation of Ontario Cottagers' Associations is one of the largest such groups doing excellent work. There is a wide array of stewardship interests doing encouraging activities focusing on environmental issues and the sustainability of the waterway.

There are so many reasons why the motion before us could represent an important breakthrough, and I think we have articulated a number of them. We need to build sustainable communities, not just along the Trent-Severn but across Canada. I think the motion before the House will provide a blueprint for how to begin to address some of the challenges to genuine sustainability that desperately need attention.

That is why I am encouraging my colleagues in the House to vote in favour of the motion. Afterward, with a successful result, we will encourage the minister to get on with a very important review.

Once again, I commend the member for Simcoe North for a valuable motion put before the House.

● (1905)

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, I certainly want to thank the hon. members who have spoken in support of Motion No. M-161 this evening and in the first hour of debate.

I want to address one point, and it was mentioned earlier this evening by the member for Burnaby—Douglas, and that is the question that was raised in the first hour of debate concerning conflict of interest. Not long after this issue was raised at the time by the late member for Repentigny that there may be this question, I took up the member's suggestion which was also echoed by the member for Windsor—Tecumseh, and I did approach the Ethics Commissioner.

Three or four days later, I received a report from him which I tabled in this House on the 22nd of June. It essentially says, "In my opinion"—that being the commissioner—"your sponsoring of motion M-161 does not represent a conflict of interest as it falls within the category of a broad class of the public as defined in section 3(3)(b) of the code, and that of assisting constituents as per section 5 of the code". I just wanted to make that point.

I also informed the member for Repentigny and the member for Windsor—Tecumseh of this development, as per their suggestion. The member for Repentigny was particularly graceful. A week before his tragic death in an automobile accident, he contacted me in my office and was very graceful and eloquent in saying that he appreciated that I had gotten back to him. It was a conversation with the member that I will always remember.

Motion No. M-161, as members have attested to tonight, has a tremendous ability to provide not only a statement about economic sustainability but about the interests of renewable power, the idea that the Trent-Severn Waterway is in fact a huge water resource management infrastructure that is actually owned and operated by the federal government. It has tremendous reach in our communities right across Ontario.

I should point out to the member for Don Valley West who raised the issue tonight with respect to the historical value that he is absolutely right. From the very beginning, when we look at the Trent-Severn Waterway, we understand that not only does it have this tremendous potential in terms of economic renewal and of being a model for sustainability, a model that hopefully can be used in other park applications right across Canada, but the very essence of this canal is that it is historic.

If we look at the other examples of historic canals in Scotland and in New York State, the fact that they represent a piece of history is the commonality that brings them together and make them such a focal point and a recreational asset for all users and all Canadians.

There is no doubt, as I alluded to before, that this is a massive water resource management project. It is probably the key and primary role that the Trent-Severn Waterway fulfills. It is widely known as a recreational boating haven, but ultimately it is 18,000 square kilometres of waterway. As has been indicated this evening, there is terrific importance in making sure that the water levels and the water resource, the wetlands and the protection of shoreline habitats right across the system are provided for in the course of this.

I would like to wrap up by reiterating my thanks to all of the hon. members from all sides of the House who have spoken in favour of this motion.

• (1910)

It is a tremendous honour to me to stand in this place and talk about the Trent-Severn Waterway system. The pioneers in my family, who came from England in 1874 and who were around when this system was being put together, would be so honoured to know that here we are, 150 years since the system first began and we are talking about it again in the House of Commons and moving this tremendous waterway to the next phase.

Mr. Speaker, I encourage all hon. members to consider supporting this motion. In turn, I hope that the government and the minister will take this advice to heart and move this forward as quickly as she and the government can.

The Acting Speaker (Mr. Andrew Scheer): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

Private Members' Business

The Acting Speaker (Mr. Andrew Scheer): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Andrew Scheer): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Andrew Scheer): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Andrew Scheer): Pursuant to Standing Order 93, the division stands deferred until Wednesday, October 18, 2006, immediately before the time provided for private members' business.

It being 7:14 p.m., the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:14 p.m.)

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Publié en conformité de l'autorité du Président de la Chambre des communes

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