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OFFICIAL REPORT
(HANSARD)

Wednesday, November 14, 2007

—
Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, November 14, 2007

The House met at 2 p.m.

Prayers

• (1405)

[English]

The Speaker: It being Wednesday, we will now have the singing of the national anthem led by the hon. member for Timmins—James Bay.

[Members sang the national anthem]

STATEMENTS BY MEMBERS

[English]

FARM FAMILY AWARDS

Mr. Brian Storseth (Westlock—St. Paul, CPC): Mr. Speaker, the Canadian agriculture industry is one of the most advanced and competitive in the world. Our producers excel at not only feeding our communities and cities but they have come to be relied upon worldwide.

On November 4, 2007 I had the privilege to attend the Alberta Motor Association and Northlands Farm Family Awards. This event gives recognition to farm families from all over north central Alberta who demonstrate strong values and traditions of the family farm within their rural communities.

Today I would like to take the opportunity to congratulate the two farm families from my riding who received this award. Troy and Jackie Vetsch have operated their family farm with Monty and April Bauer for over 15 years. Both families have not only dedicated much of their spare time to their community, but also to the advancement of their industry.

It is precisely because of the leadership and hard work of people like the Vetsches, Bauers and all the farm family award recipients that the agriculture sector remains the backbone of our great country.

* * *

CONSTABLE DOUGLAS SCOTT

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, yesterday the member of Parliament for Nunavut and I represented the north at the regimental funeral of RCMP Constable Douglas Scott in Brockville.

It was moving to see the thousands of RCMP and supporters from other forces, and thousands of people from Brockville line the streets.

As we listened to the tributes from his friends, family and fellow police officers, we were made aware of a caring young man dedicated to his friends, family and profession, passionate in serving his country as an RCMP officer posted in the north.

It also struck us that the spirit of Constable Scott embodied the essence and legend of the RCMP in Canada's north.

A young man with so much to offer was slain in the line of duty. It is such a tragic loss.

We are well served by Canada's national police force. Its traditions are carried on by the many men and women who serve today.

This dedication is to the memory of officers like Constable Scott, one of our finest. On behalf of all the residents of Canada's north, we thank his friends, family and colleagues for sharing Constable Scott with us. We cherish his memory and grieve with them the loss of a remarkable young man.

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[Translation]

WORLD DIABETES DAY

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, a United Nations resolution has declared November 14 World Diabetes Day.

In Quebec, more than 550,000 people are living with diabetes. It is estimated that the life expectancy of a person with diabetes is cut by 5 to 10 years. The World Health Organization is calling it a new international epidemic, since it estimates that the number of people with diabetes will double by 2025. This increase is directly connected to the growth of obesity.

This year's theme is "Diabetes in Children and Adolescents". It aims to promote awareness and increased prevention among young people and decision makers. Something must be done before it is too late.

The federal government must stop interfering in provincial responsibilities and accumulating surpluses. It must give provinces the financial means to invest in health research. Research is the best approach to discovering a cure for the scourge that is diabetes.

Statements by Members

[English]

WOMEN'S RESOURCE CENTRES

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, the Conservative government cut funding to Status of Women Canada. This negatively impacted the work done by women's resource centres across the country.

In the Comox Valley, women rely on their centre to provide life skills programs and support groups for single parents and women with disabilities, but reduced hours due to the cuts have left some women with no place to turn.

The Campbell River Women's Resource Society just received \$49,000 in specific program funding. While they are happy about that, what they really need is core funding to provide continuity of service and keep the centre open more hours.

The Campbell River Women's Resource Society would like to offer in-house programs that are relevant to the needs of women in our communities. Shelters should not be the only place that women can go to for support.

Funding requirements under Status of Women Canada force women's centres to fund raise and fill out grant applications just to keep their doors open.

I am calling on the Conservative government to implement core funding for women's centres so that they can provide the kind of services that are so necessary in all our North Island communities.

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VIOLENT CRIME LEGISLATION

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, Canadians have told us they want to see our Conservative government's violent crime act move swiftly through the legislative process and finally become law.

Canadians elected us to move quickly and decisively to tackle crime and make our communities safer. They are fed up with a justice system that puts the rights of criminals ahead of the rights of law-abiding citizens.

Bill C-2, the violent crime act, would impose mandatory jail time for serious gun crime; create tougher bail rules when a gun is used to commit a crime; protect our youth by increasing the age of protection for sexual activity from 14 to 16 years; crack down on drug impaired driving; and ensure that high risk and dangerous offenders face tougher consequences and are monitored more closely after release to prevent them from offending again and again.

All the measures included in the legislation were studied in depth by Parliament in the last session and some were held up for over a year. Canadians believe this is unacceptable and expect prompt passage of these crucial measures.

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NEW HORIZONS FOR SENIORS

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the new horizons program has provided much financial assistance to many seniors groups in my riding.

While there is never enough money in this program and while many worthy projects are too often refused funding, the real need is often for infrastructure improvements and renovations of existing community facilities.

● (1410)

[Translation]

In my riding, from Saint-Ignace to Pré d'en Haut, from Dover to Murray Corner, seniors' groups need federal funds to improve their clubs. These community infrastructures must often be improved.

These groups of volunteers give much to our communities, and the federal government must ensure that they are able to modernize their community facilities.

[English]

I am asking the government to proceed quickly in approving funding for infrastructure improvements and to be generous with the small rural communities across Canada. More funding is needed to ensure that all seniors groups have fair access to this important program.

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WORLD DIABETES DAY

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, I am pleased to inform the House that today the Canadian Diabetes Association is celebrating the first United Nations recognition of World Diabetes Day.

November 14 was chosen as World Diabetes Day because it is the birthday of Sir Frederick Banting, and to commemorate him and Sir Charles Best, the two doctors who discovered insulin.

Our government continues to invest millions to fund research in order to find a cure for diabetes. Diabetes is a serious public health problem in Canada that affects approximately two million Canadians.

To help fight against diabetes, this government has put in place patient wait time guarantees for diabetes on first nation reserves guaranteeing treatment within acceptable wait times for those who need it. Further, our government is promoting healthy living initiatives through the Canada food guide and the physical activity guide.

This Conservative government is serious about addressing public health issues and we are getting the job done. I ask my colleagues to please join me in wishing all diabetes agencies a successful World Diabetes Day.

[Translation]

NATIONAL CAPITAL COMMISSION

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, the National Capital Commission paid tribute to the infamous Lord Durham as part of its celebration of Ottawa's 150th anniversary as Canada's capital.

It is deeply hurtful to Quebecers that people are ignoring the fact that Durham recommended that the British government assimilate francophones. Durham described francophones as inferior in all respects to anglophones, a people with no history whose only salvation lay in assimilation to the English majority.

It is scandalous that the Conservatives, who have proclaimed their respect for the Quebec nation, have allowed a person who described Quebecers as a nationality "destitute of all that can invigorate and elevate a people" to be honoured in this way.

The Bloc Québécois demands an apology from the minister responsible for the National Capital Commission for this insult to the Quebec nation.

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HON. MEMBER FOR SAINT-LAMBERT

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, last Sunday, the Bloc Québécois member for Saint-Lambert announced that he will run for the Parti Québécois in the riding of Bourget. I would like to congratulate my hon. Bloc Québécois colleague, here in this House, on his decision to move to provincial politics. His courage, and above all, his foresight should inspire others, beginning with his leader.

The truth is, support for the Bloc Québécois in Quebec is falling like autumn leaves from a tree. His colleagues should face the facts and admit that Quebec is getting stronger within a strong and united Canada and with the Conservative Party in Ottawa—a party that has the means to take action and achieve concrete, real results in the interest of Quebecers and Canadians.

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JUVENILE DIABETES

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, on behalf of the Juvenile Diabetes Research Foundation and young people in Laval—Les Îles, I would like to present the Minister of Health and the Minister of Finance with keys symbolizing my support for efforts to find a cure for diabetes and its complications.

The families of children with juvenile diabetes are calling on our government to make a real, immediate financial commitment in order to step up research to find a cure for juvenile diabetes.

Together, let us open the door to a cure for juvenile diabetes.

* * *

[English]

CONSTABLE DOUGLAS SCOTT

Mr. Gord Brown (Leeds—Grenville, CPC): Mr. Speaker, hundreds of police officers and thousands of citizens gathered in Brockville, Ontario, yesterday to pay tribute at a regimental funeral

Statements by Members

for slain RCMP Constable Doug Scott, who died while on duty last week. It was a sombre occasion and reminds Canadians of the danger each and every police officer faces each and every day.

Twenty year old Constable Scott, Dougie, as he was known to his family, had always wanted to be an RCMP officer. He was described by his brothers as an amazing son and brother who was always willing and able to be counted upon. He lived his life without regret. He was an inspiration to everyone and showed his brothers and his friends that dreams are possible when we work hard to achieve them.

On behalf of all Canadians, I want to acknowledge and pay tribute to the hard work, leadership and sacrifice of Constable Scott and to express our deepest condolences to his parents, Doug and Marla, and his brothers, Chad and Layne, as well as the rest of his family and his many friends and teachers, who will always remember this remarkable, determined young man.

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● (1415)

ATLANTIC ACCORD

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, Nova Scotians still await the federal government's tabling of a clear, binding agreement on the revised offshore resources revenue sharing with Nova Scotia's Conservative government.

In opposition, federal Conservatives championed the Atlantic accord. In government, they tore it up. Now they ask us to trust that their replacement deal will protect the full benefits of the Atlantic accord, but where is any legal document that can hold the government to its promise?

In the last 10 days alone, the government has three times scheduled a briefing of Nova Scotia MPs on the latest deal and three times it has cancelled.

After a year of this renegeing on agreements, punishing critics and backroom dealing among the Prime Minister, the Nova Scotia premier and Conservative MPs, Nova Scotians are fed up.

The Atlantic accord was a clear deal with clear benefits. Nova Scotians will accept nothing less. The Conservative deal is not worth the paper it is not even written on. So much for transparency, accountability and integrity in government.

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[Translation]

WORLD DIABETES DAY

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, November 14, 2007 marks the first World Diabetes Day recognized by the United Nations.

[English]

Recently I had the chance to meet with some constituents who turned their own family's experience with juvenile diabetes into truly inspiring advocacy work.

Oral Questions

Lynda, Barry and Jordanna Caine have asked me to personally deliver two keys on behalf of the Juvenile Diabetes Research Foundation to the Ministers of Finance and Health to highlight the importance of a long term commitment to fund research to find a cure.

It is my pleasure to deliver those keys on their behalf. I echo their hopes that with sustainable and long term federal funding more research can open the doors to a cure.

* * *

[*Translation*]

GREECE

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, Quebec's Greek community is a proud community. On Saturday, October 27, despite the rain, thousands of people took part in a rally, here on Parliament Hill, to let the government know that they will never be in agreement with Canada giving the name "Macedonia" to the country run by the Skopje government, as the Conservative government did, in September. Moreover, a large number of demonstrators condemned the introduction of a bill, on May 17, 2007, by a Liberal member, with the support of his party, recognizing the name Macedonia for this new country.

There is a dispute going on between the government in Athens and the Skopje government, regarding the use of the name "Macedonia". For the Greeks, this name is part of their national identity. Until a negotiated settlement is reached between these two countries, the UN is referring to this new state as the "Former Yugoslav Republic of Macedonia".

As far as the Bloc Québécois is concerned, it is not up to Canada to rule on a dispute between these two states. Since this dispute is still—

The Speaker: The hon. member for Esquimalt—Juan de Fuca.

* * *

[*English*]

WORLD DIABETES DAY

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, today, November 14, is the first World Diabetes Day observed by the United Nations. It is a day to stimulate activism to address these chronic, incapacitating and costly diseases that pose a serious global health threat, affecting 246 million people worldwide.

Each year another seven million people develop either type 1 or type 2 diabetes and 3.8 million deaths occur from diabetes related causes. Both diseases are increasing in frequency, with type 1 being found in ever younger populations.

I call on our government to make a five year, \$125 million commitment for research to find a cure for juvenile diabetes through islet cell transplantation, regenerating the body's own beta cells and finding new therapeutics to predict, prevent and reverse complications. We must ensure that patients also have access to the care they need.

Canada discovered insulin. Our scientists are on the verge of finding a cure. Let us support them and drive juvenile diabetes into extinction.

● (1420)

STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Mr. Speaker, yesterday at the procedure and House affairs committee, the opposition parties had a chance to come clean with Canadians, but sadly, minutes before a vote that would have opened up the political financing books for all parties, Liberal members, along with their cohorts in the Bloc and the NDP, literally ran out of the room, thus shutting down the committee.

Canadians expect better of their members of Parliament. This obstruction and this lack of accountability, on the part of all three opposition parties, are preventing Canadians from having the opportunity to learn about the financing practices of all parties.

What do they have to hide? Is there another sponsorship scandal just waiting to be uncovered beneath the surface of the Liberals, the Bloc and the NDP?

As long as the opposition parties continue to shut down this committee by neglecting their duties and leaving the room, Canadians are being deprived of the truth. I call upon all opposition parties to be open with Canadians and to stop hiding the facts on their own spending habits and start being honest with Canadians.

ORAL QUESTIONS

[*English*]

AIRBUS

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, will the Prime Minister promise Canadians that the public inquiry will include himself, his office and his government and what they have done about the Mulroney affair until the start of the public inquiry?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the terms of reference for the public inquiry will be drafted by an independent third party. I am pleased to announce that Dr. David Johnston, who is the president of the University of Waterloo, the former dean of law at Western and the former principal of McGill, and who has served numerous governments in various public policy capacities, has agreed to be the independent third party.

As I mentioned, Dr. Johnston has served various governments in various public policy capacities and we certainly appreciate his willingness to serve once again in what will be a difficult and challenging job.

[*Translation*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, after the new Minister of Justice was appointed in early 2007, the justice department's internal investigation into the \$2.1 million in compensation paid to Mr. Mulroney was conveniently blocked.

Why wait for the public inquiry? The Prime Minister should tell us the truth.

What role did he, his Minister of Justice and their respective offices play in blocking this investigation?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, these allegations are completely false and unfounded.

As I just mentioned, Dr. David Johnston, the president of the University of Waterloo and an eminent Canadian, has agreed to conduct the review that will provide the government with a mandate for a public inquiry.

Again, I thank Dr. Johnston for agreeing to serve his country.
[*English*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, we do not want a witch hunt, but we do not want a whitewash either. We want the truth, the full truth. Will the Prime Minister commit to a full public inquiry that includes himself, his office, his government and his Minister of Justice?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I have just said that Dr. David Johnston, who is an eminent Canadian, will make proposals on the terms of reference for a public inquiry and the government will follow his recommendations.

Sooner or later, it will dawn even on the Leader of the Opposition that the events in question did not occur under this government but that some of them did in fact occur under the government of which he was a member.

• (1425)

Hon. Robert Thibault (West Nova, Lib.): Mr. Speaker, Canadians find it hard to believe that the Prime Minister was kept in the dark about something as sensitive as criminal allegations about a former prime minister and his political mentor, Brian Mulroney, but if that is true, it suggests the Prime Minister deliberately insulated himself from the facts in this matter.

Ignorance is not an excuse. He should have known and he should have demanded to know. Instead, he demanded to be kept in the dark. Why? What is the Prime Minister hiding from?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, that is a fascinating suggestion by the hon. member, but I can point out to the House that any criminal investigations are carried out by the RCMP without interference from the government—or at least this government. I want to make that clear.

[*Translation*]

Hon. Robert Thibault (West Nova, Lib.): Mr. Speaker, apparently the Prime Minister and the Minister of Justice did everything they could to be kept in the dark in order to be able to plead ignorance.

Why did one of the minister's representatives say: "A decision has been made and this note concerning Mr. Schreiber will not be forwarded to the minister's office"?

Did that order come from the minister? Where did it come from? From the Prime Minister?

[*English*]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the government has taken a very reasonable approach to this. With the appointment of

Oral Questions

Dr. Johnston and the mandate that he has been given, I think Canadians will appreciate this openness and they will appreciate the decisiveness with which this government has acted.

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[*Translation*]

AFGHANISTAN

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, when questioned in the House yesterday about the fate of Afghan detainees, the Minister of Foreign Affairs' reply, as usual, was utter nonsense. When asked by the Bloc to stop transferring Afghan detainees, the minister talked about the improvements to Afghan prison infrastructure. Although the prisons may have been spruced up, inmates are still being tortured.

Will the Prime Minister acknowledge that these allegations do not come from the Taliban but from President Karzai, and that he must stop transferring prisoners?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the Government of Canada has a new agreement with the government of Afghanistan to ensure the monitoring of these prisoners. If serious allegations are made and proof provided, there is a process for verifying and managing these cases. The agreement with the Afghan government works well.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, this agreement is working so well that the President of Afghanistan continues to state that torture does occur. And, as of yet, we have had no allegations that Hamid Karzai is a member of the Taliban.

Is the Prime Minister—who always waits for a new turn of events—waiting for Hamid Karzai to pull a Brian Mulroney and demand an inquiry on what happens to Afghan prisoners?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, we have an agreement that works. We take our international obligations and responsibilities seriously. Our soldiers respect these international obligations at all times.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, since I did not get an answer yesterday, I will ask my question again and I hope the Prime Minister will answer me. On the heels of the admissions by the Afghan president, Hamid Karzai, that there continues to be torture in Afghan prisons, Amnesty International is telling us today that there is indeed a risk that detainees will be tortured when they are transferred.

The Prime Minister cannot continue to deny the allegations of torture. There is ample evidence. Does he realize that his ineptitude and that of his Minister of Foreign Affairs is putting Canada in direct contravention of the Geneva convention?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, as I said yesterday to the hon. member from the Bloc Québécois, I am pleased that he is here in this House and that he decided to stay with the Bloc Québécois and not join the Parti Québécois, as his colleague from Saint-Lambert did.

Oral Questions

That said, we have signed an agreement with the democratically elected government of Afghanistan. We are respecting our international commitments and we are doing our best to support the duly elected Afghan government to respect these international obligations. This agreement is proof that the process is working. If there are allegations of mistreatment of Taliban prisoners, investigations will be held in due course.

• (1430)

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, Amnesty International is calling for the end of the transfers. This is no trivial matter. It also regularly reports allegations of torture. That is not trivial either. Mistreatment is still occurring and there are currently no effective guarantees to prevent such a thing from happening.

Out of respect for the detainees, will the Prime Minister announce today that he will immediately stop their transfer, as Amnesty International is calling for?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, as a result of the agreement that was signed with this government, an agreement that is an improvement over the agreement with the previous Liberal government, the representatives of my department have conducted 32 interviews so far. A NATO spokesperson said:

[*English*]

“We have no evidence of systematic torture of detainees”. Yes, systematic torture.

We have the process in place and the process is going well. If we have evidence, the Afghan government will do an investigation.

* * *

AIRBUS

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, in the endless saga of Conservative and Liberal scandals around here, the Prime Minister this time claims to want to get some answers. However, it is a lot like pulling teeth around here to get any action from the government.

The Prime Minister knows there is a whole series of steps that have to be followed to get this investigation underway and he is dribbling them out one at a time.

Let us get to the next one. When will we get the terms of reference for Dr. Johnston who will then set the terms of reference for the full public inquiry so we can get on with the job?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government has announced that Dr. Johnston will fulfill the role of the independent adviser to the government. His terms of reference have been released publicly.

Dr. Johnston has been given a wide mandate to propose, independently, terms of reference on a public inquiry or any other actions that he deems are necessary, and the government will follow those recommendations.

[*Translation*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, this reeks of improvisation. When will we have a plan? This is really just improvisation. This is unacceptable. Where are the timelines?

When will we have an answer regarding the inquiry? We hear all the noise being made by the gang here beside me. They are like little schoolchildren.

I have a question for the Prime Minister. When will we have an answer or a final decision from this inquiry?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, clearly, improvisation is the specialty of the leader of the NDP. It is clear that this government can answer questions much faster than the NDP leader can ask them.

[*English*]

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, now that the government has decided on a full public inquiry, will the Minister of Justice, who has superintending authority under the Extradition Act, assure the House that the principal witness, Mr. Schreiber, will be present in Canada, whenever necessary, to testify before this inquiry?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I am actually surprised to be getting that question or that advice from the hon. member. As a former minister of justice, he would know that it would be highly inappropriate to make any comments on a matter that is presently before the courts.

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I understand that but the issue at this point—

Some hon. members: Oh, oh!

• (1435)

The Speaker: Order, please. The hon. member for Mount Royal has the floor and we have to be able to hear his question.

Hon. Irwin Cotler: Mr. Speaker, the hon. member should not confuse the House. What is at stake here is the question of the integrity of the inquiry and of due process before the inquiry.

If the court upholds the minister's surrender order, will the Minister of Justice, pursuant to his authority, postpone the implementation of the order of surrender so that the inquiry may proceed, truth will be pursued and the oath of justice will be served?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the hon. member is asking us to presuppose or he is posing a hypothetical question. He knows, of course, that would be highly improper and, again, anything before the courts would be improper to comment on.

[*Translation*]

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, through access to information, we know that the Department of Justice produced files on the Airbus affair. Furthermore, we learned that the minister refused to look at those files. Yet, the minister wrote to Mr. Schreiber twice, informing him that there was no new evidence to delay his extradition.

If he never agreed to receive information about the file, how can the minister affirm that there was no new evidence? How can he make such an important decision without even examining the file?

*Oral Questions**[English]*

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, with respect to sworn allegations in an affidavit, the Prime Minister and the government have set in place a process that will be conducted, at this particular time, by Dr. Johnston who will make recommendations to the government.

However, with respect to the extradition proceedings, again, it would be highly inappropriate to comment.

[Translation]

Hon. Lucienne Robillard (Westmount—Ville-Marie, Lib.): Mr. Speaker, in less than 24 hours, a decision will be reached that could mean the removal of the key witness in this matter. The Minister of Justice has the authority and the power to ensure that Mr. Schreiber remains available to testify during a judicial inquiry.

Can the government assure us that Mr. Schreiber, the most important witness, will remain available, in person and in Canada, to testify during any inquiry or any judicial proceedings?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I am not in a position to ensure the outcome of any matter before the court and, precisely because the matter is before the court and to be decided within the next 24 hours, all the more reason why it would be inappropriate to comment.

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*[Translation]***MANUFACTURING SECTOR**

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, yesterday the Minister of Finance suggested that he was considering increasing the accelerated capital cost allowance period for machinery purchases from two to five years, in accordance with one of the 22 recommendations in the unanimous report issued in February by the Standing Committee on Industry, Science and Technology. Two years is not enough time for rigorous, long-term planning.

Will the minister send a clear message to companies that have been waiting a long time for this news by announcing immediately that he is increasing the accelerated capital cost allowance period from two to five years? Will he finally give manufacturing companies in Quebec and Canada a chance?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we are in the process now of lowering taxes for corporations to historically low levels in Canada, down to 15% federally by 2012. That move has been welcomed by the Quebec Manufacturers & Exporters in Quebec, as well as by the Canadian Manufacturers & Exporters association. The member is correct. There are lots of people in those associations who would like to extend the period of the accelerated capital cost allowance and that is something I assure the member that we will consider during the course of the ongoing pre-budget consultations.

*[Translation]***FORESTRY SECTOR**

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, manufacturing is not the only sector in crisis. The forestry sector is hurting as well. The accelerated capital cost allowance is only one of the 22 recommendations made by the Standing Committee on Industry, Science and Technology. The forestry sector, which is short on ready cash, needs something else. Tax cuts are completely useless when you do not turn a profit. The forestry sector needs refundable tax credits for research and development.

Will the Minister of Industry talk to his colleague, the Minister of Finance, and ask him to put these measures in place as soon as possible?

● (1440)

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the member opposite is, of course, right. The rising Canadian dollar vis-à-vis the U.S. dollar has a significant effect on a couple of industries, including the forestry industry and the auto industry.

However, I remind the member of the comments by the manufacturers and exporters in Quebec following the announcement of our substantial reduction in corporate taxes and how welcome it is. Yes, the accelerated capital cost allowance is also welcome, and, yes, we will consider doing more because these are sectors in the Canadian economy that are suffering disproportionately.

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*[Translation]***ELECTORAL REPRESENTATION**

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, in a householder, the Parliamentary Secretary to the Minister of Public Works and Government Services boasted that the electoral representation bill, which is to be introduced this afternoon, will result in Quebec having less representation and Alberta and British Columbia having more. In light of such a statement, Quebecers are entitled to ask whether recognizing our nation was nothing but an electoral ploy.

Is that not the real goal of this bill: to further dilute Quebec's presence in this House?

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, the document my Bloc Québécois colleague mentioned, the bill that our Conservative government will introduce today, will protect every one of Quebec's 75 seats in this House.

I hope that my Bloc Québécois colleague will not oppose our plan to protect Quebec's seats and its interests in this House.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, that has nothing to do with the Conservatives. It is in the Canadian Constitution. He is not giving us anything at all.

Oral Questions

If recognizing the Quebec nation truly means something to the government, it should not introduce this bill. The National Assembly unanimously agreed to a motion introduced by Premier Jean Charest—a federalist—to demand that this bill be withdrawn.

Does the Prime Minister realize that his bill conflicts with genuine recognition of the Quebec nation? Will he withdraw this bill and not introduce it?

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, my colleague does not understand. The bill protects Quebec's interests. The bill will protect Quebec's 75 seats in this House. The Bloc Québécois is making a lot of noise, but it is our Conservative government—the Minister of Labour, the Minister of Transport, Infrastructure and Communities, and our new colleague from Roberval—Lac-Saint-Jean—that is protecting the interests of all Canadians and all Quebecers.

* * *

[English]

AIRBUS

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the justice minister was a parliamentary secretary in the Mulroney government.

Some hon. members: Oh, oh!

[Translation]

The Speaker: Order. We are finished with that question. We have started over.

The member for Kings—Hants.

[English]

Hon. Scott Brison: Mr. Speaker, the justice minister was a parliamentary secretary in the Mulroney government. Now evidence suggests that he or his office tried to avoid responsibility by selectively receiving and evading information on the Schreiber affair.

Will the minister do the right thing and recuse himself from the file to avoid the perception that his personal connections are interfering with his ministerial responsibilities?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the hon. member may be a bit of an expert on that administration. I think he was the head of the young PCs of Nova Scotia at the time. Was it called youth for Mulroney? I forget.

I am very pleased and proud to have served under three justice ministers, three distinguished Canadians, as a member of the House of Commons. I am seized with the responsibility now as justice minister and I take that responsibility very seriously. I will exercise those responsibilities carefully.

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, Canadians deserve the truth and Mr. Mulroney deserves a process that is impugnable. Briefing notes were prepared for the minister. His office evaded them. Wilful ignorance is no excuse. A justice minister should seek the truth. He should not seek to avoid the truth.

When will the minister do the right thing and recuse himself from the Schreiber affair?

• (1445)

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, it is a bit much to be getting lectured by the Liberal Party on moral matters.

Just yesterday, the House will remember that the Liberals were advising us to release the tax information of a Canadian citizen. Did that bother anybody on that side of the House? Did anybody have a problem with advice to do something illegal? I ask that of the hon. member.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the justice minister should not be overseeing the Schreiber file and here is another reason why.

The minister said, and I quote, “I've always wanted a career in politics and Brian Mulroney made it possible for me”.

Since the minister's new boss has been forced to call a public inquiry into his old boss, will the minister step aside and put someone on this file who is not so obviously conflicted?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, we have put into place, what I think most reasonable Canadians would agree with, with respect to the allegations made in the civil lawsuit, the appointment of Dr. Johnston and the promise of a public inquiry.

With respect to the extradition matter, I have the support of the best legal team in Canada. I take those responsibilities very carefully.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the minister clearly is in a conflict when it comes to the Schreiber file. The minister must have an impartial person review Mr. Schreiber's extradition, so the most crucial witness will be able to testify in person at the public inquiry.

Will the minister step aside and allow justice to be done?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, again, it is a bit rich to be getting lectured by the Liberal Party and getting advice.

I still have not heard any answer to my question to those members. Was there anybody in the Liberal Party bothered by advice they were giving yesterday for us to commit illegal activity with respect to the tax files of an individual Canadian? It was clearly illegal, but it does not seem to bother anybody on that side of the House. They should be ashamed of themselves.

AFGHANISTAN

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, in May of this year, our government signed an agreement with Afghanistan regarding the transfer of detained Taliban prisoners and insurgents. This arrangement improved on that of our Liberal predecessors and since its signing, there has been real progress in Canada's monitoring and tracking of detainees.

Could the Minister of Foreign Affairs comment on the results of recent visits to detention facilities in Afghanistan?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, as I said, we are visiting and interviewing Taliban prisoners on a regular basis. Officials have conducted 32 interviews. As a NATO spokesman said yesterday, "We have no evidence of systematic torture of detainees".

During a recent visit, Canada's officials did see a Taliban prisoner with conditions that concerned them. Our officials are following up on media reports that the Afghan government has announced an investigation. The allegation has come to light because we have a good agreement with the Afghan government.

* * *

AIRBUS

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, there is not one Canadian who does not understand the significance of Karlheinz Schreiber staying in this country. He has an extradition hearing tomorrow. The minister has both the discretion and the responsibility to go into court, seek an adjournment tomorrow and keep Mr. Schreiber in this country so we can get to the bottom of this scandal. It encompasses the Liberal previous administration and this administration.

Will he do that?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, there is a process in place that was started by the previous Liberal justice minister of this country, and again the matter is before the Court of Appeal. There will be a decision handed down tomorrow and I think we should wait for that decision.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, it is obvious he is not going to exercise his discretion or his responsibility.

Will he try this? Will he seek from the German government authority that it will see to it that Mr. Schreiber will return here at any time that we require him to appear in front of the public inquiry? Will he do at least that much to protect the interests of Canadians?

• (1450)

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the hon. member is proposing a hypothetical scenario for a court decision. It would be highly inappropriate to start speculating what the court will rule. I think we should all wait and see what the court has to say. I think that is the prudent and proper thing to do.

Hon. Sue Barnes (London West, Lib.): Mr. Speaker, Canadians deserve to have all the facts with regard to the Schreiber affair. If anyone involved in the Schreiber file has made contributions to the

Oral Questions

Prime Minister's 2002 leadership campaign, Canadians deserve to know, but the Prime Minister never revealed all his donors.

Will the Prime Minister guarantee that the public inquiry will examine all donations made by Mr. Schreiber to the Conservative Party, its predecessor parties, and all of the numerous leadership campaigns of those parties?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the Prime Minister has already indicated, with the appointment of Dr. Johnston as an independent third party, that Dr. Johnston will be tasked with the responsibility of setting out the parameters for a public inquiry.

Dr. Johnston, of course, is an outstanding Canadian citizen who has served this country very well in the past, and I think we should put our trust in his recommendations.

Hon. Sue Barnes (London West, Lib.): Mr. Speaker, that certainly did not answer the question.

The list that the Prime Minister released on the old Canadian Alliance website is missing about 95% of the names. That is not a disclosure. The names on that 2002 donor list are only a portion of those who contributed to his campaign. It is only a list of those people who consented to have their names published.

Canadians deserve to know if the Prime Minister was bankrolled by anyone involved in the Schreiber affair. When will the Prime Minister make the full donor list public?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, questions of this type are precisely why a fact-finding inquiry is important. I appreciate that the Liberal Party would like to go on a witch hunt, but that is not what a public inquiry would be about. Again, Dr. Johnston will set the parameters for that, and it will be fair and it will be seen to be fair.

The Speaker: Order, order. Perhaps the member for Peterborough and the member for Notre-Dame-de-Grâce—Lachine could carry on their discussion outside the House. The hon. member for Bonavista—Gander—Grand Falls—Windsor.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, the Canada Border Services Agency declaration card states that everyone entering the country must declare the following: "—endangered species...plants and currency and monetary instruments totalling CAN\$10,000 or more".

Can the Minister of National Revenue assure the House that the former prime minister did just that after returning from the United States with \$100,000 in his wallet?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I do not know who is right—

Some hon. members: Oh, oh!

The Speaker: Order, order. I am sure the Minister of Justice appreciates the generous help he is being given with his answers, but it is very difficult for the Chair to hear the answers when everybody is yelling helpful suggestions, so we would like the minister to have some quiet while we hear the answer to the question.

Oral Questions

Hon. Rob Nicholson: Mr. Speaker, again, this is a follow up from the question yesterday, to start revealing taxpayers' information. We are not prepared to do that, but what we are prepared to do is to have a full public inquiry where many of these issues I am sure will be raised.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Let us try this again, Mr. Speaker. The declaration card goes on to say: "Failure to do so could result in penalties, seizure and/or prosecution".

Once again, to the Minister of National Revenue, yes or no? Did the former prime minister declare the cash payments, yes or no?

Some hon. members: Oh, oh!

The Speaker: Order, order. The Minister of Justice has the floor. Order.

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, again, the Liberals want us to reveal tax information. That would be completely improper.

The member for Wascana is wailing over there. What he was suggesting yesterday was completely illegal. This is why I have made it a point never to accept advice from the Liberal Party.

* * *

• (1455)

[Translation]

PUBLIC SAFETY

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, the sale of contraband cigarettes has taken off again. According to several studies, contraband is now ranked second in sales in Quebec and Ontario. The federal and provincial governments lose \$1.6 billion in tax revenues annually. Physicians for a Smoke-Free Canada has determined that the lower cost of illegal cigarettes threatens progress in the fight against tobacco addiction, particularly among young people.

Is the Minister of Public Safety prepared to ask the RCMP to take vigorous action and put an end to cigarette smuggling?

[English]

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, the government does take our border security very seriously. We put additional money in for border security and for our Canada Border Services Agency, and it is making seizures at the border.

[Translation]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, although police and customs officers are key in the fight against illegal cigarette sales, action from several other departments is required to wage an effective campaign.

These actions must be coordinated by a ministerial committee, which requires strong leadership in order to consolidate and continue the fight against tobacco addiction and against organized crime, which benefits from this illegal trade.

In the name of justice for honest merchants, is the Minister of Public Safety prepared to chair such a committee and to ensure that all necessary measures are taken?

[English]

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, as I already indicated, the government has put additional funds and resources into our border agency. We do have an integrated border enforcement team that works along the borders. The RCMP and the Canada Border Services Agency are active.

* * *

AIRBUS

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, yesterday the Prime Minister made jokes rather than answering when his office received explosive letters about Mr. Mulroney, letters containing the same information that the Prime Minister claimed was new, and the same information that forced a full public inquiry.

Canadians are not laughing. We know every piece of paper that goes into the PMO is tracked. We know these letters would have been given to senior staff in the PMO. Canadians know his office knew everything yet did nothing until it was forced months later.

Will the Prime Minister table in the House all routing slips and dockets pertaining to this correspondence and reveal the truth, yes or no?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the Prime Minister addressed that question yesterday.

What we have done is put in place a process that I think reasonable Canadians, and I am not including members of the Liberal Party in that group, would find is a careful and prudent way to act, by means of an independent third party who will make recommendations with respect to a public inquiry. I think that is what is expected by Canadians.

* * *

VETERANS AFFAIRS

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, Canadians know that our government is truly committed to Canada's veterans and their families. These families deserve to be treated with the respect and the dignity they have earned. All Canadians know this and we know this.

As a result, could the Minister of Veterans Affairs please tell the House what action has been taken to deal with the case of Annie MacKenzie, which has been widely covered in many of the newspapers?

Hon. Greg Thompson (Minister of Veterans Affairs, CPC): Mr. Speaker, this case goes back to 1968. I think most of us would argue that it should have been dealt with years ago.

I have given clear direction to our officials to contact the family. Just prior to question period I was informed that this has occurred. This will be fixed immediately, with a fair and compassionate settlement for the family.

AIRBUS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, if it is likely that Karlheinz Schreiber was greasing the wheels of commerce by lining the pockets of Tories, is it not just as likely he was greasing some Liberal wheels as well?

Why else would Marc Lalonde join Elmer MacKay in putting up a million dollars in bail for Karlheinz Schreiber? Why did Schreiber's Bear Head Manufacturing Industries donate \$10,000 to the Liberals in 1993?

Will the government assure us that the public inquiry will dig deep enough into the Mulroney Airbus kickback scandal to reveal whether Mr. Schreiber was buying influence with Liberals as well?

• (1500)

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I would not presume to answer for the Liberals.

We have put a process in place that, again, I think most reasonable Canadians would agree with. We have indicated that the mandate of Dr. Johnston is to set out the parameters for a public inquiry. We have already indicated that we would abide by those.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, all three opposition parties agree that the ethics committee should study the Mulroney Airbus kickback scandal as well, because aspects of it fall squarely within the mandate of ours to ensure that public office-holders conduct themselves at the highest possible standard of ethics.

Will the government guarantee that it will tell its committee members to leave their anarchist handbooks at home and that they will not sabotage and undermine the democratic will committee with their shenanigans, their mischief and their hijinks?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I know the members of this party always act with responsibility and in the best interests of Parliament.

The members of the NDP are never happy. Yesterday they were crying about when we were going to appoint the independent third party. Then they got that and they wanted a public inquiry. They have got all those things and they are still miserable. They should just let the process proceed.

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GOVERNMENT APPOINTMENTS

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, since answers on the government's Schreiber-Mulroney cover-up are not forthcoming, here is another question.

Has the Minister of the Environment ever met with the current mayor of Ottawa to discuss appointing Terry Kilrea to any position within the federal government?

Hon. John Baird (Minister of the Environment, CPC): No, Mr. Speaker.

*Oral Questions***FOREIGN AFFAIRS**

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, after 13 years of empty platitudes, Canadians are proud we have a government that is putting Canada back on the world stage.

This morning we learned that Canada will impose the world's most strict sanctions on the reviled military regime in Burma.

Could the Minister of Foreign Affairs inform the House how this morning's announcement furthers Canada's foreign policy of getting results through principled leadership?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, we have all seen stories about the repression taking place in Burma. I was very pleased and proud this morning to make this announcement.

Yes, we will have the strongest economic sanctions against the military regime there. This is something we have done and the previous Liberal government did not do. As usual, the Liberals did not act on an important file for our country.

I am very proud. What I will do is be out there. I will be in Paris to speak with my counterparts. I will encourage our allies and our friends to do the same thing.

* * *

AIRBUS

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, the Prime Minister admitted last Friday that he hosted Mr. Mulroney at Harrington Lake in the summer of 2006, as Mr. Schreiber's affidavit describes.

Could he tell us who else was there? Was it a table for two, a table for three, or a full banquet? Could he tell Canadians, unequivocally, that he or his representatives have never discussed issues relating to Mr. Schreiber with Mr. Mulroney?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the government has acted with responsibility and has put in process a scheme that I think will work in terms of an independent third party and a public inquiry. If the member has any questions, I am sure he would like to direct them to that.

* * *

[Translation]

CANADA BORDER SERVICES AGENCY

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, the government has finally withdrawn the charges against humanitarian worker Janet Hinshaw-Thomas, who had been arrested at the Lacolle border crossing, where she was accompanying 12 asylum seekers. She was charged with human trafficking when in fact she is a humanitarian worker. Under the law, the Canada Border Services Agency cannot act on its own and must obtain the Attorney General's consent to lay such charges.

Since the agency acted without the Attorney General's authorization, can the government tell us what measures have been put in place to make sure that, in future, the agency does not resort to these illegal actions against humanitarian workers?

Routine Proceedings

● (1505)

[English]

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, ensuring compliance with our law is the cornerstone of managing our borders. It is vital to the integrity of the immigration system and to those who come to the country lawfully that our laws be respected. The Government of Canada has no plans to change that current law.

* * *

AUTOMOTIVE INDUSTRY

Mrs. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, on Monday, Siemens VDO, in London, announced the loss of 250 jobs. It is closing the plant there. Over the last 10 years, we have lost almost 2,000 jobs. This closure will have a devastating impact on workers, their families and the London area.

When will the Prime Minister start protecting Canadian jobs in the automotive industry and will he commit to cancelling the unbalanced Korean free trade agreement?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, we continue to work with the automotive industry in dealing with those issues which the government can control. We are dealing with border issues. We are dealing with the harmonization of regulatory requirements with our American neighbours. We are dealing with other issues relating to fuel standards for vehicles, on a North American basis, to pursue the dominant North American fuel standard.

We are, however, clearly in a period of market restructuring, softening of demand and some change in consumer preferences. That will continue to work its way through the industrial sector.

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POINTS OF ORDER

ORAL QUESTIONS

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, the Prime Minister, in response to a question from the member for Toronto—Danforth, indicated that there were terms of reference for the independent investigation into the Mulroney-Schreiber affair.

I would ask that those terms of reference be tabled in the House.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I think there is a rule that when documents are referred to in the House, they should be tabled, and I will endeavour to do that.

ROUTINE PROCEEDINGS*[English]***CONSTITUTION ACT, 2007 (DEMOCRATIC REPRESENTATION)**

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC) moved for leave to introduce Bill C-22, An Act to amend the Constitution Act, 1867 (Democratic representation).

(Motions deemed adopted, bill read the first time and printed)

INTERPARLIAMENTARY DELEGATIONS

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association respecting its participation to the parliamentary mission to the country that will next hold the presidency of the Council of the European Union and the fourth part of the 2007 ordinary session of the Parliamentary Assembly of the Council of Europe that took place in Ljubljana, Slovenia and Strasbourg, France, September 27 to October 5.

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● (1510)

CRIMINAL CODE

Mr. Rick Dykstra (St. Catharines, CPC) moved for leave to introduce Bill C-475, An Act to amend the Criminal Code (credit for pre-sentencing custody).

He said: Mr. Speaker, I am honoured to introduce this private member's bill on behalf of my riding of St. Catharines and our country.

The proposed enactment will amend the Criminal Code to provide that a person who spends time in custody before sentencing will be credited for that time at a ratio of one day of credit for every day served. The ratio may be increased to one and one half days of credit for every day served if, and only if, the judge is satisfied that there are exceptional circumstances that warrant it. However, a person who has been detained as a result of a breach of a condition of judicial interim release is not eligible to receive any extra credit for pre-sentencing custody.

Convicted criminals should do the time for the crime for which they are sentenced.

(Motions deemed adopted, bill read the first time and printed)

* * *

BUSINESS OF THE HOUSE

Hon. Jay Hill (Secretary of State and Chief Government Whip, CPC): Mr. Speaker, discussions have taken place among all parties and I believe you would find consent for the following motion. I move:

That, when Ways and Means Motion No. 4 is called today, a recorded division be deemed requested and the vote deferred until later today at the end of government orders.

The Speaker: Does the chief government whip have unanimous consent to propose this motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Routine Proceedings

(Motion agreed to)

* * *

[Translation]

PETITIONS

ADOPTION OF CHILDREN

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, I stand today to present a petition I received from residents of my riding of Lévis—Bellechasse. It contains over 100 signatures from people living in Sainte-Claire, Saint-Charles-de-Bellechasse, Saint-Lazare and Buckland. They are calling on the Government of Canada to promote adoption through various measures that would encourage adoption in Canada and through an adoption network for Canadian children.

[English]

INCOME TRUSTS

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, it is my pleasure to present this income trust broken promise petition on behalf of Chris Funston of West Vancouver.

The petitioners remind the Prime Minister that he had promised never to tax income trusts, but he recklessly broke that promise by imposing a 31.5% punitive tax which permanently wiped out over \$25 billion of hard-earned retirement savings of two million Canadians, particularly seniors.

The petitioners therefore call upon the government, this Conservative minority old government, to admit that the decision to tax income trusts was based on flawed methodology and incorrect assumptions, to apologize to those from whom the money came, and finally, to repeal the punitive and almost criminal tax of 31.5%.

HUMAN RIGHTS

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I have a petition from around 35 petitioners who are calling upon the government to amend the Canadian Human Rights Act to prohibit discrimination with respect to gender identity and gender expression. Right now there are individuals who, because of gender expression or identity, are being discriminated against, harassed, and acts of violence committed against them. This petition seeks to change the Canadian Human Rights Act to protect them.

ASBESTOS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very pleased to stand in this House as a former asbestos worker and present a petition signed by people from across Canada who are growing increasingly concerned about Canada's shameful record of subsidizing the production of asbestos and the selling of it into the third world where there are of course not nearly the health standards in place to protect workers.

The petitioners call upon the Canadian government to recognize the dangers of asbestos, to be honest and truthful about the threat of asbestos, to recognize that it is the greatest industrial killer the world has every known, and to ban asbestos in all its forms, and institute a just transition program for asbestos workers and the communities they live in, to end all government subsidies of the asbestos industry in Canada and abroad, and to stop blocking international health and

safety conventions designed to protect workers from asbestos, in particular, the Rotterdam convention.

● (1515)

EARLY LEARNING AND CHILD CARE

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, I have two petitions to table today. One is from people in the community of Pukatawagan. They draw the attention of the House to the fact that our decidedly rural riding is in desperate need of affordable, quality child care and early learning spaces. They request that the Minister of Human Resources and Social Development reinstate the early learning and child care initiative and the provincial agreements they comprised as instituted by the former Liberal government.

TOURISM

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, I have a petition from dozens and dozens of people in the community of Churchill, Manitoba, who seek to ensure a fair licensing process for the private guides, tour operators and outfitters of Churchill, Manitoba who conduct business on historic sites and Crown lands.

* * *

QUESTIONS ON THE ORDER PAPER

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

TERMS OF REFERENCE FOR INDEPENDENT ADVISER

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, on a point of order, there was a request at the end of question period for the tabling of the document the Prime Minister referred to, being the terms of reference for the independent third party that will be setting the terms of reference for the public inquiry. I do have a copy of the news release in both official languages with the terms of reference attached which I would like to table at this time.

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MOTIONS FOR PAPERS

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS**

[English]

WAYS AND MEANS

MOTION NO. 4

Hon. Peter Van Loan (for the Minister of Finance) moved that a ways and means motion to implement certain provisions of the budget tabled in Parliament on March 19, 2007 be concurred in.

The Speaker: Pursuant to order made earlier this day, the question is deemed put on the motion, and a recorded division deemed requested and deferred until later this day at the expiry of the time provided for government orders.

* * *

[Translation]

CANADA ELECTIONS ACT

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC) moved that Bill C-6, An Act to amend the Canada Elections Act (visual identification of voters), be read the second time and referred to a committee.

He said: Mr. Speaker, I rise today to lead off the debate on Bill C-6, An Act to amend the Canada Elections Act (visual identification of voters). Everywhere in the western world, governments are taking measures to improve the integrity of democratic processes by trying to prevent voter fraud. Canada is no exception.

After the tabling, in June 2006, of the 13th report of the Standing Committee on Procedure and House Affairs, which was adopted by all parties, the government introduced Bill C-31, which followed through on several recommendations contained in that report. While a good number of changes were made thanks to that piece of legislation, the bill before us today deals with changes to the voter identification requirements.

Before Bill C-31 was passed, electors could simply go to a polling station with their voter card and vote. Today, for the first time, electors will have to prove their identity and residence before they can vote. They can do so in three different ways. First, they can present a valid identification card with their photo, name and address. Second, if an elector does not have photo identification they could present two other pieces of identification approved by the Chief Electoral Officer that verify their identity and residence. Third, if an elector does not have proof of identification, they could swear an oath and use a voucher.

After Bill C-31 received royal assent on June 22, 2007, the Chief Electoral Officer decided that these changes would be implemented in time for the byelection in Quebec on September 17, 2007. Albeit quick, this decision was not surprising. It was the Chief Electoral Officer's interpretation of the legislation that surprised the government. Even though the legislation clearly states that electors must prove their identity before they can vote, according to the Chief Electoral Officer, they can vote with their face covered.

Not only is it illogical for a person to be able to prove their identity if their face is covered, but this decision also makes no sense and has many people perplexed. The government was of the opinion

that this interpretation of the legislation did not take into account the will and clear intentions of the Parliament of Canada and asked the Chief Electoral Officer to review his decision. The government was not alone in that view. The four political parties of the House of Commons disagreed with the Chief Electoral Officer's interpretation and, in September, unanimously passed a motion in the Standing Committee on Procedure and House Affairs calling on him to review his decision.

Nonetheless, the Chief Electoral Officer has refused to respect the will and intentions of Parliament. On the day of the byelection on September 17, we saw the consequences of that decision. In several locations in Quebec, people deliberately covered their face for no reason. One person even voted with a pumpkin on his head. As a result, the public has called into question the credibility and integrity of the electoral process.

The government cannot stand by and let this happen. A democratic country must maintain public trust in the electoral system. In order to maintain this trust, to ensure that the government's will and intentions are respected and to prevent this from happening again, the government made a firm commitment to make the necessary legislative changes.

We reiterated this commitment in the Speech from the Throne in October 2007, when we stated “—the integrity of our federal voting system will be further strengthened through measures to confirm the visual identification of voters.”

● (1520)

I am pleased to say that we honoured this commitment on Friday, October 26, with the introduction of Bill C-6, which we are debating today.

The bill provides for the simple requirement that electors show their face before being allowed to vote. This legislation will strengthen the integrity of the electoral process: by improving voter identification by making it possible to compare voters' faces with the information on their identification card or on the voter's list; by helping to ensure that only people who are qualified electors, people 18 and older, vote; and by making it possible to identify anyone trying to commit an offence at the polling station, for example, someone who tries to vote more than once.

It is important to note that there is one exception in the bill: a person may vote with their face covered if there is a valid medical reason.

We realize that some customs require women to cover their face in public. We want to clearly state that this bill does not target them. It targets people who want to use those customs to commit electoral fraud.

While the government was compelled to take action to protect the integrity and the credibility of the voting process, it did so strictly and only because of the ruling made by the chief electoral officer.

If these women were dragged into this debate, it is because the chief electoral officer interpreted the act in a way that did not reflect the intent of our Parliament. Consequently, the government had to react.

However, it is important to point out that women who wear the veil never asked to be allowed to keep wearing it when they vote. In fact, these women readily show their face in numerous situations, when this is necessary. For example, they remove their veil when they get their picture taken for a driver's licence or a passport, or when they cross the border, and they never objected to having to show their face to vote.

This was confirmed during the committee's hearings on this issue, in September 2007, when a large number of people representing the Muslim community clearly said that women have no problem with showing their face if it is necessary.

The real question that we should ask ourselves is the following: why did the chief electoral officer make the decision that he made, and who did he consult before making that decision? Why did he drag these women into a debate that they did not want and that they had not requested?

Be that as it may, the government felt that it would be reasonable to allow these women to uncover their face in front of another woman.

While this decision ultimately belongs to Elections Canada, we gave that office the administrative flexibility to allow women to uncover their face before another woman.

Surprisingly, some people said that these measures jeopardize the equality between men and women under the Canadian Charter of Rights and Freedoms. That is totally absurd.

Does the fact that women at the border can only be searched by other women threaten the equality between men and women? Of course not, and our bill does not threaten it either.

Others have asked why we did not amend the special ballot process. Quite simply because this process is very different from the regular ballot process on election day.

● (1525)

The special ballot process requires some paperwork so as to create a paper trail.

Voters who vote by mail must register in advance. To obtain a special ballot, voters must provide proof of their identity and residence. They also need to fill out a special request.

Once registered, voters are removed from the voters list and are not allowed to vote at the polling station. With such a complex process, it takes considerable time to evaluate and confirm the integrity of the votes that have been cast. Advanced registration to obtain a special ballot has to be done before election day, not on election day, because of the close scrutiny required in these circumstances.

On election day, throughout the day, many people show up at the polling station asking to vote immediately, but the thorough process for giving out special ballots is not used that day.

That is why the rules regarding voter identification have been adopted in the first place, to prevent voter fraud in these circumstances.

Government Orders

Critics have argued that there was no evidence of voter fraud having occurred because of people having their face covered. Even if this were true, that is certainly no reason not to act. Following that logic, we would wait for our houses to be broken into before putting locks on our doors or wait for someone to drown before posting deep water warnings. The government will not wait for evidence of voter fraud before taking steps to prevent it.

The government passed Bill C-31 to improve the integrity of the electoral process. Under the new act, electors are now required, and this is a first, to show identification before voting. However, because of a misinterpretation of the act by the Chief Electoral Officer, allowing people to vote with their face concealed, the integrity and credibility of the electoral process has been called into question. That is specifically contrary to the spirit and intent of the legislation.

Our government has therefore responded by introducing the bill on visual identification of voters. This bill requires electors to show their face at the polling station before voting, while providing for an exception for medical reasons and an accommodation for people who normally have their face covered in public.

I hope that all members will work with the government to ensure this bill is passed so that it can be enacted shortly.

● (1530)

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, the bill before us is quite complex and raises a number of issues.

My first question to the government, in this case to the Minister of Transport, Infrastructure and Communities, is of a procedural nature. It is something that would facilitate our work on this legislation. Given the seriousness of the issues that will be raised during this debate, we were wondering whether the government had considered or would consider referring this bill to the appropriate committee before second reading so as to give the committee as much latitude as possible to make necessary changes to the bill.

Everyone will agree that this is a very serious issue that we are debating today. We all want to do the right thing. However, since the bill could raise very sensitive issues, would the government consider referring it to committee before second reading?

Hon. Lawrence Cannon: Mr. Speaker, I invite my colleague from Ottawa—Vanier to raise this question with his party's House leader. I will do the same with my House leader so that we can discuss his suggestion.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, from the outset, I would like to inform the minister, the government and this House that the Bloc Québécois is in favour of the principle of this bill. However, I would also like to tell the minister that, of course, the bill can be improved, as can all bills introduced in this House.

Government Orders

The problem is that the government, through the Minister of Transport, Infrastructure and Communities, indicated earlier that the Chief Electoral Officer misinterpreted the legislation by wanting to correct the situation. He criticized the Chief Electoral Officer for taking the action he did. However, the problem with the bill is that it gives the Chief Electoral Officer even greater flexibility to perhaps again make a mistake.

I would like to hear the minister's comments on the following situation. What will happen when a veiled female voter reports to a male deputy returning officer? We all know how the polling divisions are organized in our system: we have the ballot box, the first elections official, that is, the deputy returning officer, and then the poll clerk and the representatives of the various parties, if needed. When a veiled female voter reports to a male deputy returning officer, she can, under this bill, demand or require that she unveil and show her face to a female deputy returning officer. It is in this respect that this bill undermines the principle of gender equality among elections workers.

Why does this bill once again give the Chief Electoral Officer this latitude? Why is this bill not clear about the fact that anyone who reports to a polling station must uncover their face for identification purposes, regardless of whether they are a man or a woman?

In closing—I will give a speech later—I would remind the House that in Muslim countries such as Morocco, where the population is 92% to 93% Muslim, women must remove their veils when they report for voting. However, here, it seems we have to be—to use an expression from where I come from, particularly as it concerns religious practices—more Catholic than the Pope.

I would like to leave the minister some time to answer.

• (1535)

Hon. Lawrence Cannon: Mr. Speaker, I thank my colleague for his question.

I will remind members that the intention of legislators is quite clear: people have to uncover their faces to vote. There cannot be any question about that. Until now, the law did not require that. As legislators, we have made the commitment to accept that someone be able to vote when they provide identification. Usually it is a Quebec driver's licence, since the member and I are both from Quebec. If voters are asked to show their driver's licence, it is because it provides visual identification.

Let us be very clear on that: the purpose is to have voters uncover their faces. As for the circumstances and the manner in which it will be done, we are saying to the Chief Electoral Officer that we are leaving it up to him.

I touched on that in my remarks. For example, women who enter Canada or fly out of Canada and have to submit to a body search have the right to require that CATSA have a woman do the search.

We find that reasonable. It is just common sense. The member says the system could be improved, which is precisely why we think it is reasonable that someone can make such a request. It does not bother anybody. Officials and staff work at polling stations. The Chief Electoral Officer can look at this issue and clarify it in committee.

Again, I must remind the member that the purpose of this bill is to ensure the integrity of our electoral system beyond suspicion. That is what this is all about.

[*English*]

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, we actually opposed Bill C-31 in committee because we did not see the problem that, I guess, the government and other parties saw. The remedy certainly was problematic. In fact, this is a solution that seems to be looking for a problem at this point.

Did the government consult, beyond what the committee heard most recently in September, any other stakeholders in the time period since the procedure and House affairs committee met? Has it consulted various diverse communities and, if it did, what was the feedback on this bill?

• (1540)

Hon. Lawrence Cannon: Mr. Speaker, of course consultations were undertaken by my colleague, the minister responsible, in drafting this legislation and we went forward with this legislation, which we think to be appropriate under the circumstances.

I was closely involved with the byelections in the province of Quebec. I had seen, on numerous occasions during election day, circumstances that were unpredictable. Six months ago, nobody would have thought that somebody would have come into the polling station with a pumpkin on his head and ridiculed the process that we were putting forward.

Therefore, yes, when we came through with this draft legislation the appropriate consultations were undertaken by my colleague. We have here what I feel to be a fair and balanced piece of legislation that represents the will of the members of this assembly, this House, to ensure that our process is one that is above any suspicion and that we have and maintain the best electoral system in the civilized world. In that regard, I am very proud of what we are putting forward here and I do call upon all the members of this House to support it.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, it is my pleasure to rise for this side of the House and discuss Bill C-6.

I was quite taken aback by the previous speaker's comment about a punitive voter arriving at the polls with a pumpkin on his head. I had not read that and I wondered if the hon. minister had made a complaint to Elections Canada about that or whether, in fact, any complaints were made to Elections Canada. I can only assume that the comment about the pumpkin on the head of the punitive voter was intended to make light of a very grave situation. It shocks me that the government and ministers of the government, people in the first rows, not even people in the back rows on the other side, would take such a very important issue so lightly.

I stand to be corrected if there actually was a voter who arrived at the polls with a pumpkin on his head, and I see that as a complaint from the hon. minister who may have witnessed it, then I will eat all of the words I just said, including the pumpkin.

Bill C-6 attempts to solve a problem that I submit does not exist. It is rather like that pumpkin on the head, which I presume is a problem that does not exist. What we have is a situation where a major political response is taking hold within the government benches.

Government Orders

The primary question that I hope in my brief remarks might be addressed is: Does Canada really have a problem identifying voters? I will get into the background about Bill C-31, which was studied in depth by a very capable committee of all parties and which, presumably, dealt with these issues and attempted to solve them.

The other issue that I want to keep in mind while discussing this issue is that voters who cast their ballots by mail do not, obviously, show their faces. Is there a different standard for someone who is an absentee ballot holder compared to someone who makes the effort to go to the polls to vote? This is a very important question when we discuss the overall scope of voter identification.

Bill C-31 was not perfect. It was the first stab at having people, who present themselves at the returning office, identify themselves in some manner, through some form of identification.

As we know from a sister bill, there are very serious problems being addressed with respect to addresses for rural voters. We have had information on our side that this may not only affect rural voters but that it affects many voters across Canada. That is a serious bill to address a serious problem.

This bill, on the other hand, does not seem to address an existing problem. The rural voters bill, which we will debate at another time in this place, addresses a real issue that has resulted from complaints from people who feel they will be disenfranchised and, upon examination, it seems pretty clear might very well be. The numbers are in the hundreds of thousands across the country and in some ridings it is particularly high, especially in rural ridings in western Canada. That seems to be a real problem.

In this case, we have a situation where no complaint was ever filed to Elections Canada about allegations that during recent byelections in the province of Quebec this was an issue.

I will get into much more substantive issues with respect to our Charter of Rights, which is enjoying its 25th anniversary. That is not spoken of very much by members on the government side. I wish I had a chance to ask the minister, although not the Minister of Justice responsible for charter compliance nor the Minister for Democratic Reform introducing the bill, whether Bill C-6 complies with the charter. All members of the House know that every bill that a responsible government, new or old, brings to the House must be certified as to pass charter compliance.

● (1545)

At first glance, members may think that a roads bill or a bridges bill might not have any charter implications, and they may well not, but when we are dealing with something as quintessential as one's right to vote, which the Canada Elections Act in general deals with, the first thing that should go off in any responsible government is whether it complies with the charter and whether we have an opinion to that effect.

I wish I had the chance to ask a minister whether an opinion was tabled. We do not need to see the opinion but we need assurance from the front benches or any bench in fact that the government has sought and received charter compliance with the bill.

Let us get back to the root of the complaint. From the time of Bill C-31 from the last session, there was a movement to improve the

integrity of the voting system. That was the background and the intention of all the hearings on Bill C-31 and the subsequent amendments. What Bill C-31, as amended, did not do was require veiled women to remove their face coverings for voting.

The flap that occurred in practice was during the byelections in Quebec and it was over the strict interpretation by the chief electoral officer, Marc Mayrand, of the bill as amended. He said that the wording did not require veiled voters to reveal their faces at polling stations. Therefore, he said, which is the reason we are here I guess, that either we amend the act of Parliament or we should let him do his job.

The Conservative government is bent on attacking Elections Canada and it is doing so in the courts. It puts the Elections Canada official to an ultimatum of whether "you require an amendment or let me do my job", the government does the amendment. There is no record of a complaint to Elections Canada about the issues arising or allegedly arising. The Minister of Transport, Infrastructure and Communities was very clear in his remarks. He participated widely and energetically in the byelections in Quebec and apparently witnessed problems. However, I guess he did not have the follow-through courage to effect complaints through the official channels, which would be a complaint to Elections Canada. He did not do that. No one did that. There are no complaints arising from the incidents that were of such widespread and common occurrence according to the government so as to cause us to be sitting here as a priority debating Bill C-6.

I am not suggesting it directly but it may have been the work of the government to create at the time a political crisis to cover other issues involving election campaign financing that the government felt some heat about at the time.

The bill, as presented, is intended, as I understand it from the framers, to explicitly state what they thought Bill C-31 implicitly said.

Mr. Speaker, you are learned in the law and members of the House pass laws and should examine laws. Laws are meant to be interpreted for what they say and not to be guessed at about what they might say. What we have is a situation where the chief electoral officer read the law very carefully and did not require people to show their faces. There were no complaints. The question remains: why are we here?

● (1550)

I think we are here because it is seen as politically efficacious for the government to support such a bill. It seems, however, that this bill is targeted at a very specific population. It seems that this bill is attempting to target a group of people who deserve, as much as anyone here, the protection of the Charter of Rights and Freedoms. It seems that this small group also needs the protection of human rights legislation, perhaps more than every member in this House.

Government Orders

Now, the anomaly, as I mentioned, is that a person who has been through a trauma and has his or her face bandaged, or a person, frankly, who wishes to have an absentee ballot, can vote without making visual, that is, facial, identification necessary. In fact, we do not even have to go that far. I submit that the effect of option two from Elections Canada's methods of voting puts into play the fact that one can show up at the ballot box or the place to vote and not show one's face.

That seems a little difficult for people to understand, but I will explain. Option one for voting is to provide one original piece of identification issued by a government or a government agency and containing the person's photo. It is one piece of identification. In the province of New Brunswick, that would be a driver's licence. The person shows up at the voting station, shows a picture ID driver's licence and is able to vote.

It is not written in the law. This is where we get into explicit and implicit. It is not written in the law, but it is the practice of Elections Canada, I assume—but it is not in the law—for officials to look at the photograph as submitted and compare it to the person who is before the officials. However, nothing is written in that respect. One presumes, then, that facial visual identification of the voter is required when a person submits the driver's licence with the photo on it.

However, option two is where I say a person does not necessarily have to be visually identified. In that situation, a person could show up with two original pieces of identification authorized by the Chief Electoral Officer of Canada. Both pieces must contain the person's name. One must also contain the person's residential address. There is a long list of what those cards might be, but let us say that they might be the hydro bill as the second piece and the first piece might be the person's social insurance card.

If a person submits those two pieces of information, which do not have the person's photo on them, I submit to members that no one is required under the second option to submit to visual identification. It does not matter what they look like or what colour their eyes are or whether they have eyelashes or not, or for that matter if they have a pumpkin on their head, they are not going to be examined against any standard because two pieces of identification do not have a photo.

The third option, which was sought as an improvement under Bill C-31, was for the potential voter to swear an oath and be vouched for by a registered elector who is on the list of electors. That seems to work very well.

However, we can see that the intention of the parties, the committees and the people who did all of this work on Bill C-31 does not seem to have been put into effect perfectly, specifically as we speak about rural addresses being at odds with the list and, I would submit, secondly, on how we find ourselves here discussing Bill C-6.

Bill C-31 received royal assent on June 22, 2007. It amended the Elections Act to require all voters to prove their identity and residence before voting, with no mention whatsoever of having to show one's face. It is not in the act. It seems to me that if we were to right things, if it is now a requirement that to vote, everyone,

including members of this Parliament, would have to show his or her face to vote. and I have just indicated that by absentee ballots or by the submission of the two pieces of identification they do not have to. So why is it now that if I have two pieces of non-photo ID I can vote, but a person who wears a veil for religious reasons must show her face to vote?

• (1555)

Leading into the second arm of my argument, is that not then in violation of the basic right of being treated equally under the law? The charter of rights has a number of profound and entrenched articles respecting people's rights and one of them is to be treated equally under the law.

I submit that this is targeted legislation taking away that equality. That is why it is essential for us to know this, perhaps down the road at committee if this is where this bill ends up. That should be among the first round of questions for the Minister for Democratic Reform, or whoever he sends there that day, to satisfy the committee members as to whether in fact this bill is charter compliant.

What would be the political, social or societal basis for the government bringing forth such a bill? It might be because the government received news from certain community spokespersons that it is okay, that people who wear veils for religious reasons generally remove them for voting purposes anyway. That could be the spokesman on one day.

What we know is that there are people who say different things regarding the requirement for one small group in our community to do something different from what we—the majority, I might add, or just members of Parliament in general—do when we present ourselves to vote. There are political underpinnings for this bill. Frankly, everything that comes from this government is political. Everything is a knee-jerk reaction. Everything is targeted. Everything is intended to divide a country and a segment of a population. That is what the government does.

In that regard, this bill might be quite successful. The government should laud itself for promulgating yet another bill that divides, that targets groups and creates havoc, but what we should be concerned with here in this place is creating laws that are constitutional, legal and non-discriminatory.

The reason I say the government is politically and societally wrong is that it may have relied on the spokesman du jour when this was introduced and it may find that there are in fact other stakeholders who do not agree with its rationale. I might in fact quote items from the *Montreal Gazette* of September 10.

One comment is from Mr. Elmasry. The item states:

“We don't want to force anybody to change their religious inclination and beliefs”, he explained, pointing out that it is also important for women from religious minorities to vote. “At the same time, there is a certain level of integrity in the election process that we must maintain”.

Those are truisms. Those are things that we stand for.

Government Orders

Later in the Montreal *Gazette* article, there is a quote from Alia Hogben of the Canadian Council of Muslim Woman. If this is a targeted piece of legislation, and the target group are Muslim women, do we not take the high road in respecting those persons' rights? Do we not take the high road and stand up when it may not be politically expedient and say that this is bad, divisive, charter non-compliant and discriminatory legislation? Do we not take the high road in saying that?

The quote from Alia Hogben, which I will close with, is as follows:

For us, the sad thing is it's always focusing on Muslims and as far as I know it wasn't a request made by Muslims. It probably came up [from] Elections Canada—with good intentions, thinking they would try to accommodate people—but I don't think it's necessary.

Tempest, teapot: we can use the word we wish. We do not think this bill creates a solution, because there is no real problem.

• (1600)

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I listened to the hon. member's speech on this important item. I am a little confused and want some clarification. In September, all parties in this House supported a motion that the Canada Elections Act be amended to ensure that persons voting at the polls be required to show their faces for identification purposes.

In his speech, the member talked about the bill getting to committee. Is the hon. member going to vote for this bill to move to committee so he can discuss some of his issues? Is he still in support of what the House unanimously supported in September?

Mr. Brian Murphy: Mr. Speaker, the hon. member may realize that sitting where I do in this place I do not speak for the party in general, but I will submit to him my view, which is that this bill is flawed. This bill may not stand up to a constitutional challenge. This bill has human rights implications. I would like to see satisfaction on all of those points. I would like to see an opinion, or even hear of an opinion, or hear whether there was even an opinion asked for from the Department of Justice lawyers with respect to charter compliance. That I would like to know.

I do not think the hon. member could supply me with that today, because I doubt that he in fact has it. It does not sound like the pumpkin-on-the-head response from the Minister of Transport, which would lead me to believe that the government is not taking this bill very seriously from a constitutional point of view. It seems to me that it is acting politically expediently. It is also, I suggest, being somewhat flippant in comparing the real issues of voter identification as canvassed at length by the Bill C-31 committee by making a comment from the frontbench that there was someone arriving with a pumpkin on his head during the recent byelections in Quebec.

I would sit through committees, as would all of us, to find out whether the Minister of Transport will make good on his complaint that people arrived with pumpkins on their heads during the recent byelections in Quebec. I would agree to sitting down and hearing from any minister in the front benches.

Charter compliance and human rights compliance: these are things we must know. Most of the time we are making serious laws

in this place. This seems to be a knee-jerk reaction, politically targeted, for no good reason but politics.

[*Translation*]

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, I must say from the outset that I have a bit of a problem with some of the comments made by the hon. member, who tends to impugn motives to those who do not agree with his point of view. We know that there were some glitches in the last by-election, precisely because the Chief Electoral Officer interpreted the act as meaning that an elector could have his or her face covered—and covered is not the same as veiled.

Then, people immediately tested that interpretation, and it is unfortunate that this situation allowed some people to make fun of such an important democratic process. In any case, it is precisely to correct a whole situation, so that there is no longer room for interpretation or glitches, that we must develop a fair and equitable identification process for everyone.

I wonder if the hon. member could elaborate on this. In my humble opinion, the Charter of Rights and Freedoms must not take precedence over collective rights.

• (1605)

Mr. Brian Murphy: Mr. Speaker, unfortunately, I do not agree with the hon. member when she says that individual rights are subordinate to collective rights. I do not agree at all.

Her opinion is different from that of all official parties in this House. I personally believe that the Charter of Rights and Freedoms is the foundation of our country. I support the charter in every instance.

I think that the Charter of Rights and Freedoms is critical in all the bills that are introduced in this House. The first question that we should ask ourselves is whether the bill can comply with the charter in its entirety.

[*English*]

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, I again want to applaud the remarks made by my colleague, who has done a tremendous amount of good work in this file and on this bill and who has critiqued it on its merits and looked at some of the issues and terms that have been presented with respect to the flaws in the bill.

I do have a question for my colleague with respect to this bill. Was any official complaint launched? Was there any incident that prompted this bill to be introduced in the House? Why does this bill specifically target, it seems, one community? There could be other examples and other precedents regarding visual identification that need to be addressed. Specifically, and again, why does he believe the government is targeting one community? More importantly, is this a reflection of the government's ideology or a reflection of it not doing its homework?

Mr. Brian Murphy: Mr. Speaker, I am struck by the comments of the Minister of Transport. He also said when the bill was introduced on October 26, 2007, "While there was no apparent case of fraud in the recent Quebec byelections, it was widely reported that numerous individuals voted while purposely concealing their face".

Government Orders

The question I might have, and it is a question I am not answering but I am buttressing the argument of my friend through his question, what were these numerous instances of concealing the face and did they really cause people to question the credibility and integrity of the voting process?

It seems to me that we are all veterans of the political process, and that where there are abuses, complaints are made. No complaints were made in this case.

The minister said that it was widely reported. Was it reported in the Minister of Transport's living room? Was it reported in his local newspaper? Was it down at the pumpkin patch that he heard these things? Those are the questions that I would like answered, because the short answer to my friend's question is that there were no complaints. There is no major problem. Let Elections Canada do its job. Let us concentrate on the rural voters question first. Why was the rural voters address question not dealt with first? It shows that pumpkins are more important than rural Canada to the Conservative government.

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I am getting more and more frustrated.

In September there was a special meeting of the committee held here in Ottawa. All parties agreed that we needed to deal with the issue. All parties. That includes the Liberal members on that committee.

What I am hearing from the member today is that it does not matter what the parliamentarians had to say about it. The question he just answered was, who decided to bring this here and why was it an issue? It was the committee that decided it was an issue. It encouraged us to bring forward a bill. We have done it.

We would like to get the bill to committee for further discussion on any changes that are needed. I am not asking what the member's party is doing. Will the member support sending the bill to committee so that the committee can deal with the issues he has raised today?

• (1610)

Mr. Brian Murphy: Mr. Speaker, I am very sorry to be the cause of the member's frustration.

I would say to him that this is very bad legislation. I am not sure it can be cured by going to committee. I have looked at it. If it was amended, it might have so many holes in it, it might not be a bill. In legal terms, what that means is that amendments may be beyond the scope of the bill.

The point is that we will either have visual facial identification of every voter in this country who wants to vote, or we will have it for no voters. That is the issue. I do not know where or when that will be dealt with.

Bill C-31 has other issues. If a special committee is struck for the rural voters issue, I would be quite pleased to discuss that issue at committee because it can be saved. This bill does not reply to a problem.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, it gives me great pleasure to speak

about this bill, especially since I am going to change the presentation I had drafted in my head and answer a question my colleague from Ottawa—Vanier asked the Minister of Transport, Infrastructure and Communities.

The suggestion made by my colleague from Ottawa—Vanier to refer the bill to committee before second reading is excellent. In light of what has been said, I can say that that could improve this bill. As I said earlier to the Minister of Transport, Infrastructure and Communities, this bill, like any bill, can be improved. I also want to tell my colleague from Ottawa—Vanier that the relevant committee—because both members referred to the relevant committee—is the Standing Committee on Procedure and House Affairs, of which I am vice-chair.

That said, I would like to repeat that the Bloc Québécois will support the bill in principle, but that some parts will have to be changed. It is interesting to note that the bill provides for some exceptions. The issue had come up before, and this is an interesting point: the bill will allow people to keep their faces covered for medical reasons. These people could exercise their right to vote.

When I was a teenager, one of my friends had an operation. Beauty is important at that age. In fact, it is chief among our concerns. My friend had plastic surgery to pin back his ears, and his head was literally swathed in bandages. You could see only a few centimetres of skin on either side of his eyes. This would be ample reason for allowing this person to vote on presenting a medical certificate, of course. It goes without saying. However, we need to ask ourselves how often this situation arises in a general election or byelection.

In addition, Bill C-6 adds clauses that allow returning officers to appoint additional people at the polls and to delegate some of the responsibilities at the polls. In this way, the members of the election staff would have some flexibility to determine the circumstances under which a person would have to show his or her face. For example, a Muslim woman who so requested could uncover her face only in front of another woman.

We do not want to announce any amendments because we want to hear from the various stakeholders first. We will recall the controversy in late summer last year surrounding the decision by Chief Electoral Officer Marc Mayrand to allow the possibility for veiled electors to vote. The Standing Committee on Procedure and House Affairs heard testimony from Muslim women's groups from Quebec, such as *Présence musulmane Montréal*, but mostly from Ontario. Five or six of these groups were represented at the roundtable with us, at the committee. These women told us that they never asked to vote with their faces veiled. That is something they never requested. Like other women in Canada, these Muslim women are seeking gender equality, and rightly so.

Government Orders

The government bill, however, seeks to leave a degree of power or flexibility with the Chief Electoral Officer. Mr. Mayrand had such flexibility, and we have seen what he did with it. We do not want to leave such flexibility with him. The Bloc Québécois wants clear legislation requiring everyone to remove their veil upon arriving at the polling station. Now, he is given the power to make accommodations.

The Minister of Transport, Infrastructure and Communities has answered my question. I could have put the following question to him. How will this work in a polling division with three stations where the entire electoral staff is male?

• (1615)

How is this going to work? Will we stop the process if a woman shows up at the polling station and wants to vote—which is her legitimate right—but is veiled?

We have to find a way for her to unveil her face. We left that responsibility to the Chief Electoral Officer. How is it going to work? Will this be done in a polling booth, or in another location?

Let us take the example that I gave regarding polling divisions with two or three polling stations, as we find in rural communities. There may not be many in downtown Toronto, but in rural areas, in small communities of 230 people, such as Baie-Sainte-Catherine, in my riding, at the mouth of the Saguenay River, there are not going to be four polling divisions. If in this polling division that has only one polling station there are only men on duty, will we stop the voting process and swear in a special female returning officer? This is not feasible.

The Standing Committee on Procedure and House Affairs will hear witnesses who will reiterate the fact that Muslim women never requested that. I remind the House that Muslims account for 92% or 93% of the population in Morocco. This means there is a high probability that some women are veiled. It may not be all women, but again it is estimated that Muslims account for 92% or 93% of Morocco's population. These groups of Muslim women told us that this was never a problem.

In Morocco, when an election is held, there are two ballots. If my memory serves me right, elections were held on August 25 and on September 6. Elections were held at the end of August and in September, and there were no problems. Women uncovered their faces to vote.

By giving back this flexibility to the Chief Electoral Officer, the bill puts us back in almost the same dilemma. In any case, Mr. Mayrand will have the opportunity to come and tell us about it.

Again, the Bloc Québécois supports the bill in principle, because we feel that all voters, whether men or women, must be equal before the law.

In 2007, the House of Commons amended the Elections Act to enhance the requirements for proving the identity of voters. I do not intend to go over this at length, but there was indeed room for improvement. Before, two or three weeks in advance of voting day, the Chief Electoral Officer would send out a small card indicating the polling station and the polling division. This was sent out to every home.

As candidates in an election, there is a good chance we will see the electors at their home because we go door to door. I once went door to door in buildings with 64 dwellings. At the entrance, we could see the mail room with various store fliers and piles of elector cards. We saw 30 or 40 cards scattered on the floor among the flyers. A dishonest person could have gathered those cards and handed them out. They could have been used as identification.

I want to acknowledge the good work all parliamentarians have done to correct this situation. We have improved the identification process. I was a member of the committee at the time. If my memory serves me correctly, on February 23, 2007, we examined the issue of elector identification. I must admit that at the time, we did not discuss the issue of uncovering one's face to vote.

• (1620)

I also admit that the situation arose in Quebec during the March 26, 2007, general election. In fact, the chief electoral officer of Quebec, Marcel Blanchet, used his authority to rule that everyone presenting themselves at a polling station must vote with their faces uncovered. Period. The chief electoral officer, Mr. Blanchet, reiterated this fact during the byelections held in the Quebec riding of Charlevoix, in my riding, where the leader of the Parti Québécois, Ms. Marois, was elected. In addition, we learned last week that the National Assembly tabled a bill that will be studied by a parliamentary committee.

The Bloc Québécois, as well as the other political parties, and in particular, the Minister of Transport, Infrastructure and Communities and some members, pointed out in their interventions that the principle of the bill was consensual. Yes, that is correct. However, that does not mean that if we are in favour of the principle of the bill that we are in favour of all the provisions contained therein. That does not mean that all the provisions of the bill are not good.

I mentioned the example of someone who could vote with their face covered for medical reasons. However, some aspects of the bill are problematic.

In anticipation of the three byelections held last September 17 in Quebec, the Chief Electoral Officer, Mr. Mayrand, could have used his discretionary power and ruled that everyone had to vote with their face uncovered. The elections act gives him this authority. Contrary to what he told us in committee—and I challenged him on this—he seemed to say that it was too complex and too broad an issue to use his discretionary power.

I reminded him that, in the January 2006 election, the Chief Electoral Officer had used his discretionary authority on more than 33 occasions. He used it to amend the law to facilitate the voting. Therefore, Mr. Mayrand could have done it. However, he decided not to and at that point, on behalf of the Bloc Québécois, I announced that we would introduce a bill when Parliament resumed.

I do not want to get into a discussion of the type “my dad is stronger than yours” or “whose idea was it?” However, one thing is certain—before the introduction of Bill C-6, which we are discussing, after Parliament resumed, the Bloc Québécois had kept its promise. I proudly introduced, on behalf of my party, Bill C-465, to clarify the situation.

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I agree that my bill left out the medical issue, but like all bills, it could have been improved. That being said, the bill introduced by the Bloc was clear: all individuals must show their faces to vote.

On behalf of my party, I even requested unanimous consent for this bill to be passed at all stages and referred to the Senate. The reality of a minority government is that an election can happen at the drop of a hat. This situation must be clarified, especially considering that Mr. Mayrand has refused to use the discretionary power available to him by law. Let us hope that there will not be an election next week, because we will find ourselves in exactly the same situation.

Unfortunately, for partisan reasons, the Conservative government refused to speed things up for the bill. The Conservatives introduced their own bill. As I said, I do not want to talk about whose idea it was in the first place. That is not the issue, but the truth is that before this bill was introduced, the government could have fast-tracked the Bloc Québécois' bill. However, the government chose to exhibit partisanship and pettiness by rejecting the Bloc's bill.

• (1625)

As I said, this bill would open the door to a breach of gender equality. The first five clauses of the bill were included to enable returning officers and poll clerks to delegate their authority to another individual. That means that there would be another person authorized to perform the duties normally required of returning officers and poll clerks as custodians of the ballot box and designated officials responsible for verifying the identity of voters.

Even the Secretary of State responsible for Multiculturalism and Canadian Identity confirmed that these measures were included to accommodate certain cultural groups. On October 30, 2007, *Le Devoir* published an article in which the secretary of state said, "I think that the bill is well written... It strikes a balance between Parliament's desire to verify the identity of individuals and the need to remain flexible to accommodate cultural needs."

That is not what Muslims, particularly Muslim women, are asking for. They want to be treated equally. They do not want to be treated differently from other voters. That is what the government is failing to understand.

When he was invited to explain the provisions of the bill, the Minister of Transport, Infrastructure and Communities told us that he wanted to leave some things to the discretion of the Chief Electoral Officer. We are right back to square one, the original reason this bill is before us. The Chief Electoral Officer is misusing his discretion, and refuses to take responsibility and issue an order.

The Bloc Québécois said that with the agreement of all the parties, we would propose a clear bill. However, the Minister of Transport, Infrastructure and Communities wants to allow more room for discretion. So the government is sending the problem back to the Chief Electoral Officer.

I would like to remind the House that in a *La Presse* article, dated October 30, 2007, the Chief Electoral Officer said that he did not intend to take sides in societal debates. What does it mean to take sides in societal debates?

In conclusion, I would like to say that this is completely unacceptable. All civil servants working in elections, whether they are deputy returning officers or poll clerks, deserve the same respect, regardless of their sex. Election workers, whether they are male or female, must be able to carry out the same tasks without being discriminated against based on their sex.

To get around the requirement I mentioned earlier, at a polling station where there are only men, the Chief Electoral Officer could require that there be one woman at each table in each polling division, to allow female voters to uncover their face only in front of a woman. This would encourage discrimination, setting us back years, and it is not our intention to encourage such behaviour.

• (1630)

[English]

The Acting Speaker (Mr. Andrew Scheer): Before moving on to questions and comments, it is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Notre-Dame-de-Grâce—Lachine, Access to Information; the hon. member for Bonavista—Gander—Grand Falls—Windsor, Fisheries and Oceans.

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, normally I rise and say it is an honour and pleasure to speak to a bill. Sad to say, it is not in this case and I will explain briefly why that is and then get into the essence of the bill.

The reason that I have problems with this bill is because of the politics behind the bill. What we see here is a bill, whether or not it is the intent of the government or for that matter members of the Bloc, that targets a specific group, that is certainly how it feels to a lot of people.

We have heard that from people most recently at the procedure and House affairs committee. I know that the government has referenced the committee hearings as having heard from members of the Muslim community. The fact that we are focusing on this issue, notwithstanding the government's premise that this is to deal with integrity in voting, is to deal with how people feel because they feel as if they are being targeted and I can understand why.

It is important to understand how we got here. The House should recall that this is really a band-aid for a problem that existed with Bill C-31 which is now legislation. At the time, our party voted against it. We tried to fix the bill at committee. Sadly it did not get the support of other parties.

However, let us go over the tenets of Bill C-31. The tenets of Bill C-31 came out of a committee report which I think was part of the Conservative Party playbook. It was to take a committee report, cherry-pick it, and bring forward legislation, swiftly I might add and not very well written, so that the Conservatives can get their agenda put forward using the committee as cover.

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I invite anyone to read the debate on Bill C-31 at procedure and House affairs committee. This was a wide-ranging report by the committee, cherry-picked with a response for the government very quickly, and a bill following within a week or two to repair a problem. The best way to put this is that this was a solution looking for a problem and that is what has happened with Bill C-31.

I mentioned many times when speaking on Bill C-31 that there was a problem with privacy. We had the problem with birthdates being put on the voters lists which would be in the hands of DROs across the land. Think of 308 ridings with hundreds of polling stations with the birthdate information of voters. However, to make matters worse, we had an amendment at committee by the Bloc and the Liberals to have that information shared with all political parties, if one can imagine that.

This was at a time when I was asking for the committee to hear from the Privacy Commissioner because I thought this was obviously an issue of privacy that we should hear from her on this. At the committee stage, I voted against this strongly. There was support at the time by the government, but when it went to the House Conservatives lost their courage, supported the other parties, and the amendment to have birthdate information included in the bill was voted and supported by all parties except for ours.

It is interesting to note that during the debates on Bill C-31 I said many times we needed to hear from more witnesses. I asked that the Privacy Commissioner come before committee. I believed it was incredibly important that we hear from the Privacy Commissioner on the issue of birthdate information being shared. The premise of course was that Elections Canada would have the date and year of birth of everyday people, and that somehow this would be a measure to ensure that the voter who was presenting himself or herself was in fact that person.

• (1635)

The problem with that premise was the verification number in the bill for citizens to provide photo ID. If they do not have photo ID, they need other ID that is acceptable. If they do not have that, they have to swear an oath, et cetera. This says that the government, through the bill, does not trust Canadians. We have to ask ourselves, what is the premise of the bill?

If we believe the government, the premise of the bill was the possibility of voter fraud, and I underline possibility. I asked the Chief Electoral Officer at committee whether there was rampant voter fraud. There were four cases in the last three elections that might have potentially been voter fraud and these cases were being looked into.

I said at that time, and I want to submit here, that there were more problems with candidate fraud than voter fraud. Candidate fraud is when a candidate presents himself in an election as being with the Liberal Party and then after that election, transforms himself into a Conservative. We have seen floor crossings. We have seen candidate fraud. This is of more concern to my constituents than so-called voter fraud.

What we have here is a false premise. The government got itself into this muck based on a bill that we did not need. We had the problems around privacy with respect to birth date information. We

heard testimony at committee from those who advocated for the homeless, for first nations and aboriginal people and for students. They asked us not to let the bill go through without amending it so the people they represented would not be disenfranchised.

Unfortunately, the government and some of the opposition did not support amendments that would have allowed people to have a statutory declaration swearing who they were and then be able to vote. I believe that would have been the sensible way to go. It would have been good public policy, but that did not happen.

The bill went through and now we have the problem with birth date information. It was dealt with somewhat at the other place. We now have the potential problem of people not presenting themselves in a way the government believes is proper comportment.

We of course have a problem with voters' lists. My friend from the Bloc said that voter registration cards were ubiquitous and all over the place. A proposal was made at committee, which would have employed the incredible new technology called an envelope. A voter card would be put in an addressed envelope and sent to the voter. If it was not taken by the household to which it was addressed, it would be returned to sender. I believe this is done now in Ontario. This should have been done first before we started tinkering with people's privacy and the likes of Bill C-31.

We see a huge concern with respect to folks in rural Canada and the voters' list. We proposed universal enumeration for universal suffrage. People would go door to door to ensure the accuracy of the voters' list. We all have encountered problems with centralized voters' lists. It requires an overhaul. It requires having men and women doing door to door enumeration so we can have a more accurate voters' list.

The envelopes and the enumeration should have been done first before we got into the likes of Bill C-31. I am sure members sitting around the cabinet table are asking themselves why in heaven's name they got involved in this. It probably seemed like a good idea at the time because they felt they could crack down on voter fraud. It is like cracking down on some other issues that the government likes to talk about, but in the end perhaps creates more problems.

• (1640)

On the bill itself, I think we have to look to the most recent committee testimony when we met in September. I was there. I have listened carefully to the Bloc talk about Morocco. The member was actually referencing my comments. I had just returned from Morocco and witnessed the elections there.

For the record, I want to clear up what he is interpreting happened in Morocco. He was quite right that the Moroccans do not have a problem. He should also know that laws such as this are not required. It is simple common sense. When women present themselves, they are able to vote. In a respectful manner they are asked to visually identify and then they are given ballots. I witnessed that. I believe it is something from which we can learn. He was wrong to interpret this and say that there was a law in place and that there was legislative oversight.

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We do have to be careful that when we deal with legislation, it does not have unintended consequences. I have already outlined some of the unintended consequences, or hopefully they are unintended, that Bill C-31 presents. However, what we have to look at is does this legislation target a specific group and do we believe it is charter proof?

What I mean by that, and it was already mentioned by a member from the Liberal Party, is this. The first question we need to ask is, does this comply with the charter? This is incredibly important. I said this at committee regarding Bill C-31. I believe it will be struck down for reasons that I have mentioned about the homeless, aboriginal people and students being able to vote. I think it is being challenged as we speak. Presently the way this legislation is written, I believe there could be a charter challenge. We first need to ask if the bill will be charter proof.

We have agreed that electors under the Canada Elections Act should require voters to be identified. However, we will not give a blank cheque to the government to pass laws such as this that seemingly, maybe for unintended reasons, will target a group and will be challenged under the charter. That is very important.

I also need to underline the role of the Chief Electoral Officer. I was at the committee when the Chief Electoral Officer made his argument. He said that the way the legislation was written at the time he could not do what he was being asked to do, notwithstanding the motion. I was there and we all supported it that motion.

At that time, I said we could support the motion, but, and I said very this very clearly, it had absolutely no efficacy. It meant absolutely nothing. However, I said that if it made people feel like they were actually achieving something, good for them. It was clear at the end of the day that the Chief Electoral Officer would interpret the legislation the way he did, and that a committee would not tell an officer of Parliament how to direct himself. He had done his homework, but we had not done ours, and that is the problem with Bill C-31. The bill we have in front of us is an attempt to clean that up.

I underline the fact that the Chief Electoral Officer was doing his job. We need to do our job better. That means we have to be much more diligent, especially when we are changing the Canada Elections Act. In fact, it is the same for any legislation.

If we think about it, the foundation of our democracy is allowing people their franchise. What seems to be happening is we seem to be going backwards. As opposed to opening up ways for people to vote, we seem to be putting up barriers. As I said, maybe they are unintended, but the end result seems that we are putting up more barriers rather than opening up pathways.

At committee, the Chief Electoral Officer said:

I also wish to remind you that last Monday, I asked election officials to invite anyone whose face is concealed to uncover it in a manner that is respectful of their beliefs. If they decline to do so, voters must take an oath as to their qualification as an elector in order to be eligible to vote. However, I have not amended the Act to require them to uncover their face. Again, the choice continues to be up to the individual.

• (1645)

It was very clear how the Chief Electoral Officer interpreted the legislation.

We have in front of us now legislation that essentially tries to make up for the fact that we created a problem. We did not create a solution. As I said before, it is a solution looking for a problem.

If we look at the bill and how it is outlined right now, it requires a lot of oversight, but the most substantive thing it requires is actual consultation. In my questions to the Minister of Transport, Infrastructure and Communities I asked what kind of consultation had happened since we were in front of the procedure and House affairs committee in September and to the writing of legislation. He assured me there was a lot of consultation.

Last week I spent time consulting with Canadians who are affected and concerned by the bill. They are deeply concerned about the direction and the perception they have of the bill separating and targeting people.

I will share my question to the Chief Electoral Officer at committee when we met in September on this issue. The meeting was to be about election financing and it turned into a meeting about this issue.

When I asked Mr. Mayrand if he knew of any cases of voter fraud when women wore veils, he answered none, zero in the history of our country. I also asked members of the Muslim community at committee if they had any issues about complying with what Mr. Mayrand had already indicated, and that was when people presented themselves, they would be asked to give visual identification. None of them said that there was a problem.

I consulted people from the community last week. I asked them if there had been a problem of having to present themselves and give visual identification. Again, there was no problem.

Therefore, we have to ask ourselves what is the problem. I go back to this. It is a solution looking for a problem. Bill C-31 was. This bill seems, maybe unintended, to be going down a path that is going to divide people and perhaps be a charter challenge. There might be a problem constitutionally.

We need to do what was not done before, and that is for the government, and for that matter Parliament, to do their homework and consult with Canadians before we write bills like this and while we are in the midst of debating bills.

The bill was rushed through quickly. That is how I began my comments and I will end them on this note. We must take the time to write legislation well and consult often. When we believe we have consulted enough, we should consult more.

Canadians want to not only be seen to be heard, but to actually be heard. Parliament dropped the ball on Bill C-31. We believed it was a bad bill. That is why we voted against it and tried to change it, sadly without the support of other parties.

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In this case, we need to ensure the ball is not dropped again by consulting widely. We need to ensure that voices are heard. Let us stop dividing people on an issue like the representation of people when they come to vote. Let us absolutely listen to the voices of the people who will be affected by this.

• (1650)

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, the member made some thoughtful remarks. I tend to agree with him that this is a solution looking for a problem. I must have been talking to the same people that he has been talking to, which are various Muslim groups. I have not talked to Elections Canada, but I thought I heard the minister say in his speech that there is no actual incident of this being a problem. So, we have before us a piece of legislation for which there is no evidence that there is a problem. That seems to be a strange use of Parliament's time and a reaction to a perception rather than a reaction to a reality.

I am very curious that something like this would be almost effectively a very large tempest in a very small teapot. I wonder whether the hon. member is as concerned as I am. If in fact identity is an issue when one is proposing to vote, is he equally concerned or not concerned at all with respect to those who mail in their votes? There is no identity issue at all with mailed in votes. People can simply mail in their votes. As I understand it, in every election literally thousands of votes are mailed in. So, it is not an issue of veils, it is not even an issue of seven veils, and it is not even a dance of the seven veils, it is merely mailing in a vote.

I would be interested to know first, whether the hon. member thinks that that is an issue that needs to be looked into and if it does, is it on a greater scale of concern than this particular bill. Second, has he or his party done any analysis as to whether this is in fact charter compliant?

I would have liked to ask the minister whether he is prepared to table, or has tabled, the charter analysis by the Department of Justice to show that—

The Acting Speaker (Mr. Andrew Scheer): I will have to cut off the hon. member for Scarborough—Guildwood in order to give the hon. member for Ottawa Centre a chance to respond.

Mr. Paul Dewar: Mr. Speaker, I have been clear about the whole bill. I am sad to say that the Liberal Party supported Bill C-31 at the beginning and I did not quite understand that, but it is never too late to show one's opposition.

If we look at how we got here, it was a solution looking for a problem from the very beginning. If we are making laws, they should be evidence based. As I said, there were more problems with candidate fraud than voter fraud. Instead of bringing in a law like this one, we should have had a law on floor crossing and people switching parties. That is more important to everyday people than this bill is, which has turned into a Frankenstein that the government is trying to put to rest and is having problems with it.

On the issue itself, I think that this is the government's latest attempt, and it has other bills coming forward on rural voting gone amok.

With regard to the charter, I mentioned that in my comments. If we looked at section 15, we might have some problems with the

charter. I am hoping the government did its homework on that this time, but I guess it will be our job to hold the government to account, and quite frankly, that is what people pay us to do. That is what I will be doing.

[*Translation*]

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, my question is for the member who just spoke and concerns his remarks.

I have heard him more than once describe this bill as a solution looking for a problem. This makes me seriously wonder about the member's perception. While the problem may not have been experienced extensively across Canada, I can say that there is a serious problem in Quebec in connection with this issue. The bill before us seeks to remedy this real problem experienced by people in Quebec.

My hon. colleague was concerned about this bill possibly targeting specific groups. I would ask him if the question is not whether the bill targets specific practices rather than groups, which practices are contrary to the principle of voter equality before the law. I would like to hear him on that.

• (1655)

[*English*]

Mr. Paul Dewar: Mr. Speaker, I would like to clarify. I believe this is a solution looking for a problem. When we look at Bill C-31 and go back in time to see how many instances there were of concerns around voter fraud, what was the evidence? It was minuscule. Would my friend be able to say to his constituents with a straight face that we came up with this great law, Bill C-31, because we had this horrible, huge problem we had to deal with?

We should look at all the other problems we have before us. As I have said many times, why do we not deal with enumeration? We should make sure that we have universal enumeration, clean up the voters list, get envelopes for those voter cards that the member's colleague was so concerned about, and do some common sense things.

When I talk to people, they ask why for goodness' sake are we debating these kinds of bills and not cleaning up the voters list and not ensuring that we have a proper registry. That is what they want to see.

I have to say on the issue of target, I am not saying that is what we are doing. I am saying that is how people feel, after consulting them. We need to do more of that. I say consult and consult, and after we have done that, consult a bit more, because this is too—

The Acting Speaker (Mr. Andrew Scheer): I will stop the hon. member there. I think we have time for two more questions and comments if members are mindful of the clock. First, the hon. member for Windsor West.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I will be brief. My colleague has done a good job on this bill and other types of work in the House.

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One thing he has not mentioned is that the Conservative government actually put an unelected person in the Senate, the Minister of Public Works, Mr. Fortier. I would like the hon. member to comment on that. That is one of the things we need to straighten up with regard to democratic reform.

Mr. Paul Dewar: Mr. Speaker, when I talk to people who are concerned about democratic reform, the first issue that comes to mind is not this issue. This is an issue that has been injected into the body politic. The issue that people are worried about is accountability, which is what the government dined out on for quite a long time.

I am wondering why the government is putting people from the backroom into the Senate and then into cabinet. That is what is on people's minds.

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, my question for the member for Ottawa Centre is the same question I had asked of the Minister of Transport. Although I had not asked the question of the Bloc members, we did get an answer from them. It relates to how we are going to deal with the bill.

My question was, is the government prepared to refer the bill to committee before second reading? That is an established practice that enables the House to deal with difficult and complex issues without committing to a certain principle. It also gives the committee latitude in terms of hearing witnesses and perhaps gauging the situation and offering solutions to a problem, whether it is real or not.

My question for the member for Ottawa Centre is, would his party support referral of the bill to committee before second reading?

Mr. Paul Dewar: Mr. Speaker, anything that could improve a flawed bill, going back to Bill C-31 and this band-aid that we have, would be welcome. Any idea that could further consultations and recommendations for improvement would be welcome.

I would simply point out that we go to our respective caucuses to talk about processes like this. I will certainly not stand here and tell the member exactly how we will go forward on that. However, it is an idea and it is not a bad idea. I will leave it to our respective parties to look at that idea and to moving it forward.

• (1700)

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I should ask a rhetorical question here, but the first question is, where is the bill coming from? That is important to establish in order to help us answer some of the questions that will come up as we look into this bill.

The bill is not coming from Elections Canada. I have had the pleasure of a briefing from officials at Elections Canada, at my request, and it is quite clear that this bill emanates from the body politic, the government, and not from Elections Canada. That, I believe, is significant in the sense that the government therefore must answer the question that has already been put by my colleague as to whether or not this meets the charter test, whether the government has sought and obtained assurances that the proposed legislation in Bill C-6 does indeed meet the test of the charter. I believe that we might be surprised with that down the road, should Parliament

decide to go much further with this legislation, because I am not convinced that it does meet the charter test.

I was also hoping to garner enough support in the House from members where there is goodwill to try to refer this bill to committee before second reading and therefore give ourselves more latitude in looking at the situation.

The representative of the Bloc Québécois who spoke said that his party would certainly consider that favourably. The member for Ottawa Centre indicated he thought the idea had merit and he would seek some direction from his own caucus.

I was hoping that if indeed the three opposition parties are in agreement here, the government would take that into consideration and would allow this bill to proceed to committee before second reading and therefore give our members who are representing each party there more latitude in dealing with a very difficult, complex and delicate situation.

I want to review how it is that Canadians can vote. There are different ways.

First, of course, they can show up at a polling station, and while at the polling station there are three different ways that Canadians can signify who they are and obtain a ballot.

The first way, as we mentioned, is by providing some sort of photo ID issued by government, one of which is a driver's licence. Another could be a passport. Another could be, in some jurisdictions, a health card. However, let it be known that 20% of Canadians do not have a driver's licence and do not necessarily have photo ID with them. Therefore, in its wisdom, Parliament, when it enacted this act in the past, recognized we had to have some flexibility for other ways of self-identification, because facial identification is not accessible to everyone.

The second way that any Canadian who is on the list of electors can use to obtain a ballot and vote is by providing non-photo ID that recognizes who they are and where they live. There is, I believe, a list of 50 or so such possibilities that they can use to identify themselves, not visually, not facially, not with a photo ID, but identify who they are and obtain a ballot.

The third way is go to the polling station, swear a note and be vouched for by another registered elector. All the person needs to provide is his or her name, address and signature. Again the person does not need to provide any photo ID.

There is a fourth way people can vote, which is really broken down into two. Both are called special ballots.

One of those two other ways is a mail-in ballot. At the start of or during a campaign, electors can ask that their ballots be sent to them and they can mail them in. It is usually people from overseas who will do that, but I have known citizens in the riding of Ottawa—Vanier who have exercised their right to vote by mail-in ballot. In those circumstances, they do not need to provide photo ID as well.

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• (1705)

The other way is to obtain a special ballot from the returning officer of the riding. People do not even have to show up in person. Someone else can go to the returning officer's office up to six days before the actual polling day, obtain a ballot and go back to the person for whom they are doing that. The person, however, must sign and put the ballot in the sealed envelope and then return it by a specified time.

Essentially, we have created an environment where Canadians have five ways of voting and that is done to ensure Canadians can vote. Of those five ways, only one requires facial identification. The other four do not. That is how it is now and that is how it would remain should Bill C-6 be adopted. It is important that we take that into consideration.

Then we get into what Bill C-6 really does and we heard what it does tonight. It basically forces one very small, narrow category of Canadian citizens to unveil themselves should they be veiled for religious reasons.

Here is where I have a real problem. We have a situation where a Muslim woman, who has decided for religious reasons to wear a veil, goes into a polling station on election day, is forced to remove her veil and yet is not forced to facially identify. She can present two pieces of identification that recognize her name and her address or swear an oath and will not need to present photo ID.

What are we doing here? When my colleague from Ottawa Centre says that we have a solution looking for a problem, I would perhaps add a word to that. It is perhaps a non-solution looking for a problem because we are not changing anything here. However, we are going to force Muslim women to unveil themselves without having them photo identified. What is the point? That is a question that deserves an answer.

I do not have a problem with demanding that Muslim women identify visually. We do so as we do for every Canadian. If we want a passport we must have our picture taken and it must be in our passport. I do not have a problem with that and I do not think Canadians have a problem with that.

If we want a driver's licence, I believe in all jurisdictions in this country, we must have a photo. I know in Ontario we must have a photo if we want a driver's licence, and an unveiled photo if one happens to be a Muslim woman. I do not have a problem with that.

If we want to board a plane in this country we must provide photo ID, unveiled, and we must prove who we are as well. I do not have difficulty with that and I do not think anyone has. It is the same thing for the citizenship card. People must have a photo on it and Muslim women must be unveiled. I do not think anyone has difficulty with that because it is a universal application.

We have a situation here where we have said to all Canadians that they have five different ways of voting but for Muslim women we will be adding a special condition: they must remove their veil. At the same time, we are telling them that they do not need to provide facial proof of who they are. What is the point? That brings us to the questions of charter compliance. We heard comments about that earlier today.

[*Translation*]

We have had discussions concerning individual rights versus collective rights, and concerning freedom of religion and religious rights in relation to the fundamental right to vote. That is certainly the kind of debate that should take place in a House of Commons or Parliament. I am very interested in this question, and so are most of my hon. colleagues.

However, if the government were to ask me to express my opinion beforehand, without even knowing whether the bill before us meets the requirements of the Charter of Rights and Freedoms, if the government were to ask me to state my position before I even had some answers to some of these questions, in my opinion, the government is going too far, too fast.

This bill involves potential fundamental conflicts between freedom of religion and the right to vote. This must be reconciled and it is up to Parliament to do so. Perhaps we will not be able to do so in this House. Furthermore, I find it rather ironic that, earlier, my hon. colleague from Ottawa Centre, who advocates abolishing the Senate, referred to that very chamber, in order to correct what he saw as a flaw in another bill, that is, Bill C-31, regarding the Canada Elections Act. We could very easily find ourselves in the same situation again.

I find it even more ironic that his party advocates abolishing the house that could in fact help us resolve this matter, if the government does not seem inclined to act appropriately, transparently and respectfully.

• (1710)

[*English*]

I want to use a very personal event. I was not sure I should but I will. I am thinking that what we are confronted with is very similar to an event, which the House may recall, that I was confronted with. In Ottawa at one point we had the merger of hospitals. The board, in its wisdom, hired someone who it believed to be the most competent person to help it navigate through the merger of a number of hospitals.

The board hired a gentleman who had essentially shepherded hospitals in the Montreal area in the same kind of environment, which is very difficult. People are suffering through a great deal of uncertainty. There are all kinds of questions. There may be people who fear for their jobs. Therefore, it is a tense environment to start with.

This gentleman happened to be David Levine who had been in the past a Parti Québécois candidate in the riding of D'Arcy McGee. He garnered, I gather, a very low number of votes, but that is neither here nor there.

However, we were confronted with a situation where a gentleman who had been hired was being threatened of being fired for political beliefs although he had accepted squarely to leave whatever political beliefs he held at the door. They were not germane to the job he was hired to do. It was a very heated debate in our community, so much so that the board thought it should hold a special meeting and it did. It chose the biggest hall it had at the hospital and still people spilled over to the street.

Government Orders

I chose to go and speak. Some of my friends told me that I was nuts and that I would be confronted. It was a bit mobbish but I felt it was important that the principle in this country that we do not hire and fire people based on their political beliefs if they leave those beliefs at the door. If we are hiring people for their competence and for their capacity, that is what they should be judged on, not because they may have run for a political party that we do not agree with.

I certainly have never shared the views of the Parti Québécois in terms of its basic tenet or the Bloc for that matter, but we cannot fire people. That was the slipperiest slope we could get on.

I have the feeling that the bill that is before us has such elements because of a rather volatile reaction to Mr. Myrand's decision to apply the law as he chose to. In the rush to condemn or criticize, perhaps some people have forgotten but what is at play here is the fundamental right of freedom of religion and the fundamental right of freedom to vote and people should be treated the same.

I know people tell me that all they are asking for is that all people who come to vote unveil themselves if they happen to wear a veil.

That is not quite true. One can vote by correspondence, vote by mail where one does not ever have to identify oneself visually. It is not quite true because one can vote by special ballot where someone else gets the ballot for the person and brings it back to the returning officer's office, so one ever needs to visually identify.

It is not quite true because right now someone else could show up and not have to prove who they are with visual identification, even the Muslim women whose veils we have forced them to remove because there are two other provisions that allow people to vote in this country without facial identification.

Do we want to go to that? Perhaps the country needs to look at that. I, too, have observed elections. I was in the Congo.

• (1715)

[*Translation*]

Last summer, I was in the Democratic Republic of the Congo, where I noticed that something that contributed to the legitimate success of the electoral process was the voter's photo ID card. Everyone had one, so it was easy. Voters also had to dip their thumb in indelible ink. There were mechanisms to make sure the vote was legitimate, that people voted only once and that the person who was voting was the person on the voter's list. Do we want to move toward that sort of system? Perhaps. In my opinion, there is some merit to it.

However, we have to recognize that today, in Canada, we do not have a universal photo ID card. Moreover, 20% of Canadians do not have a driver's licence, and an even larger percentage do not have a passport.

Two jurisdictions have a photo on their health cards. The process is still under way in Ontario, but in some provinces, people do not have their photo on their health card. In addition, they do not have their address on their citizenship card or their photo on their social insurance card. Canadians therefore have no photo ID card they can use to exercise their right to vote. That is why voters are not required to visually identify themselves by showing a photo of their face.

Why require people to uncover their face when they are not required to identify themselves in this way? It is strikingly incongruous. We are entitled to ask what is behind this bill.

What motivates a government—because the bill comes from the government and not Elections Canada—to target a group and tell the members of that group that the government no longer believes in their right to religious freedom and is requiring women to uncover their faces?

The government can impose that requirement. I comply with that requirement for passports, for boarding planes and the like. However, there is an inconsistency. When we take a plane, we have to prove our identity. If we do not, we do not board. If we want a passport, we have to identify ourselves with our face uncovered or we do not get a passport. As far as voting is concerned, we are forcing these women to show their faces, but visual identification is not required. This does not make sense. This is totally illogical. We are not being consistent.

I hope we will take a serious look at this bill because it was thrust into the heat of a possibly non-existent crisis. As the hon. member for Ottawa Centre said, it is a solution looking for a problem; in my opinion, it is a non-solution looking for a non-problem.

As legislators of a country like Canada, which espouses human rights and has a Charter of Rights and Freedoms, we have to be consistent and respect our social foundations, which are the envy of the entire world.

If we are inconsistent we will destroy those foundations and those rights. We must be very, very careful because the bill before us is inconsistent with those rights, it is inconsistent with the purpose of the Canada Elections Act. There is a lot to think about.

I may have used up all my time, but it was important to raise these arguments and questions. I know that I am not the only one who has these questions. We have seen these questions raised in the media. Good for them. We have seen that concerns have been raised within the targeted group. I think we need to pay attention to those concerns.

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, I listened carefully to the member who told us that Canada, for one, does not have photo ID. It would be a basic document that could serve as identification. I would like him to explain something to me.

I know that, in Quebec, the photo on a driver's licence is mandatory, although it is not a universal measure. Nevertheless, there is a photo on the health card and it is used to identify individuals. In my opinion, individuals with a health card should have the right to vote. Every individual who is entitled to vote should have a health card. If you do not have a health card, you would not have the right to vote.

Government Orders

• (1720)

Hon. Mauril Bélanger: Mr. Speaker, what I said, and I stand by it, is that there is no universal card in Canada. Yes, I know that Quebec has photo health cards, as does Ontario, but not everyone does, because adding a photo is a relatively recent phenomenon. In Canada, some provinces do not have photo health cards, so health cards are not a universal solution for the country.

Driver's licences are similar. In any event, as far as I know, only 80% of the population has a driver's licence. It is the same thing with all the other official photos found on ID cards or passports. There is no photo ID for all Canadians who have the right to vote. It would have to be created. I am not saying that it is something we should not consider. I am saying it is something we could consider. However, that is not the purpose of the bill before us.

[*English*]

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, the member gave what I thought was a very useful speech. I learned a few things that I did not know about identity.

I have a question for the member. It is not likely in the very near future that I will become a Muslim woman, veiled or otherwise, but if I understood the member's speech properly, if I were to walk into a polling station wearing a cowboy mask or something of that nature, I could still vote. I could be "accommodated" if I insisted on not removing any kind of facial mask which would somehow or other prevent visual identification.

Hon. Mauril Bélanger: Mr. Speaker, if that were the choice on the directive given by the Chief Electoral Officer, I suppose the member is right. Therein lies the problem. This is very serious. That is why I am not prepared to dismiss out of hand some of the concerns that have led to this.

Indeed, what if we followed what some people did in some of the last byelections in Quebec, in jest or as a lark or to prove a point, by arriving with Halloween masks and so forth? Someone apparently arrived with a pumpkin, but I do not know about that. We cannot dismiss this out of hand.

I would hope that Canadians would understand. We have just celebrated Remembrance Day throughout Canada. We underline Remembrance Day. People have died to protect our right to democracy and the right to vote, so we cannot make a jest of the right to vote. I would discourage anyone from doing so. I suspect the Chief Electoral Officer might have in his discretion the ability to prevent that.

It is not a red herring in the sense that it has just flared up now as a reaction to this. I think we need to address these matters very seriously. If we were to choose to go to the polls with paper bags over our heads, we would start having problems. The problem that we are trying to solve now is non-existent. It is not a difficulty.

I have to repeat myself. If the bill is adopted, we are going to be forcing a small group of Canadians to not respect their own religious belief, if that is why they are wearing a veil. At the same time, we are not going to ask them to identify themselves visually because they could do so in any other way. It is incongruous. There is a huge gap in logic in the bill and I think it is problematic.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, we are all interested in maintaining the integrity and credibility of the voting process. Those were the minister's words when he introduced the bill. He talked about widely reported cases of people voting while purposely concealing their faces but no apparent cases of fraud. Where is the line between fraud and concealing one's face?

Second, is the real gap not in Bill C-31 not addressing the concomitant result of requiring, in the first instance, a photo ID? In other words, the first option was photo ID, but there was nothing in the legislation that says what someone is supposed to do with that photo ID, unless my friend could enlighten us. It just sort of said implicitly that the photo ID would be compared to the person standing in front of them.

Finally, and very briefly, are we therefore, by the wedge of this bill, leading to a system where photo ID will be the norm even though many people in Canada do not have photo ID?

• (1725)

Hon. Mauril Bélanger: Mr. Speaker, it is a complex question, because if we are indeed headed down the path of requiring all Canadians to visually identify facially, then everyone will need to have photo ID. Since that does not exist on a universal basis, we have to create it. I suspect that it is doable, but at a substantive cost. There are questions any government would have to ask itself. Is it required? Is it necessary? What problem are we trying to solve? Is there a problem of fraud?

I do not know if there is a problem of fraud. We keep being told that there is not and that we have always approached the electoral process on a trust basis. First of all, we trust electors to register. If they are not registered, we trust them to make sure they get registered and are on the list. We trust that once they are on the list they will self-identify, not necessarily doing it visually with photo ID but with an address and so forth.

At times there may have been some loopholes or some perception that progressively there was some abuse, so we tightened it up here and there. We tightened up one thing in Bill C-31, in that there was a belief that on election day in certain ridings, for instance, the number of people registering totally from scratch to be on the electors list and thus vote was growing by leaps and bounds. I have heard that in some ridings as many as 10,000 people registered to vote on election day, through the third method that I have highlighted. So then Parliament tightened it up a bit by saying that an individual can vouch for only one other person, not a whole slew of individuals.

Business of Supply

Therefore, if there is a perception that there is some abuse or slippage, yes, Parliament can tighten it and so forth. In this instance, and it has been highlighted by a number of colleagues from all sides, there is no complaint. There was no report of attempted fraud or otherwise. So what is the problem we are trying to solve here? I do not know. I suspect it is in the perception and the perception that has been given to this. I think that whenever parliamentarians rely on perceptions when they are adjudicating rights, they should be very careful.

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, do I understand that there really are two fundamental rights engaged by this bill, the right to vote in section 3 of the charter, and freedom of religion under section 2(a) of the charter, and both of these rights can be protected and need not be in conflict, and this bill in effect forces a conflict that makes it unnecessary?

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Ottawa—Vanier should know that I will interrupt at 5:30.

Hon. Mauril Bélanger: Mr. Speaker, I wish I could have been as succinct as that in describing it, but essentially that is the crux of the matter in a nutshell. We are being asked to expedite this. I think that would be a tragedy. Let us be very careful. I hope the government side is listening.

Let us consider referring this to committee before second reading, where it can have a true debate. The committee can do its work, listen to all and then can present to the House, if there is a need, something that stands the test of the charter, the test of avoiding conflicts of rights, and the test of what Canada stands for.

* * *

[*Translation*]

BUSINESS OF SUPPLY

OPPOSITION MOTION—MANUFACTURING AND FORESTRY

The House resumed from November 13 consideration of the motion.

The Acting Speaker (Mr. Royal Galipeau): It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion of Ms. Brunelle relating to the business of supply.

Call in the members.

● (1755)

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

(*Division No. 8*)

YEAS

Members

Angus
Bachand
Bell (Vancouver Island North)
Bevington
Black
Bonsant
Brunelle
Carrier
Chow
Comartin
Crowder

Asselin
Barbot
Bellavance
Bigras
Blais
Bouchard
Cardin
Charlton
Christopherson
Crête
Cullen (Skeena—Bulkley Valley)

Davies
Demers
Dewar
Faille
Gagnon
Godin
Guay
Julian
Laforest
Layton
Lessard
Lussier
Marston
Martin (Sault Ste. Marie)
Mathysen
Ménard (Hochelaga)
Nadeau
Ouellet
Perron
Plamondon
Roy
Siksay
St-Hilaire
Thi Lac
Basques)
Vincent

DeBellefeuille
Deschamps
Duceppe
Freeman
Gaudet
Gravel
Guimond
Kotto
Lavallée
Lemay
Lévesque
Malo
Martin (Winnipeg Centre)
Masse
McDonough
Mulcair
Nash
Paquette
Picard
Priddy
Savoie
St-Cyr
Stoffer
Thibault (Rimouski-Neigette—Témiscouata—Les

Wasylycia-Leis— 72

NAYS

Members

Ablonczy
Allen
Ambrose
Anderson
Baird
Benoit
Bezan
Blaney
Breitkreuz
Brown (Barrie)
Calkins
Cannon (Pontiac)
Casey
Chong
Comuzzi
Davidson
Devolin
Dykstra
Fast
Fitzpatrick
Fletcher
Gallant
Goodyear
Grewal
Harper
Harvey
Hearn
Hill
Jean
Kenney (Calgary Southeast)
Komarnicki
Lake
Lebel
Lukowski
Lunney
MacKenzie
Mayes
Merrifield
Mills
Moore (Fundy Royal)
O'Connor
Pallister
Petit
Prentice
Rajotte
Richardson
Scheer
Shiple
Solberg
Stanton
Strahl
Thompson (New Brunswick Southwest)
Tilson

Albrecht
Allison
Anders
Arthur
Batters
Bernier
Blackburn
Boucher
Brown (Leeds—Grenville)
Bruinooeg
Cannan (Kelowna—Lake Country)
Carrie
Casson
Clement
Cummins
Del Mastro
Doyle
Epp
Finley
Flaherty
Galipeau
Goldring
Gourde
Hanger
Harris
Hawn
Hiebert
Jaffer
Kamp (Pitt Meadows—Maple Ridge—Mission)
Khan
Kramp (Prince Edward—Hastings)
Lauzon
Lemieux
Lunn
MacKay (Central Nova)
Manning
Menzies
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Norlock
Oda
Paradis
Poilievre
Preston
Reid
Ritz
Schellenberger
Smith
Sorenson
Storseth
Sweet
Thompson (Wild Rose)
Toews

Business of Supply

Trost
Van Kesteren
Vellacott
Wallace
Warkentin
Williams

Tweed
Van Loan
Verner
Warawa
Watson
Yelich— 118

PAIRED

Members

Abbott
Bourgeois
Hinton
Laframboise
Mark
Mourani

André
Day
Keddy (South Shore—St. Margaret's)
Lalonde
Ménard (Marc-Aurèle-Fortin)
Skelton— 12

The Speaker: I declare the motion lost.

* * *

[*English*]

WAYS AND MEANS

MOTION NO. 4

The House resumed consideration of the motion.

The Speaker: Pursuant to order made earlier this day, the House will now proceed to the taking of the deferred recorded division on motion No. 4 under ways and means.

● (1805)

[*Translation*]

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

*(Division No. 9)***YEAS**

Members

Ablonczy
Allen
Ambrose
Anderson
Asselin
Baird
Batters
Benoit
Bezan
Blackburn
Blaney
Bouchard
Breitkreuz
Brown (Barrie)
Brunelle
Cannan (Kelowna—Lake Country)
Cardin
Carrier
Chong
Comuzzi
Cummins
DeBellefeuille
Demers
Devolin
Duceppe
Epp
Fast
Fitzpatrick
Fletcher
Gagnon
Gallant
Goldring
Gourde
Grewal
Guimond

Albrecht
Allison
Anders
Arthur
Bachand
Barbot
Bellavance
Bernier
Bigras
Blais
Bonsant
Boucher
Brown (Leeds—Grenville)
Bruinooog
Calkins
Cannon (Pontiac)
Carrie
Casson
Clement
Crête
Davidson
Del Mastro
Deschamps
Doyle
Dykstra
Faille
Finley
Flaherty
Freeman
Galipeau
Gaudet
Goodyear
Gravel
Guay
Hanger

Harper
Harvey
Hearn
Hill
Jean
Kenney (Calgary Southeast)
Komarnicki
Kramp (Prince Edward—Hastings)
Lake
Lavallée
Lemay
Lessard
Lukiwski
Lunney
MacKay (Central Nova)
Malo
Mayes
Menzies
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Nadeau
O'Connor
Ouellet
Paquette
Perron
Picard
Poilievre
Preston
Reid
Ritz
Scheer
Shiple
Solberg
St-Cyr
Stanton
Strahl
Thi Lac
Basques)
Thompson (New Brunswick Southwest)
Tilson
Trost
Van Kesteren
Vellacott
Vincent
Warawa
Watson
Yelich— 161

Harris
Hawn
Hiebert
Jaffer
Kamp (Pitt Meadows—Maple Ridge—Mission)
Khan
Kotto
Laforest
Lauzon
Lebel
Lemieux
Lévesque
Lunn
Lussier
MacKenzie
Manning
Ménard (Hochelaga)
Merrifield
Mills
Norlock
Oda
Pallister
Paradis
Petit
Plamondon
Prentice
Rajotte
Richardson
Roy
Schellenberger
Smith
Sorenson
St-Hilaire
Storseth
Sweet
Thibault (Rimouski-Neigette—Témiscouata—Les
Thompson (Wild Rose)
Toews
Tweed
Van Loan
Verner
Wallace
Warkentin
Williams

NAYS

Members

Angus
Bains
Beaumont
Bell (Vancouver Island North)
Bevilacqua
Black
Brown (Oakville)
Charlton
Christopherson
Cotler
Cullen (Skeena—Bulkley Valley)
Dewar
Dhalla
Folco
Godin
Guarnieri
Hubbard
Julian
Keeper
Lee
Malhi
Marleau
Martin (Winnipeg Centre)
Masse
Matthews
McDonough
McGuire
McTeague
Mulcair
Murphy (Charlottetown)
Pacetti

Bagnell
Barnes
Bélanger
Bell (North Vancouver)
Bevington
Brisson
Byrne
Chow
Comartin
Crowder
Davies
Dhaliwal
Dryden
Godfrey
Goodale
Holland
Jennings
Karygiannis
Layton
MacAulay
Maloney
Marston
Martin (Sault Ste. Marie)
Mathysen
McCallum
McGuinly
McKay (Scarborough—Guildwood)
Minna
Murphy (Moncton—Riverview—Dieppe)
Nash
Patry

Private Members' Business

Priddy	Ratansi
Redman	Regan
Robillard	Rodriguez
Rota	Russell
Savage	Savoie
Scarpaleggia	Scott
Sgro	Siksay
Silva	Simms
St. Amand	St. Denis
Steckle	Stoffer
Szabo	Telegdi
Temelkovski	Thibault (West Nova)
Tonks	Turner
Wasylycia-Leis	Wilfert
Wrzesnewskyj	Zed — 92

PAIRED

Members

Abbott	André
Bourgeois	Day
Hinton	Keddy (South Shore—St. Margaret's)
Laframboise	Lalonde
Mark	Ménard (Marc-Aurèle-Fortin)
Mourani	Skelton — 12

The Speaker: I declare the motion carried.

[*English*]

It being 6:07 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

● (1810)

[*English*]

YOUTH CRIMINAL JUSTICE ACT

Mr. Mike Lake (Edmonton—Mill Woods—Beaumont, CPC) moved that Bill C-423, An Act to amend the Youth Criminal Justice Act (treatment for substance abuse), be read the second time and referred to a committee.

He said: Mr. Speaker, I am very pleased today to have the opportunity to discuss with my colleagues from all parties Bill C-423, An Act to amend the Youth Criminal Justice Act (treatment for substance abuse).

One of the quirks of the prorogation process is that private members' business reverts to the start of whichever stage it was at before prorogation. This offers me a unique opportunity to speak to my bill a second time at this reading and this time with the benefit of having heard each of the opposition parties speak to it as well.

Most of what I have to say today will be similar to my original comments in the House on June 5 of this year, but I will try to also take some time to respond to some of my opposition colleague's comments from that first hour of debate.

I was very encouraged to hear each of the opposition speakers express general support for the principle of the bill the first time around.

In drafting the bill, I made a specific effort to identify some common ground, a somewhat difficult endeavour given the increasingly partisan nature of this minority Parliament. Before I

go any further, I will summarize the bill for the benefit of those who may not have had the time to review it yet.

As the summary of the bill outlines, Bill C-423 would amend the Youth Criminal Justice Act to require that a police officer must, before starting judicial proceedings or taking any other measures under this act against a young person alleged to have committed an offence, consider whether it would be sufficient to refer the young person to an addiction specialist for assessment and, if warranted, treatment recommendations.

The second aspect of the proposed legislation is that if the young person enters into a treatment program as a result of such a referral and fails to complete the program, the outcome may be the start of judicial proceedings against that young person.

When I last spoke in the House about the bill, I began by trying to illustrate the scope of the problem. The cumulative societal cost of Canada's addictions problem is not only incredibly high, it is extremely complicated to determine. We are dealing with not only economic costs, but all types of subjective and incalculable personal and emotional costs that affect individuals, families and communities from coast to coast to coast.

During the previous debate, the justice critic from the Bloc, the member for Hochelaga, remembered examining in committee the cost of addictions to Canadian society. He said that economic studies showed that it could translate into \$16 billion in lost productivity for Canada's GNP because of the investments needed in police forces and the negative repercussions on society.

The costs are hard to calculate. There are more than simple economic costs. There are many other consequences, for example, early death, drug induced mental illness, domestic violence, family breakdown, poverty, increased crime rates and I could go on. It is a very complicated issue. One of the things that further complicates it is that most of the issues and costs are interrelated.

It is an issue which affects our quality of life as a nation. The total cost represents a major withdrawal every single day from Canada's greatness in human terms.

There is a compound effect. The Canadian addictions industry is a sophisticated machine. Most kids start using drugs before the age of 18 and entry level products ease their fears. There is a variety of drugs that kids can get into that do not seem that scary to them, so they experiment.

I will comment, as an aside, that when the NDP member for Vancouver East spoke last time, she talked about schools "where kids are told...If you smoke marijuana you're going to become a cocaine addict". She went on to say, "That is like saying that everybody who drives a car is going to kill somebody".

First, I have never heard anybody explain the problem that way or express it that way, the fact that if one smokes marijuana, one automatically will become a cocaine addict. I think most reasonable people would look at it and say that once one starts with something, one is more likely to move on to something stronger down the road.

As for the car analogy, a more appropriate car analogy would be that not everyone who drives drunk is going to kill someone, but we still have laws against driving while drunk. I think most people would think that those laws are reasonable.

Talking about the compound effect, once these kids enter into the world of drug use, once they start using drugs, they eventually move on to increased frequency or stronger substances. They share these substances with their friends and talk about their experiences with their friends. At this point, early in the process, there is still no apparent downside. Some kids are drawn deeper into the drug world. Their involvement gets more formalized. They join gangs. The benefits for them are they get money, they have esteem and power among other benefits.

Then there are other kids who may not be gang material, but they become customers for life. They are addicted to the highs, but they need more and more of the substances to achieve those same highs. They fall into a world of petty crime and the habit of committing small crimes to feed their addictions. It becomes a spiral, escalating drug use and crime.

• (1815)

I recently had the opportunity to visit an addictions recovery centre in Edmonton. It is called the Our House. It is an award winning program that helps men deal with significant addictions issues. They stay for one year and the results are phenomenal. They have 32 people in this home. They stay for a year, and they do some wonderful work there.

I spoke with Patricia Bencz, the executive director of this group. She told me that only one out of 122 men who had gone through the program did not have a criminal record. This highlights that spiral and the relationship between drug use and crime that we need to address.

There is a wide variety of estimates in terms of the correlation between criminal activity and drug use, perhaps 40% and 80% depending on the person being asked. It is a significant issue.

As for the solution, to understand this, we need to break the problem into logical components. No model is perfect, but it might be helpful to use a model when we talk about this. Our national drug strategy talks about three components: enforcement, treatment and prevention.

Thinking about those components, I will talk about the people who correspond to those groups. They involve the organization, and we can think of it as an industry, the illegal drug industry, the customers for that industry and the prospects. A fourth group is the rest of us who have a significant interest in seeing this problem tackled. When we speak of a business, this is not a business that we want to support. We want to kill it.

When we talk about the organizations, they refer to the gang leaders, the producers, the dealer network and everyone who supports that network. Enforcement must deal severely with this group to cutoff the supply. Through our national drug strategy, we have allocated \$21.6 million over two years to tackle the problem on the enforcement side.

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Then there are the customers, the individuals who use the drugs. We know that many of those are kids. Some will be promoted within the organization, the gangs, and move on to a life within that gang. Some, as I mentioned earlier, will simply become lifetime addicts. They will be customers for life so to speak.

Others will be involved in criminal activity separate from the organizations. They will steal to support their habit. They will become violent under the influence of some of the drugs that they are using. I will come back to this group in a few minutes because the private member's bill deals with a component of this group.

The third group is the prospects about which I talked. They are almost entirely composed of kids under 18 years old. The addictions industry, like any other business, targets for growth and it targets our kids. It is important, when we talk about any of these things in our approach to drugs, to talk about the idea of prevention.

To give an example of some of the things they do to target our kids, in my first speech I talked about Maralyn Benay from a group called Parents Empowering Parents. She is one of my constituents. She told me about a product called Strawberry quick, which is the street name for it. It refers to a pink version of crystal meth designed specifically to target young girls. This is what we are up against. This is what the parents of our children and young teenagers are up against, this type of marketing program toward our kids.

Obviously the main goal for this group of prospects, the people who have never used drugs before, is prevention. The national drug strategy sets out \$10 million for prevention over two years.

I must point out that enforcement also impacts prevention. If people live in a small town, and I grew up in a town of about 5,000 people, they would know if there is a major producer or dealer in that town and they can be shut down, I guarantee that it is a positive step in the area of prevention through enforcement.

Then there is the rest of us. Sometimes we make the mistake of thinking some Canadians are not affected by drugs. No Canadian is not affected by drugs. I talked about our kids being targeted, so some of us are parents and we are concerned about our kids growing up. Some people are victimized through crime. Obviously there is an impact on the health care system and the costs that we pay there and lost national productivity.

Where do we fit? We are the ones who need to drive the solution. There is an urgency to this and we need to grasp that urgency. I talked about Maralyn Benay and Patricia Bencz. They have grasped that urgency and are doing something about it.

Many groups in my community are doing just that. For example, the Mill Woods Community Patrol is an organization of volunteers from the community. They drive around on Friday and Saturday nights to specific trouble spots. They keep an eye on the community. They are coordinated with the police. If they see something suspicious, they can let the police know. That is an example of citizens making a difference in this area.

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● (1820)

Other groups include the RCMP officers in Beaumont, a small town in my riding, who coordinate a DARE program. They go out and talk to kids and educate them on the dangers of drug abuse. Volunteers and youth organizations and drop-in centres, where kids can go and do things other than get involved in drugs and hang out on the street and places where they find trouble, even if they are not necessarily looking for it.

Then there are the people who I talked about earlier, Patricia and Maralyn, and the organizations that they are part of and organizations like that across the country which do similar work.

I want to thank these people and groups like theirs for the contribution they make because it affects the quality of life of all Canadians, including me and my family.

Now back to the customer group for the addictions industry.

Simple math tells me that the more customers there are for these drugs, the more the industry grows. The more the industry grows, the more it becomes another cycle and we wind up with more of these people using drugs. The more people we help with addictions, the more people we get off these drugs. The more customers we cut off for the industry, the more we starve the criminal organizations, both of the money they need and their eventual salespeople. Our national drug strategy rightly provides the most money, \$32.2 million, to the treatment action plan to deal with this group of people.

Bill C-423 deals with one subset of this customer group, young offenders. It is a simple bill. It is only one page long, and apart from some editorial cleanup, basically adds two new phrases to the Youth Criminal Justice Act.

I want to be very clear that the bill in no way is an endorsement of the Youth Criminal Justice Act as it stands right now. I agree wholeheartedly with our campaign pledge to strengthen the act, something that cannot properly be done comprehensively through a private member's bill.

What I can do is strive for improvement in the legislation. Bill C-423 works with the existing provisions of the act to take a step forward. It is also consistent with our statement during the campaign that we need to give young people better opportunities for rehabilitation.

The first thing the bill does is add "referral to substance abuse treatment" to the list of extrajudicial measures available to police officers when dealing with young persons, particularly first time offenders accused of committing non-violent offences.

To give some context to this, the first 10 sections of the Youth Criminal Justice Act after the title and definitions, sections 3 through 12, are under a heading called "Extrajudicial Measures". The changes that I am proposing both occur in section 6, but to fully understand the bill, one needs to review the principles and objectives laid out in sections 4 and 5.

One particularly important principle set out in section 4(c) is that:

—extrajudicial measures are presumed to be adequate to hold a young person accountable for his or her offending behaviour if the young person has committed a non-violent offence and has not previously been found guilty of an offence...

Section 6(1), the section impacted by the first change proposed by the bill, currently states the following:

A police officer shall, before starting judicial proceedings or taking any other measures under this Act against a young person alleged to have committed an offence, consider whether it would be sufficient, having regard to the principles set out in section 4, to take no further action, warn the young person, administer a caution, if a program has been established under section 7, or, with the consent of the young person, refer the young person to a program or agency in the community that may assist the young person not to commit offences.

Bill C-423 adds the following at the end:

—or, if appropriate, an addiction specialist to assess whether the young person is engaged in substance abuse and, if so, to recommend a treatment program.

The rationale for this is, given the cycle of crime and the relationship between crime and drug use, it seems like an oversight to not have drug abuse treatment mentioned as one of the extrajudicial measures within the act.

The second part of my bill adds a new subsection (3) at the end of section 6. It reads:

If a young person has been referred to an addiction specialist under subsection (1), and, as a result of that referral, has entered into a treatment program, the failure of that young person to complete the requirements of that program shall be taken into consideration by a police officer in deciding whether to start judicial proceedings against that young person.

This is an absolutely crucial piece of the bill. The young person affected has been shown some grace by the police officer. For the sake of the illustration, I will use the word "he". He has been given an opportunity, and he probably will not recognize that opportunity until he has had the chance to clean up, and he has to get away from drugs to do that.

The NDP member for Vancouver East expressed some concern about this. She compared it to the drug courts, which she does not support. She said:

Why would we make the intervention so late? Why would we wait until they have been charged and at the point of maybe being convicted to provide that as an alternative. It becomes almost a coercive kind of thing.

● (1825)

I want to make two points on that, the first one on late intervention. We need to intervene where the person is at, at the time. Sometimes we do not identify a problem until quite late in the game. We need to intervene wherever they are at. I do not think anyone would argue about the need for effective prevention and early treatment programs as part of an overall drug treatment strategy.

If we look at the bill in general, in this case the whole point of the bill in dealing with the Youth Criminal Justice Act is that it deals entirely with early intervention.

In terms of the coercion suggestion, I will quote from a couple of the members who spoke to the bill the last time it was debated. The Liberal member for Brant said:

In fact, an individual may well be more motivated to accept the necessary treatment if he is aware that his refusal to accept such treatment may result in a criminal charge or charges being laid against him.

I think that is a quote that supports what I am trying to do with this.

The member for Hochelaga said that this bill strikes a good balance between the possibility of rehabilitation and the vigilance required when people refuse to take advantage of opportunities they are given.

I want to appeal to my colleagues from all parties to continue to support this important legislation. I do want to reiterate the main purpose for this bill. It is not about punishment. It is about getting our young people the help they need at a time in their life when they may not realize they need it.

Ms. Colleen Beaumier (Brampton West, Lib.): Mr. Speaker, I would like to seek the unanimous consent of the House to split my time with the member for Laval—Les Îles.

The Acting Speaker (Mr. Andrew Scheer): Does the hon. member have the unanimous consent of the House to split her time with the member for Laval—Les Îles?

Some hon. members: Agreed.

Ms. Colleen Beaumier: Mr. Speaker, I rise today to speak in support of the principle of Bill C-423, An Act to amend the Youth Criminal Justice Act (treatment for substance abuse).

As many members of the House are aware, the Youth Criminal Justice Act, which the bill aims to amend, already permits police officers or crown counsel to refer a young person to an addiction counselling program instead of rushing him or her off to judicial proceedings.

However, it does not do so explicitly and the bill would amend the Youth Criminal Justice Act in a way which emphasizes this extra judicial alternative. In doing so, it explicitly acknowledges that addiction treatment rather than addiction punishment should be the Government of Canada's first priority.

Essentially, the bill acknowledges that drug addiction is, first and foremost, a mental health issue, not an issue of criminal justice. It is an important message to communicate explicitly to our law enforcement community. For this reason, I support sending this well-intentioned bill to committee for further scrutiny and refinement.

Nevertheless, however well-intentioned the bill may be, I am concerned that the present minority Conservative government does not truly understand or support the principle motivating the bill. To substantiate this worry, one need look no further than the government's recently announced anti-drug strategy that unnecessarily ratchets up the rhetoric of righteous wrath and retreats from the harm reduction measures favoured by Canadians.

Any strategy that focuses so much attention on the goal of punishment and so little attention on addiction treatment and harm reduction will not make our streets safer, our communities healthier or reduce our overpopulated prisons.

Canadians believe in a balanced approach to drug addiction. The heavy-handed approach recently advocated by the minority Conservative government is not in accord with the values of most Canadians or the fine principle at the heart of the bill. This is a worry worth expressing because, however well-intentioned the bill may be, if the Conservative government does not truly believe in the principles at the heart of the bill, little will be done for the well-being

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of young persons who get caught up in criminal activities because of a drug addiction.

There is little reason to pass a bill that recommends addiction counselling if the Government of Canada is unwilling to provide the resources necessary to fund such counselling. There is little reason to pass a bill that signals to our law enforcement community that the treatment of addiction is our top priority if the Government of Canada trumpets a heavy-handed, punishment focused approach to drug addiction.

As everyone in the House well knows, the present government is prepared to say anything to confuse Canadians on issues of principle and value and I am worried that any support expressed by the Conservative government for the bill will be one more instance of it trying to mislead Canadians about its true intentions.

Let us vote to send the bill to committee but let us be very clear on why we are doing so. The bill sends a strong signal that addiction should be treated as a mental health issue and not as an issue of criminal justice. We should all work to ensure that the present minority Conservative government always acts in accord with this principle.

• (1830)

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, I am pleased to have an opportunity to speak to Bill C-423. It is a very important bill for me, as it is for my colleague from Brampton West, who I would like to thank for sharing her time with me. She said that the bill was a mental health issue.

As legislators, we cannot overlook some of the underlying root causes of drug addiction and substance abuse among our youth and why youth end up in conflict with the law, things that I will address in my presentation.

[*Translation*]

Thus, the changes brought by these legislative measures to reform the Youth Criminal Justice Act (treatment for substance abuse) are very timely. Indeed, when we talk about giving law enforcement officials the power to recommend that a young person be assessed and treated for alcoholism or drug addiction, it is a question of his or her mental health.

In my opinion, this is indeed a question of social justice, if we really want to have a positive influence on young people today. Police officers are front-line workers who act to serve and protect. Among other things, this responsibility means protecting young people from themselves, in many cases. This bill, with certain amendments, can help our young people become active, responsible, contributing members of society.

[*English*]

The question is: how do we guide youth into adulthood with patience, understanding and love? This is a crucial part of the responsibilities we have assumed as legislators in developing thoughtful, workable and flexible medium and long term public policy.

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I want to remind my colleagues that this bill also complements Health Canada's drug strategy and controlled substances program. This is a program that promotes initiatives to reduce or prevent the harm produced by association with drugs and alcohol. It operates under the mandate of several pieces of related legislation, including the Controlled Drugs and Substances Act, which came into force in 1996.

Part of this complete approach to working with our youth was a national drug strategy program renewed by the former Liberal government in 2003 with a \$237 million investment over five years. The four pillars of our strategy included prevention, treatment, enforcement and harm reduction. Had it been legislated, it would have been a vital part of any alcohol or drug program.

Research tells us that enforcement measures alone are not effective in combating drug use. Tackling youth crime cannot be done with a big stick, especially if we are dealing with a first-time offender.

One example of a harm reduction strategy that has been proven to work was a supervised injection site like the one in Vancouver, which, by the way, has now been put on life support by the Conservative government.

All this must be part of a larger strategy that includes access to housing, psychiatric treatment services, medical care, detox and treatment facilities, skills training and employment.

• (1835)

[*Translation*]

The Conservative government's new anti-drug strategy, which was announced on October 4, refers only to prevention, treatment and enforcement. It says absolutely nothing about measures to rehabilitate young people.

The \$63.8 million that the Conservatives are spending over two years is an indication that they have nothing to offer to help young people, because all the Conservatives want to do is throw them in jail.

Prevention and awareness programs are good in and of themselves, but no prevention program will help young people who are in difficulty, who are living in poverty, who feel as though they are on the margins of society and who are isolated. You cannot prevent a child from falling simply by placing a barrier in front of a door, because the child will find a way to get around that barrier.

According to statistics compiled by the Canadian Institute for Health Information in its 2002 profile of the health of Canadian adolescents, 16% of grade 8 students admitted that they had gotten drunk at least twice. Among grade 9 and 10 students, the figure rose to 31% and 44% respectively. In 2000-01, 31% of young men and women aged 12 to 17 admitted to having used—

The Acting Speaker (Mr. Andrew Scheer): Unfortunately, the time has run out. Resuming debate, the honourable member for Hochelaga.

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I have the great pleasure of taking part in this debate. I believe that we should credit our colleague for Edmonton—Mill Woods—Beaumont for presenting a bill that I believe is balanced.

This bill is based on what is known in Quebec as the harm reduction strategy. Before incarcerating a young person, this strategy calls on us to recommend a certain number of measures. Resorting to incarceration has a social cost. We must examine the factors, reasons and the paths taken by young people which sometimes lead them to commit crimes.

In Quebec, I have often had the opportunity to discuss this with my colleague for Marc-Aurèle-Fortin, who was a former minister of justice, solicitor general and even a minister responsible for public safety. Since the 1980s, all governments in the National Assembly have applied a strategy known as “the right measure at the right time”. Our colleague for Edmonton—Mill Woods—Beaumont is quite right to remind us that we must deal with the young person before the courts are forced to hand down a sentence. His bill, which seeks to amend the Youth Criminal Justice Act, is a bill with a lot of common sense.

Clause 6 of the bill provides the possibility, in some circumstances, of using extrajudicial measures. The commitment to use an addiction treatment is highly defensible at a social level. Obviously we must ensure that the provinces have that responsibility. They are the ones responsible for planning addiction treatments. In Quebec, this is handled through health agencies and social services. It is important to ensure that resources are provided and treatment is available.

As an aside, we must commend hon. members who present such great ideas. Measures like the one proposed by the hon. member for Edmonton—Mill Woods—Beaumont should spread in the Conservative Party caucus. I must say, the member for Edmonton is like a rose among thorns and I wish him a stronger voice in his party so that he may rub off on his colleagues, the Minister of Justice, in particular, who, unfortunately, sometimes tends to consider repression somewhat unnecessarily.

The Bloc Québécois has always been very interested in the issue of addiction and the attitudes that should be adopted toward drugs. I want to remind my colleague that his former colleague, Randy White, presented in this House a motion that was passed unanimously, if memory serves me well. We created a committee to review the whole issue of drug use for non medicinal purposes. I was on that committee. My colleague was on it as a member of the Canadian Alliance Party. The Parliamentary leader of the New Democrats was also on the committee.

We were dismayed to find out that 90% of the public resources we vote on in the House of Commons were being used for law enforcement. There were very few measures and budgets available for prevention. This has to change. Obviously when offenders commit acts repeatedly and are a threat to society, we have to encourage incarceration. Nonetheless, we are well aware that in most cases, young offenders are offenders who commit acts because they are in a difficult family situation or they are social outcasts.

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• (1840)

In many cases, they disengage from society because they are living in poverty.

In that sense, I think that our colleague's proposal is a good one. However, if this bill, which offers an alternative solution to prosecution, is to be truly effective, we as a society must talk about how we plan to fight poverty.

Members of the Bloc Québécois are very interested in the issue of poverty. Personally, I have taken an interest because I represent a riding where poverty is rampant. My colleague from Québec has also taken an interest. Our human resources development critic, the member for Chambly—Borduas, has taken an interest too. We think that as parliamentarians, there are five things we need to do.

First, it is unacceptable that Canada—that is, the federal government—is one of the only governments that does not prohibit discrimination based on social condition in either the Canadian Human Rights Code or the Canadian Human Rights Act. Eight provinces have legislation that prohibits discrimination based on social condition, but the federal government does not.

Second, the members of the Bloc Québécois believe that we need measures related to banking. I went to the United States to study the Community Reinvestment Act, which was passed in 1977. It requires financial institutions to offer credit to disadvantaged communities. When it comes to access to credit in my riding, banks in my neighbourhood cleared out in the 1990s. Some communities have a very hard time getting financing or microcredit because the banks are not interested in those things. We also need to talk about excessive ATM fees.

The third measure is very important. We do not believe that we can fight poverty without addressing the housing issue. I was very sad to read the report submitted by the United Nations rapporteur on housing in Canada. The report illustrates to what point we have abandoned the homeless. At least 300,000 people in Canada are homeless or in danger of becoming homeless. Yet the government, sadly, allocated no additional funds in its latest budget to homelessness and affordable housing.

As a fourth measure, the Bloc Québécois has introduced bills urging the government to use the actuarial surpluses from the Canada Mortgage and Housing Corporation to allow the provinces to launch initiatives and build affordable housing, in cooperation with the municipalities.

Fifth, the Employment Insurance Act must be reformed in order to allow people in transition between two jobs to access the EI program. That is an appalling legacy left over from the former Liberal government. Under that government, a program that allowed 90% of workers to access employment insurance—which they themselves had paid for, since it is not an assistance program, but rather an insurance program—in the end, allowed coverage for only about one-third of all workers.

The bill presented by my hon. colleague is a good bill. He belongs to the progressive wing of the Conservative Party. There will always be members against him, for him and like him. We will vote in favour of this bill, although it does not go far enough. We still need

to come up with a plan to address poverty. This is the duty of all members of Parliament. Nevertheless, this in no way diminishes the hard work of my colleague in presenting such a bill. I would like to assure him that all members of the Bloc Québécois will support this bill.

• (1845)

[*English*]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am pleased to speak to Bill C-423. When the bill first came forward in the last session of Parliament, I spoke to it as well. I would like to thank the hon. member for Edmonton—Mill Woods—Beaumont for reintroducing his bill and quoting back to us what we said the first time around. I guess he looked it up in *Hansard*. I will try not to repeat what I said then.

I want to thank the member for bringing forward the bill. It has been brought forward with good intentions. It has been brought forward on the basis that we need to have diversion programs. When young people become involved in the criminal justice system, it can become very divisive and very costly. The outcome is often more negative and has a greater impact not only on the individual involved, but on society as a whole. The principle of diversion particularly for issues related primarily to health, such as addiction or mental health issues, is a very important and positive thing.

I certainly want to echo the comments of my colleague from the Bloc and the Liberal members who spoke as well. However, we do need to see this bill in the larger context of what is taking place. While I support the measures put forward in the bill as something that could be a step in the right direction, unfortunately, the member is part of the government caucus that is taking a giant step in the wrong direction when it comes to dealing with drug issues.

The Conservative government recently unveiled its so-called anti-drug strategy. There are many, many people across the country who are incredibly disturbed and alarmed at the fact that the Conservative government has dropped the whole notion of harm reduction from its anti-drug strategy. In fact, the government is focusing on more enforcement and supposedly on prevention, education and treatment.

When we look at the strategy which was unveiled a couple of months ago, it is \$64 million over two years, which anyone in this Parliament would know is a very small amount of money. I think it is \$10 million of the \$64 million that is earmarked supposedly for education. That is a very, very small contribution from the federal government in terms of what actually needs to be done to provide important education and prevention programs, particularly for young people across the country.

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I am very concerned that while on the one hand we have this small initiative from one member of the government, it is going to be completely overshadowed and obliterated by a huge initiative that is under way from the Conservative government that is focused almost exclusively on addressing substance use issues, specifically issues around drug use from a law enforcement point of view.

As the member from the Bloc pointed out, and we were on the same special committee on the non-medical use of drugs, we learned from the Auditor General that 95% of federal funds related to drug use are actually earmarked toward enforcement. The Auditor General questioned in her audit what was the effectiveness of those funds and what were the outcomes in terms of improving the health and safety both of individuals and of local communities which have been impacted by this issue.

I have to be very frank and say that I saw nothing in the federal strategy that was just unveiled that moves us in a different direction. In fact, it is reinforcing this direction of a law enforcement model. It worries me deeply that the Conservative government is basically copying the U.S. war on drugs, which has been a huge failure financially, politically and socially. Locking people up in jail and chasing more and more dollars through enforcement is not the answer. It is a failed model. People understand that, and yet this is what the government has now embarked upon.

• (1850)

In doing so, it is dropping a very successful principle and a set of programs in Canada that revolve around harm reduction. They revolve around being realistic, having a common-sense approach to dealing with substance use, focusing on the well-being of individuals, and improving the health status of people and getting people to a point where they can make healthy choices.

I believe that the bill before us today may assist us in doing this. That is why I think it is very worthy of support, but I feel that it is going to be completely overshadowed by this other strategy in which the money is going in a completely opposite direction.

In my riding of Vancouver East, substance use and the drug issue concern many people. We have seen the visibility of drug use in our local communities. We have taken very important measures. In fact, we had to fight tooth and nail to get programs up and running, such as the heroin prescription trials, and Insite, the safe injection facility, and other harm reduction programs, but they have very strong support in the local community. They have support from the local police department, the city council and the business associations, because people recognize that to rely on enforcement just simply does not work and does not actually change what is going on in those local communities.

Locking up drug users and throwing away the key is not the answer to dealing with substance use issues, yet Insite, the safe injection facility in the downtown east side, is very much under threat of closure. Why? Because it appears that the Conservative government is hell bent on what is really an ideological program. I see this as our biggest problem.

Unfortunately, the government has committed itself and has boxed itself into this ideological position that law enforcement is the primary answer to substance use and drug use. That is what the

government wants to push. That is what the government thinks is going to get it votes and support, but I think it is really an old game that is being played out, because we do know that people are fearful of drug use, particularly when their children and youths are involved in experimenting with drugs.

As for the idea that we turn young people into criminals, the idea that we use enforcement as this heavy-handed tool and it somehow is going to solve the problem, I think it has been shown to be a failure. Yet this is the direction that the government is taking.

In speaking to this bill today, I want to be very clear on the record that we reject this larger strategy that the government has adopted and seems to be moving forward on very rapidly. We should be standing courageously to support the kinds of programs that have worked in this country and that Canada has become known for around the world.

I know many of the front line workers and organizations in Vancouver who work very closely with drug users, with youth and youth at risk on the streets and with youth who are facing addiction issues and mental health issues. I can tell members that they know from years of experience that relying on enforcement tools and not having a balanced, comprehensive approach is not going to work.

I want to call on members of the House to stand up and support the need to have harm reduction continue in this country. In fact, I have called for a network of MPs who might be interested in such a proposition, to show that there is very broad support from MPs, community groups, professionals, academia, health care professionals and certainly from users themselves to make sure that harm reduction programs and the emphasis on public health and on dealing with this as a health issue is at the top of the agenda, not pushed down to the bottom of the agenda.

The bill is worthy of going to committee, but let us be aware of the serious dangers that lie ahead with the Conservative government's anti-drug strategy. Let us be aware that it will penalize people and it will target people. It is a failure and we should stop it from happening.

• (1855)

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, it is a pleasure to rise in the House once again on behalf of the constituents of Crowfoot to speak in support of Bill C-423.

I commend my Alberta caucus colleague, the hon. member for Edmonton—Mill Woods—Beaumont, for his efforts on behalf of young Canadians in our province and indeed all across the country. He has worked very hard on this file and, may I add, for a considerable amount of time, and finally has reached the point of presenting legislation before the House. I urge all members of the House to pay close attention to what he is proposing in the bill, as it will help youth at risk.

It is a pleasure to stand with former colleagues who served on the non-medical drug committee with me. We have heard two or three of them speak here today. They have voiced some of their concerns.

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The Bloc Québécois and the New Democratic Party are disappointed that this bill does not give free needles to youth. The Bloc Québécois and the NDP are somewhat disappointed that it does not talk about safe injection sites for our youth. They are disappointed that it does not speak to providing clean drugs for youth because sometimes the drugs on the street are dirty. Those are the kinds of policy initiatives they looked at and considered and for which in some cases they were advocates during the time of that committee.

However, what Bill C-423 does is propose to provide Canada's police with the option of referring a young person to an addiction specialist for assessment and, if warranted, treatment recommendations. This would provide our front line police officers with another tool for dealing with youths alleged to have committed one or more crimes.

Very often it becomes obvious to front line police officers who respond to a crime that the perpetrator, possibly a young offender, is actually a victim of substance abuse. The officer may realize that the substance abuse is the reason for the alleged crime and the young person's possible involvement in the commission of that crime.

Rather than shuffling the youngster off into the judicial system or possibly into the penal system, my colleague from Edmonton—Mill Woods—Beaumont, with this private member's bill, is providing us with an alternative measure. He is suggesting that we, as a government and indeed as a society, seize the opportunity to try to rescue the young person from the chains, the bondage and the horrors of substance abuse.

My colleague wants to save as many young Canadians as possible. My constituents and I commend him for this very noble attempt. We support him in that attempt.

I regularly have the opportunity to speak with front line police officers in all corners of the constituency of Crowfoot. They want to help protect the young people they encounter who have a substance abuse problem. Some drugs are so powerful that even trying the drugs once or twice can lead to an addiction. In fact, many of these young Canadians can become addicted with one use of drugs such as crystal meth.

Sometimes the young person has never had real access to an alcohol or drug abuse treatment program. They do not even know that there is real help available for them. When it comes to kicking a habit, they just realize that they have an addiction.

If the young person enters into a treatment program because of a referral under this process and the young person fails to complete the program, then in most cases the youth will have to deal with that very same judicial process. Where I come from, we can support that.

We agree that we should try to save our youth from the ravages of substance abuse. We also agree that there should be consequences for the youth who fails to take advantage of the opportunities the bill would provide him, the opportunities for help.

Bill C-423 is consistent with our government's national drug strategy. Canada faces some very serious drug problems. One of the most troubling is the growing number of our youths who are

becoming involved in drugs. What is more disturbing is that this appears to be happening at a younger and younger age.

● (1900)

For the members from the Bloc and the NDP, I know that we were all united as a committee when we saw that this was becoming almost an elementary school problem in some cases, or a young people's problem. Not only youth but all age groups have addiction problems.

Communities across Canada have identified youth drug use as a priority concern. For some communities, the lure of highly addictive drugs such as crystal meth presents a real challenge for their youth. Our government is listening to those concerns and we are working actively to respond to them.

My colleague from Edmonton—Mill Woods—Beaumont is using the powers that his constituents have elected him to use to combat this complicated drug problem. He has drafted Bill C-423 to help communities in his riding, communities in my riding and communities all across the country and in the ridings of every member of Parliament. The member has recommended a targeted approach with Bill C-423.

Our government's drug strategy establishes goals and priorities that are both clear and measurable. We are investing \$64 million in new funding for a national anti-drug strategy. This strategy provides a focused approach to address illicit drug issues.

It is based on three clear action plans: first, preventing illicit drug use, with \$10 million over two years; second, treating illicit drug dependency, with \$32 million over two years; and third, combating illicit drug production and distribution, with \$22 million over two years. Our government strategy is in the areas of prevention, treatment and enforcement.

Our efforts in the area of prevention will focus on youth. As well as a public awareness campaign, this will include community based drug use and crime prevention initiatives. We could spend our entire time speaking about the opportunities that we have in prevention, but the drug strategy does more than that. It also will target the production of drugs in Canada, including marijuana grow ops and clandestine labs. We will target those organized criminals who exploit for profit and attack our youth and other vulnerable citizens through drug dependency.

The plan does more. The public often views the police role as one of enforcement only. Our government recognizes their excellent work in the area of drug prevention, but as well we pay attention to their broader contribution to dealing with community problems. With Bill C-423, we are encouraging our front line police officers to assist the Canadian youth they encounter in the course of their crime-fighting duties. Sometimes our police officers are the first citizens who have to deal with a youth in conflict. They sometimes are keenly aware that what the young person really needs is some form of substance abuse treatment.

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The measures in Bill C-423 will give them that treatment, but they will do more than that. These measures can be carried out within the budget resources of our government's national anti-drug strategy. We will be providing funding to the Department of Justice to support extrajudicial measures and treatment programs for young people in Canada who get into a conflict with the law and have a drug related problem.

We are working with all those concerned about Canada's youth, people from both the private and the public sector and across different disciplines, including health, education and the justice system. As the government, we are also interested in working with my colleague to get the job done. Bill C-423 does that. This member is standing up for our drug addicted or drug afflicted youth. Again, I am pleased to stand up with him in an attempt to save the lives of young Canadians who have trouble with substance abuse.

My colleague recognizes that our police officers have already for a long time been a key resource in dealing with the drug problems facing our communities. We will continue to rely upon their contribution. Bill C-423 recognizes the whole role that the police can play in linking youth with drug and addiction problems to those who can help on the treatment front.

• (1905)

There is a particular element to this bill which we need to ensure is consistent with the purpose and principles governing the use by police of the extrajudicial measures set out in section 6 of the Youth Criminal Justice Act, namely, the requirement in Bill C-423 that police take into account whether the youth has complied with the treatment program when considering whether to charge the youth for the original offence.

This bill provides a valuable and additional tool to help young people overcome their problems and make our communities safer. I wish my colleague, the member for Edmonton—Mill Woods—Beaumont, every success with the positive change that Bill C-423 provides.

The Acting Speaker (Mr. Royal Galipeau): The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 is deemed to have been moved.

[Translation]

ACCESS TO INFORMATION

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, on October 22, 2007, I asked the President of the Treasury Board about the Conservative government's unwillingness to be transparent and to make public information to which Canadians are entitled.

[English]

The information commissioner came out with a report and actually talked about how the Privy Council, obviously under orders from the Prime Minister and the Conservative government, was deliberately blocking access to information requests to prevent embarrassing information from becoming public. At the time I talked about how it was the Prime Minister's own Privy Council that blocked the information, that since the Conservatives had taken power, the Conservative government under that Prime Minister has neglected, delayed and censored access to information requests.

Is it not interesting that in the past week we have learned that correspondence from Mr. Karlheinz Schreiber was written directly to the sitting Prime Minister, was sent as would normally be done, to the Privy Council and that lo and behold now we are being told that this information never got to the Prime Minister. Is that not delaying? Is that not blocking? It provides the Prime Minister with the cover of plausible deniability, that he never received this information which contained new allegations regarding a former prime minister, Brian Mulroney.

The government has now been forced to agree to have a public inquiry, a public inquiry that the opposition parties, and in particular the official opposition, has been calling for since the issue of these new allegations came to light. At that time the Prime Minister said, "No. We are going to appoint an independent adviser who will inform us and advise the government as to what measures should be taken to deal with these new allegations".

It was only when the former prime minister, Brian Mulroney, himself said, "I want a public inquiry" that the sitting Prime Minister finally acquiesced, knuckled under, back-tracked and said that this independent adviser will not be recommending what kind of measures but instead will be recommending the terms of reference and mandate of a public inquiry because now there will be a public inquiry.

However, the Prime Minister is still refusing to provide public access to the paper trail of the letters that Mr. Karlheinz Schreiber wrote to him, not to Mr. Mulroney but to the sitting Prime Minister, the leader of the Conservative Party, last winter. They sat, according to the Prime Minister, in the Privy Council office and were never transferred over to the Prime Minister's office, nor was he ever informed of either the existence of this correspondence or of the contents which contained new allegations which have now sparked a public inquiry.

It is a clear pattern on the part of the Conservative government to block information, to deny, and only when it is caught to finally say, "Yes, but we cannot release the records".

There is a paper trail that shows exactly who received the letter—

• (1910)

The Acting Speaker (Mr. Royal Galipeau): The hon. Parliamentary Secretary to the Leader of the Government in the House of Commons.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, let me first say that the hon. member's comments are more than just laughable. They are incredible in their very nature, since I recall not too long ago, when there was another commission that was brought before the public of Canada. It was called the Gomery commission.

The only difference between that commission and the public inquiry that this Prime Minister is proposing we have is that the terms of reference for the Gomery commission were set by the government of the day. Why should that not happen? It seems my hon. colleague is fairly critical about this government not setting its own terms of reference, but going outside to an independent third party.

As Justice Gomery himself said in his report, because of the narrowness and the restrictions placed upon him in the terms of reference given to him to conduct his commission, there was over \$40 million of taxpayers' money that he could not account for because he was prevented from trying to find out where that money went, due to the restrictive nature of the terms of reference placed upon him by the sitting government.

We clearly are not going down that road. We are asking an independent third party, an eminent Canadian, to set the terms of reference to guide this public inquiry. That is far more appropriate, in my opinion, than anything the opposition, the former Government of Canada, had done in the Gomery commission inquiry.

However, we have done more than that. In total, in terms of information access and transparency concerns that the member opposite raises, I want to give a sense of some of the things that this government has done in making sure that this government is not only more transparent and accountable but that we have given more access to ordinary Canadians in finding out information about this government.

We have many additional crown corporations that were not previously covered under the Access to Information Act that are now covered, for example, the Canadian Broadcasting Corporation, Via Rail, Atomic Energy of Canada, the National Arts Centre, and the list goes on.

The Federal Accountability Act is about making government more open and more transparent, and providing Canadians with greater access to information. The Federal Accountability Act, as we all know, is the strongest piece of anti-corruption legislation that this country has ever seen, and it was initiated and brought forward into the legislative realm by this government.

As all members of the House know and as my hon. colleague across the floor knows, the administration of the Access to Information Act and the Privacy Act is not of a political nature. It is a legal obligation. Decisions regarding what information needs to be protected or released are based in law.

Parliament recognized that the public right of access to information needed to be balanced against the legitimate need to protect sensitive information to permit the effective functioning of government. In fact, the provisions of the act allow for the access of information on a variety of government operations. At the same

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time, it protects some of the very important information, such as the right of Canadians to privacy and the right of Canadian business to keep critical commercial information.

This government has shown it is very effective. In fact, last year the government processed a record of almost 29,500 access to information requests, far more than any other government in history.

•(1915)

Hon. Marlene Jennings: Mr. Speaker, it is a fact that Justice Gomery himself said that his terms of reference were more than sufficient, that he had all the authority he required in order to shed light on the entire sponsorship program and to determine who was at fault.

I would suggest, as I did to the Conservative member for Peterborough, that he should actually read the report. I do understand that it is long and it does have a lot of long, difficult words, but members of the Conservative Party might have an interest in actually reading the report.

Another fact is that the Prime Minister's Office and the sitting Prime Minister has refused to date to publicly issue all of the supporting documents that will show what exactly was done with the correspondence from Karlheinz Schreiber to him.

It is a fact that under the Liberal government, more documents were released by PCO and PMO than—

The Acting Speaker (Mr. Royal Galipeau): The hon. parliamentary secretary.

Mr. Tom Lukiwski: Mr. Speaker, I only have a minute so in quick response to the latter part of my hon. colleague's dissertation, the reason that the sitting Prime Minister of Canada has not done anything in terms of releasing anything, he never saw any letters from Mr. Schreiber.

As the Prime Minister himself said, it is incredulous to believe that anyone, even though I know the members opposite have a lot of difficult times understanding things like ethics, would think that a person like Mr. Schreiber, who is facing extradition proceedings and has been for the last eight years due to charges of fraud, forgery and tax evasion, would actually send a letter to the Prime Minister that would be read by the Prime Minister.

With respect to the Gomery commission, I know people who have read it and they are called the Canadian public. That is the reason that the party opposite is no longer on this side of the House because people understood what the Gomery commission said and that is why those members will forever be banished to opposition.

FISHERIES AND OCEANS

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, it is hard to follow up on a performance like that, but I will begin by saying that I want to bring up the issue of the recent NAFO convention that took place in Lisbon, Portugal. I think it is of grave concern not only to me but also to others across the country and certainly for the Atlantic coast given the situation that it is under and given the previous commitments by the government.

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Let me focus for a moment on the incorporation of an effective enforcement mechanism because it did not depend solely on the flag state action to provide for removal from the fishery of vessels that break the NAFO conservation rules. The model for such a mechanism already appeared in the United Nations fish agreement of 1995.

I have one question only. Would the minister explain to the House the specifics in the new proposed NAFO convention that strengthens the United Nations fish agreement? If he could touch upon that it would be greatly appreciated.

There is another thing that is of concern to many. It is something that we have not seen before in this type of convention in years gone past, at least since the late 1970s since it was devised. I want to zero in on one particular element of this particular convention and it is article VI, paragraph 10. I ask this as a point of interest because there does not seem to be a clear answer from the media reports that we are getting.

It allows NAFO to intrude on Canadian sovereignty, if requested by Canada, to monitor any actions taken by Canada in its management and conservation of a stock or group of stocks with respect to fishing activities conducted within the area under its national jurisdiction. This would include the catch and quota regulations, including the foreign quotas that would apply inside Canadian waters up to and including the Gulf of St. Lawrence.

Public statements were made by the minister, going back to August 11 in *The Telegram*, in St. John's, where he said, "Canada will only accept a NAFO convention that clearly defines that the regulatory authority of NAFO is only on the high seas."

It begs the question, why has Canada agreed to allow NAFO inside Canada's EEZ, inside the 200 miles, and what set of circumstances does the minister see that he would feel it necessary to request NAFO inside the 200 miles, and if he has no intention of inviting them in, why is this clause in the convention?

We have two questions at hand. The first one deals with the agreement of 1995 and just how much teeth the government plans to put into that when it comes to flag state nations, but the other issue which really baffles me is the situation where under what circumstance would the minister invite other members of NAFO inside our 200 mile exclusive zone?

● (1920)

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, it is certainly a pleasure talk to my hon. friend. I have been fairly worried about him lately when I see him wandering around his riding, campaigning with a Conservative provincial member and the next day I see him going around, hand in hand, with an NDP member who is on a journey of obstruction. I am really beginning to worry about him. I am glad to see he is here tonight focused on his work.

The hon. gentleman, as I told him when he raised the question in the House, has been concentrating too much on issues outside his realm of responsibility. He has to stop listening to people who are not involved in the process, people who have their own opinions on what should be done or what was done. If we look at the results of what was done years ago, we paid a very heavy price.

A few years ago, when I was in opposition, when I was the critic and when I was a member of the standing committee, we set out to change NAFO and to give some teeth to the organization so we would have control over the fish, not only within our 200 mile limit but on the continental shelf.

The hon. gentleman questioned the fact that we had committed to custodial management and he said that we did not do it. We went to NAFO last year, not with the people with whom he has been speaking, but with representatives of industry, who I suggest he talk to, and with the commissioners to NAFO, one of them being the head of the biggest union in the country, the person responsible for every fisherman in Newfoundland and Labrador or, I would say, 98% of them.

Maybe the member should talk to those people. Maybe he should talk to the many representatives of industry who were affected and ask them what they did at NAFO. They gave NAFO teeth whereby we Canadians could ensure we managed what happened on the nose and tail by having our surveillance out there, boats out there ensuring that our fishermen could catch their own and that the others live by the same rules. These boats, under the jurisdiction of the former government, were tied up to the wharf in St. John's with not enough fuel to go to sea.

On top of that, not only did we do it last year but we went back this year, as I told my hon. friend, and we solidified the changes in the convention.

In relation to custodial management, let me quote what custodial management is. It is trying to get the same kind of management system or regime in place outside the 200 mile limit as we have inside. I think for most of us who have weighed in on the custodial management argument over the years, this is basically what we are pursuing. We are pursuing the same type of management regime outside as inside.

If we could get all contracting partners of NAFO to fish under the same system, especially one that was acceptable to Canada, then we pretty much would be where we wanted to go. That is, word for word, exactly where we are. Does my colleague know who said that? It was said by the member for Burin, Burgeo, St. George's.

● (1925)

Mr. Scott Simms: Mr. Speaker, actually that is the member for Random—Burin—St. George's. If one does not venture outside of the Avalon Peninsula, one probably would not know that.

I would like the minister to stick to the issue. If he wants to go into rhetoric, that is fine. Whatever he chooses to do is up to him. However, to compile the rhetoric of the years. He is a member who while in opposition called NAFO everything but effective. He mused openly about the fact that it should be gotten rid of.

What I do not understand is this and I will illustrate this with a story. During the last election campaign, my father received a flyer on his doorstep from the Conservative Party of Canada, which stated that it would extend the 200 mile zone under—

The Acting Speaker (Mr. Royal Galipeau): The Minister of Fisheries and Oceans.

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Hon. Loyola Hearn: Mr. Speaker, what was committed was that we would stop foreign overfishing and we did it in spades.

Let me get back to the member's earlier question because it was a legitimate one. He asked if Canada had relinquished any sovereignty. Absolutely not. What we have done is strengthened our presence on the world stage. Maybe he should read more of the document, not the clauses outlined by his friends.

Nothing in this Convention shall prejudice the rights, jurisdiction and duties of Contracting Parties under the 1982 Convention [UNCLOS] or the 1995 Agreement [UNFA]. This Convention shall be interpreted and applied in the context of and in a manner consistent with the 1982 Convention and the 1995 Agreement.

Our sovereignty is guaranteed by UNCLOS. Why would we invite someone in, maybe to do science which is extremely important—

The Acting Speaker (Mr. Royal Galipeau): The motion to adjourn the House is now deemed to have been adopted.

[*Translation*]

The House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:29 p.m.)

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