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Monday, February 4, 2008

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, February 4, 2008

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

•(1105)

[*Translation*]

FORESTRY INDUSTRY SUPPORT

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ) moved:

That, in the opinion of the House, the government should introduce a series of measures to assist businesses, communities and workers hard hit by the forestry crisis, including: (a) an economic diversification program aimed specifically at communities that depend heavily on the forest industry; (b) tax measures that encourage the development of processing activities in the region; (c) a government loan and loan guarantee program for business modernization; (d) a refundable tax credit for the research and development of new products; (e) the establishment of absolute reduction targets for greenhouse gas emissions, allowing businesses to sell emission credits on an exchange; (f) a program to support the production of energy and ethanol from forest waste; (g) improvements to the employment insurance plan; and (h) an income support program for older workers.

He said: Mr. Speaker, it is my pleasure to rise on behalf of my party to speak to Motion No. 414, which you have read.

It is pretty clear from the wording of the motion that its purpose is to provide immediate assistance to the forest industry. For the benefit of those watching, I introduced this motion on November 22, 2007, which means that the provisions it contains were very timely at that time. The situation has continued to deteriorate dramatically ever since. I therefore call on the good faith, assumed to be a given, power of reasoning and intelligence of my colleagues in this House, who, I am sure, will give unanimous support to this motion.

I referred to the date of November 22, 2007, for a reason. Indeed, on January 10, 2008, the Conservative Prime Minister announced the establishment of a \$1 billion trust to help the forestry and manufacturing industries. This is an investment over three years. The twist—and this is what sparked an outcry in Quebec—is that, in a Machiavellian subterfuge, the Prime Minister made the allocation of this money dependent on the passage of the upcoming budget. I do not know when this budget will be tabled, but the tradition and practice of this House has been that the budget be tabled about the end of February or in March.

The assistance for the forestry companies could be completely ineffective, since the fight will be over. Mills will close and it will already be too late. In the meantime, job losses have been adding up. This is why the Conservative Prime Minister's tactic or subterfuge, to make the allocation of the trust conditional on the passage of the budget, is disgusting and not good enough. This is not going unnoticed in Quebec.

Montmorency—Charlevoix—Haute-Côte-Nord, the riding I am honoured to represent here in the House of Commons, has been greatly affected by the forestry crisis. The mills affected have been running for several years and are cost-effective. I worked for 14 years in the pulp and paper industry for Abitibi-Price—seven years in the Saguenay region and seven years in the Quebec City area. It is true that this industry goes in cycles, but this is no longer a cycle; it is a disaster.

Last week in my riding, an AbitibiBowater sawmill in Château-Richer, and another one in Saint-Hilarion, in Charlevoix, were forced to lay off 55 workers for a 12-week period. But before the crisis, the Saint-Hilarion sawmill was running very well. A specialty paper mill in Beauport and a newsprint mill in Clermont have also been affected.

Furthermore, last year in my riding, Kruger had to announce the closure of three of its sawmills on the North Shore, including the Jacques Beaulieu sawmill in Longue-Rive and the Forestville sawmill.

Some very effective and active companies, such as a workers' cooperative in Sacré-Coeur, Boisaco, and the associated mills in Les Bergeronnes and Haute-Côte-Nord are currently surviving the crisis, but, as the former president said, they are in desperate need of help.

•(1110)

The Conservative government is acting like a doctor standing at his patient's side but with his foot on the oxygen tube. The patient needs more to survive, but the Conservative government is totally oblivious.

Of the \$1 billion program that was announced, only \$216 million will go to Quebec over three years. In his desire to treat all the provinces equally, the Prime Minister is giving a basic \$10 million to all of them.

Private Members' Business

Even though Alberta is awash in surpluses, largely thanks to oil and natural gas, it will get \$10 million to assist its forest and manufacturing industries. How many sawmills and paper mills are there in Alberta? So far as I know, there are two or three at most. So even though Alberta is drowning in surpluses, it will get \$10 million.

Prince Edward Island has a population of only 123,000 but still it will get its basic \$10 million plus its prorated amount depending on the population. That is way too much money for Prince Edward Island, which will scarcely know what to do with it all.

The Conservatives' program is unfair and unjust to Quebec workers and the Quebec forest industry. In view of the magnitude of the crisis, there is a desire now on the part of both workers and industry representatives to come together and discuss the situation. When people do not think they have a huge problem on their hands, they tend to be intransigent and stick to their positions. I know something about it because I was in labour relations for 16 years. In this case, though, the union representatives from all the plants are willing to sit down with management and find a solution to the problem. However, the Conservatives' program is totally ineffective and useless, in addition to having a timetable that extends far too long into the future.

Why do I say that the apportionment is unfair? People often criticize the Bloc and say it only complains and never makes any positive contributions. So I am going to tell the Prime Minister how the funds should have been distributed. The funding should have been based on size of the forest industry in a particular province. Quebec's forest industry represents 32.8% of the Canadian total, and the program should logically reflect this. Quebec wants no more but no less. We are not asking for charity.

In passing, I would say that I hope everyone is aware that the billion dollars that will be paid into this trust is money that belongs to Quebecers. The federal government is not giving us a present. It is not coming out of the pockets of the Conservative Party, stuffed with money though they are for its next election campaign. In reality it is money that belongs to the taxpayers of Quebec and Canada. Let us not imagine that the government is giving us a present.

In other words, it would have been logical if, of this billion dollars, about \$328 million were to go to Quebec, given that Quebec represents 32.8% of the forestry industry in Canada.

I also referred to the fact that making this measure conditional on the budget passing is completely immoral on the part of the Conservatives.

We have noticed another phenomenon, with the Conservative pseudo-spokesman for forestry, the member for Roberval—Lac-Saint-Jean. He is wandering around the regions, in Rimouski and elsewhere, saying a vote for the Conservatives is a vote for the right team. We get the impression we are back in the good old days of Duplessism. The Conservatives are trying to make us believe that if we vote for the Conservatives, money will fall from the sky and we will be able to pick it up by the bucketful. Well, Quebecers are not dupes. The Conservative Party is showing its true colours: it is showing its stinginess by offering this inadequate and ineffective program.

●(1115)

I challenge any Conservative member to come with me and meet some union representatives and company representatives. They will tell them what they think of their program. It does not pass the test. As well, the indictment of the Conservatives' program in Quebec has been unanimous, starting with the Premier himself, Jean Charest. Mr. Charest, together with the Premier of Ontario, Dalton McGuinty, had the opportunity to denounce this program, which is ineffective and unfair to Ontario and more particularly to Quebec. Premier Charest does not have a reputation for being overly sovereignist, but he understands common sense and he realized that Quebec was being had, given what was being proposed.

Ottawa has the resources. A billion dollars is plainly inadequate. As well, we know that this government is patting itself on the back and saying it made an \$11.6 billion surplus for fiscal year 2006-2007. That is \$11.6 billion of our money, money that belongs to the taxpayers of Quebec and Canada. The government is collecting too many taxes for the services it provides. That is the problem. So it has the resources: \$11.6 billion. The proof that this Conservative government has resources is that since the Conservatives came to power they have made military purchases totalling about \$17 billion, instead of helping the forestry industry and workers. They have spent \$17 billion to go and fight a war in Afghanistan, when we have no business being there, while the government is thinking seriously of extending the mission to 2011. When the time comes we will have an opportunity to talk more about that.

Mr. Speaker, you are going to say that my comments are not relevant when I refer to the war in Afghanistan, but it is completely indecent to invest \$17 billion to buy military equipment and say that they do not have money to help our workers and our regions.

We could also talk about tax cuts. Every time anyone talks about the Conservatives' budget decisions, they say that they have cut taxes. We could take a look at what that means for the citizens and young families we represent and compare that to the tax cuts they gave to oil companies.

The Conservative government is offering Quebec a \$216 million program over three years, while the oil industry, which, it just so happens, is concentrated in Alberta, in the west, will save \$992 million thanks to the Conservative government's tax cuts. That amounts to \$2.8 billion over three years. The poor oil companies will rake in 13 times more money as they carry on fleecing people in the regions by increasing the price of gas.

People in the regions, and young people in particular, have no choice but to move to larger centres, such as Quebec City and Montreal, to have access to specialized services or to study. In my region, Charlevoix—Haute-Côte-Nord, people are always on the move. The government would rather help oil companies than communities that have been deeply affected by the crisis.

I see that my time has nearly run out, but I have much more to say. If my colleagues agree, I would like to seek the unanimous consent of the House to continue talking about this until noon because it is so important.

Private Members' Business

In closing, I would like to appeal to my colleagues' good will, and I hope that Motion M-414 will be adopted unanimously by all members of the House of Commons, including the Conservatives.

• (1120)

[*English*]

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, it is very nice to see the House open with such passion and with such a great speech to get it going on a difficult topic that many communities in Canada are facing.

In northern Ontario, we are having a lot of difficulty. We have a lot of struggling single industry towns and a lot of people without jobs.

Canada, especially northern Ontario, was built on small towns. I am wondering if my hon. friend could mention how these difficulties are affecting the small, single industry towns in Quebec. They are shut out. They are being closed down. There is no government support for them right now.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

Mr. Paul Crête: No, Mr. Speaker.

The Acting Speaker (Mr. Royal Galipeau): I am sorry, it is another riding with four names.

The member for Montmorency—Charlevoix—Haute-Côte-Nord.

Mr. Michel Guimond: Mr. Speaker, I thought you had paid close attention to my speech. I am disappointed that you thought it was my colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup who was speaking. I understand that we look a lot alike and that sometimes people mistake him for me. However, I will try to get over my disappointment.

I appreciate the question from my colleague from Kenora. When I worked for Abitibi-Price, there was a plant in Smooth Rock Falls, Ontario. In northern Ontario, there were plants and sawmills in Kapuskasing, Timmins and Kenora. These plants are often set up in smaller communities, far from major centres. Have you ever wondered why there were no sawmills or paper plants on the outskirts of major centres like Montreal, Toronto or New York? It is because the raw materials, like the black spruce in Quebec and Ontario, grow far from the big cities. That is why the paper companies build their sawmills and paper plants in the middle of the forest, so to speak.

Often, these are single industry towns. And these are the communities that suffer when a sawmill or paper plant is shut down, as we have seen in Lebel-sur-Quévillon, Abitibi and elsewhere. That is why a plan shutdown is an economic disaster. The people cannot go and work elsewhere. They cannot take the Prime Minister's advice. He once suggested that if the unemployed in the Maritimes were fed up with being out of work, they could go to Alberta, where there is plenty of work. But you cannot uproot someone like that.

The Minister of the Economic Development Agency of Canada for the Regions of Quebec and member for Jonquière—Alma has also suggested that people in Quebec who do not have work should

go work in Alberta. Is he forgetting that, first of all, there is a language barrier for Quebecers? Not everyone is fluently bilingual. What is more, people in more remote communities cannot pick up and move as easily as that. We are not talking about a tent trailer you park at a campground. We are talking about human beings and families.

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, I am very pleased to have the opportunity here today to ask the hon. member for Montmorency—Charlevoix—Haute-Côte-Nord a question about Motion M-414. I would like to know if the problem is not a result of the fact that, first of all, for all these years, the Bloc has been unable to resolve the softwood lumber crisis. For seven years, the Liberals turned to lawyers and only destroyed the forestry industry. They did nothing during those seven years. They sat on their fannies and did absolutely nothing.

Second, if it is so important for the member of the Bloc, the second opposition party, why does he not vote in favour of the budget? The Bloc members want only one thing. They asked for \$15 billion for their program and they are receiving \$5 billion for equalization. They want Canada's entire surplus. That is what they want. I would like the member to answer my question. Will he vote in favour of the budget, yes or no?

• (1125)

Mr. Michel Guimond: Mr. Speaker, we can see that the hon. member for Charlesbourg—Haute-Saint-Charles has really changed his position. I remember when he was running for the Parti Québécois in the Montmorency riding. He was the first to run down the federal government and federalism. When I met him after my election in 1993, I asked him why he would not come work for me and give me a hand. He replied that his only goal was to be appointed to the bench and that if I could not appoint him to the bench myself, he would not work for me. That is a despicably opportunistic approach. I see him shaking his head. We were—

The Acting Speaker (Mr. Royal Galipeau): Resuming debate, the hon. Parliamentary Secretary to the Minister of Industry.

[*English*]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, I am pleased to participate—

The Acting Speaker (Mr. Royal Galipeau): I will ask the parliamentary secretary to wait a moment because the hon. member for Charlesbourg—Haute-Saint-Charles is rising on a point of order.

[*Translation*]

Mr. Daniel Petit: Mr. Speaker, first of all, I would like to make it clear that what the hon. member for Montmorency—Charlevoix—Haute-Côte-Nord said is completely false. Second, I would remind the House that it is demagoguery, pure and simple—

The Acting Speaker (Mr. Royal Galipeau): I would ask the hon. member that when the Speaker—

Some hon. members: Oh, oh!

The Acting Speaker (Mr. Royal Galipeau): Order, please. I would like to remind the member for Charlesbourg—Haute-Saint-Charles that when the Speaker rises, the member must sit down.

Private Members' Business

The hon. Parliamentary Secretary to the Minister of Industry.

[English]

Mr. Colin Carrie: Mr. Speaker, I am pleased to participate in the debate on Motion No. 414. While this government has supported, currently supports and will continue to support those impacted by the challenges facing the forestry industry, it does not support this motion.

The simple matter is that a number of measures proposed in the motion have already been implemented by the government or are measures for which the industry has not specifically asked. Furthermore, the motion underscores the complete lack of understanding the Bloc has toward the real needs of the forestry industry and its workers and the measures the federal government has already delivered.

The Speech from the Throne indicated that the Government of Canada recognizes the importance of the forestry sector in this country and we understand the challenges this sector is facing.

The forestry industry is a dynamic contributor to the Canadian economy. In 2006, the forestry sector contributed almost \$36.3 billion to the economy. This is the equivalent of 3% of our gross domestic product. The industry provided 900,000 jobs from coast to coast in over 300 communities. A good many of these well-paid jobs are in small and rural locations.

With exports valued at \$38.2 billion and revenue from goods manufactured at \$80 billion, Canada's forestry sector is the number one exporter of forest products in the entire world. Nevertheless, members on both sides of the House are aware that the industry is confronting serious challenges, due in large part to the decline in U.S. housing, a decline in the North American newsprint market, and increased low cost competition.

These pressures have intensified over the past year, especially with the rapid appreciation of the Canadian dollar, which steadied at around parity with the greenback. In addition, higher housing inventories and difficulties in the U.S. subprime lending market have led to significant declines in U.S. residential construction, the key driver of lumber and panel consumption in North America. In fact, U.S. housing starts over the first half of 2007 were down by 27% compared to the same period in 2006.

The bottom line is that forestry companies have suffered losses and workers have endured significant layoffs due to economic struggles in the U.S., not in Canada.

Both industry and government have been responding to these pressures. For their part, Canadian producers are working to improve their competitiveness by driving down costs, closing high cost facilities, selling off non-core assets, pursuing mergers and acquisitions, and converting production to higher value products. For its part, the government is creating a supportive business environment for all industries, including the forestry sector, one that promotes competitiveness, innovation and success.

We are delivering for industry with leadership and a willingness to act with urgency when industry needs it most. Furthermore, the Bloc refuses to listen to the industry. At the industry committee, its members clearly heard industry leaders say that:

—when government dictates industry structure, it almost inevitably gets it wrong. Let the marketplace decide the structure of industry...we need the changes in business climate.

That is exactly what the government has been doing. We are ensuring that our economic fundamentals are correct. The Conservative government has introduced broad-based tax reductions that will deliver over \$8 billion in tax relief for manufacturers and processors over the next several years. This was voted against by the Bloc Québécois.

The government has improved capital cost allowance rates and has introduced a science and technology strategy that will help boost industries' innovation and productivity. This was voted against by the Liberals and the NDP.

We are modernizing our infrastructure through a \$33 billion built in Canada plan so that our manufacturers can take advantage of economic opportunities within Canada as well as other countries. That is also opposed by the opposition.

We are streamlining the review of large natural resource projects, reducing red tape and the regulatory burden on businesses.

We are investing in people, skills and training so that manufacturers have access to the best educated, most skilled and most flexible workforce in the world.

In short, we are creating a climate where industry can be more productive, innovative and successful in securing jobs for Canadians, but the Bloc neglects these facts because in order to justify their existence here in Ottawa its members spend every waking hour trying to prove that somewhere, at some time, the sky might be falling.

Let us now turn to some of the more specific measures the Government of Canada has implemented to help address the competitive challenges facing the forestry industry.

● (1130)

In the fall of 2006, Canada and the United States cleared one of the most significant hurdles this industry has ever seen, the softwood lumber dispute. Less than nine months after taking office, this government made good on its pledge to bring an end to the 20 year trade dispute.

The agreement is good for Canada and its forestry industry. It eliminates U.S. countervailing and anti-dumping duties. It brings an end to costly litigation. It protects provincial management policies. It returned over \$5 billion to Canadian producers. This contributes to the industry's stability, therefore benefiting workers and supporting the economic development of rural communities.

It is in the interest of Canada to see the softwood lumber agreement last its full term. The ability of the agreement to last a minimum seven years would be jeopardized if the government were to accept the Bloc Québécois measure of a government loan and loan guarantee program set out in the motion. This is the hypocrisy of the members of the Bloc. They voted in favour of the softwood lumber agreement that returned needed money to Canada's forestry industry, but they would turn around and demand loans and loan guarantees that would send Canada back to years of litigation, where the only people who would get paid would be the lawyers.

This government has provided over \$400 million through budget 2006 to strengthen the long term competitiveness of the forestry sector. We want to combat the mountain pine beetle and support worker adjustments in an industry going through a major transition.

The Conservative government's \$128 million forest industry long term competitiveness initiative was designed to advance a prosperous forestry industry and the communities and workers that depend upon it.

The sum of \$70 million has been provided for the forest innovation and investment fund. This includes funding to assist in the consolidation of Canada's three national forest research institutes to form FPInnovations, the largest public-private forest research and development institution in the world; funding for pre-competitive, non-proprietary R and D to address the development and adaptation of emerging and breakthrough technologies in biotechnology and nanotechnology; and funding for the creation of the Canadian wood fibre centre, a new research entity to increase our knowledge of wood fibre qualities and how best to utilize this wonderful resource.

As well, this Conservative government is expanding opportunities in new export markets and encouraging value added wood production. These are important priorities of our government. We recognize their importance for the long term future of the sector.

The forest industry long term competitiveness initiative is providing \$40 million in funding for programs designed to: one, expand offshore markets for wood products; two, develop new applications for wood products here in North America; and, three, to assist value added wood manufacturers.

Through the Canada wood program, offices have been established in Shanghai, Beijing, Tokyo, Brussels, London and Seoul, which make it easier to establish contacts and promote Canadian wood and its attributes to governments, builders and consumers. The program has raised the profile of Canadian wood products in these markets, resulting in increased exports. The reality is that the Bloc will never deliver this type of access to Canadian and Québécois forest products because that party will be forever in the parliamentary penalty box.

The North American wood first program is an initiative that will increase wood usage in North America in recreational, commercial and institutional applications such as restaurants, schools, hospitals and shopping centres.

In addition, the value to wood program facilitates secondary wood manufacturing opportunities and enhances the competitiveness of this very important sector.

Private Members' Business

Each one of the initiatives I have mentioned is already up and running, but this is not the end of the matter as far as the government is concerned. Given the importance of the forestry sector to Canada, we must continue to support its long term viability.

This Conservative government has and will continue to deliver real results for Canada's forestry industry. We will continue to do this despite the ardent opposition of the Bloc and inflated rhetoric.

Unlike the Bloc members who will forever be doing nothing in Ottawa but playing politics with the lives of these forestry workers at a time when they need our support, this Conservative government is delivering real tangible results for the forestry industry. During times of challenge it is the true leadership and clear vision of this Conservative government that is getting the job done for this industry and its workers.

• (1135)

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, regardless of everything we just heard, the industry is in crisis, and it is in crisis for a number of reasons. One reason is the lack of action by the Conservative government, but there are others. There is the high dollar, the low demand due to the housing crisis in the United States, high energy costs and increased world competition. There are a lot of reasons that the industry is in crisis, but it is in crisis and it is getting worse all the time, mainly due to the lack of action by the Conservative government.

In northern Ontario we have been calling this a crisis for quite some time. The crisis is right across Canada. In small towns everywhere in Canada, people are feeling the pinch of this ongoing problem in forestry. When the going got tough the Conservatives sold out to the American lumber lobby. That is part of the reason. They left \$1 billion for the United States to fight against our forestry practices, and that is not the bad part. The problem is they gave over our sovereignty of our forests.

Any decision that a province makes or plans on making to help its forestry sector become competitive and to make sure it is sustainable in the future is now questioned by the lumber activists in the United States. Whether it is safety issues over roads or anything where the governments are trying to step in and make sure the companies can become sustainable and carry out their forestry practices, the American lumber lobby is questioning it now.

Right across Canada we have quite a few problems. There are municipalities, single industry towns, that are basically being shut down. When there are problems, and we hear about these problems all the time in the large centres where there are large job losses due to plant closures, it is devastating for the large cities. In Dryden, the sole employer is a large pulp and paper operation. It is still running with about 500 employees, but it had a peak a few years ago of 1,100 employees. If that shuts down, 75% of the workforce will not be working in Dryden. We have quite a few problems, especially in small single industry towns.

Private Members' Business

I want to speak for a moment about the first nations. A fact that a lot of Canadians forget is that over 17,000 aboriginal Canadians work in the forestry industry. More than 1,400 aboriginal businesses provide employment. All of these are affected by the downturn in the forestry economy and the lack of action by the Conservative government.

Motion No. 414 talks about an economic diversification package aimed specifically at communities that rely on forestry, and in my riding of Kenora we have a lot of that. I will speak for a moment on the integration of the forestry plants in northern Ontario, and it is the same for many areas of Canada, because a lot of people do not understand exactly how it works.

Whether it is a lumber plant, a pulp and paper plant, an OSB, plywood, or laminated beams plant, all these plants produce specific items but they all feed into the general stream that makes the other plants viable. Integration of all forestry plants in northern Ontario is important. It is vital to make sure they are viable, and I will give several examples.

In Ignace a state of the art sawmill has been closed down. It got value out of the trees at the best possible values, but all the residue chips were sent to Dryden. Ear Falls is still running but at a reduced rate. It is the same thing. It is allowed to sell lumber. It can make money because it sells the chips. The hog fuel also goes to providing energy. These plants have to continue to operate.

Kenora had a newsprint mill and when it shut down, all the residue chips that it did not use which normally would have gone to Dryden had to be flown somewhere else at a higher cost. The Dryden operation is the only large pulp and paper operation left in my riding, and without these sawmills running, due to the whole number of reasons I listed in my first comments, it cannot operate. It cannot operate at an economic level. It is closing down capacity and it is basically producing less paper without that support.

Motion No. 414 also talks about tax measures. Again I will go back to the issue of Kenora but it has happened right across Canada, in northern Ontario, northern Quebec and everywhere. There are large plants that are now closed and sitting empty. These are large sites.

Regarding the Kenora example, there is over \$100 million worth of infrastructure sitting there. One of the most important is a very large treatment lagoon which could be used for another industry if we had tax measures that would allow industries to come in. The problem again is that no one is going to come in and invest in forestry the way the cycle is right now, but other measures could come in to allow some other industry to come in.

We are in the centre of Canada. Few people realize that the Kenora riding is almost in the dead centre of Canada. There is a lot that we could do if we were given the tax measures to interest somebody to come in. We do have large markets close by in Minneapolis and Chicago. There has to be some way to allow these plants to reopen, to provide some kind of future for the people of Kenora.

• (1140)

With government loan guarantees for modernization, there are many upgrades that sawmills could carry out. The bottom line of all

modernization has to be that we get more value out of the tree. For too often we brought in large trees and sawed them into 2x4s. There is equipment out there now that could be bought which could help the sawmills become more productive, more feasible and again make sure they are operating at peak capacity and make sure that they provide employment for the local people and a product that the world needs.

Government loan guarantees could be used for new paper machines. Recently in Dryden a machine that produced about 355,000 tonnes was closed down to run one for about 155,000. These machines are 25 years old. If loan guarantees were available, the company could look at putting in a brand new paper machine that could produce whatever was demanded, whether it was 155,000 tonnes or up to the larger amounts of 500,000.

These things should be put into place. Companies should have the option to get these guarantees to make sure that they can move forward, use the fibre that is so abundant in northern Ontario and make sure that they provide employment and again a product that the world needs.

With respect to greenhouse gas reduction targets, most of the public does not realize that the pulp and paper industry is ahead of the curve. This industry has done very well in making sure that its emissions are under control and ahead of what is proposed for Canada. It has a lot to offer. Again, we go right down to the other uses. Sawmills are not large emitters but they have opportunities to benefit from carbon plans that could come in making sure that they get value for the investments that they have made in the past.

The government could do more to make sure that programs are in place to protect our environment. We have spoken in the past about protecting the environment. Operations could be closing the loops in their systems. Most operations bring water in at one end, use it for the needed processes and then clean it up and discharge it at the other end.

With today's environment conscious nature, we could be closing these loops. There is no reason that the water in the plant could not be recycled and used over and over again so there would be no effluent travelling into our rivers. The best way to protect the environment is to make sure that everything stays inside the system and close the loop. There have to be opportunities available for us in that.

With respect to refundable tax credits and research and development, this is really the future of the forestry industry, an industry that has played a very large role in the development of Canada. This has been our past. This is how we opened up the country. There are tough times. When there are tough times no one is going to invest. It is up to the government to step forward, make sure that it provides some kind of incentive and make sure we are looking to the future and make sure research and development is well funded so that our companies can be ready to face the future and whatever opportunities that are there.

Private Members' Business

There are other support programs, energy and ethanol for forest waste cogeneration. Again, in my riding and many ridings across Canada the waste on the forest floor is left to pile up and then it is burned. When we fly across northern Ontario in the fall we can see thousands of large fires, after the forest fire season has ended. They burn this waste. There is a lot of opportunity to use this in cogeneration. Again, with respect to Kenora, we put forward plans to make sure that a lot of that forest waste was brought forward, used in co-generation to reduce the energy costs in the mill.

We have to get everything we can from the fibre stream. We have to use the trees for their best value. We are just starting the process and making sure we are extracting the most value from our forests. This is our future.

On employment insurance, there are all these towns that have been devastated, Ignace, Ear Falls, Kenora, Sioux Lookout and Dryden. They all have workforces that have been displaced. The government plan is to retrain them and move them out. I want no part of that. I do not want to have to retrain every employee in northern Ontario and then ship them out somewhere else. What will be left when we do find the answers to make sure industry can survive in northern Ontario?

Support for older workers is something that the government can be involved in. If there are buy-outs to be had or if there are retirement incentive packages, the government can be part of that to make sure that our workers are respected for their long service, and that at 54 or 55 years old they are not shipped somewhere else.

We did have a lot of these answers in the \$1.5 billion forestry package. This was thrown out by the Conservatives when they came into power and it is going to cost the communities in Canada a lot.

Canada grew out of its small towns. We need to keep small town Canada. The only way we are going to keep small town Canada is by investing in it. When it is tough times, that is not the time for the government not to back them up. It is not going to help small town Canada. We have to make sure that we respect our small towns. We want to make sure that they are involved in our future.

There is a future in forestry. It is not enough to wash our hands and simply say we are retraining all the workers. We should put packages together to make sure that we respect those workers and make sure that forestry is part of our future.

• (1145)

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I want to begin by saying that I represent a riding whose economy is very dependent on the forest industry. My riding covers more than half of Vancouver Island and a very large piece of the central coast of British Columbia. There are many small towns in the riding that are solely dependent on the forest industry. They are struggling and have been for a number of years.

I have been speaking about what is going on in those communities and advocating for them since before I was elected to this position. Therefore, it is with a lot of emotion that I stand here today to speak about what is happening in our communities.

I grew up in a logging family. My father and grandfather were loggers and both of my brothers work in the logging industry. We

grew up in small logging communities and I am very well aware of the cycles in the forest industry, but what we are seeing today is not part of that cycle, the ups and downs of the industry. It is a growing crisis across this country.

We see it in coastal British Columbia and in the interior with what is happening with the pine beetle encroaching on the boreal forest and the destruction it is causing. We see it in Ontario, Quebec and the Maritimes where mills are closing. People are starting to wake up and realize this is a growing crisis and is not something that happened by accident. It is partly because of the policies that governments have put in place that have encouraged some of the practices going on today.

I want to thank the Bloc for bringing forward this motion which speaks to some of those things but would also like to add a few others.

Like I said, my riding is dependent on the forest industry. I have had the opportunity to travel around the riding and this summer I took an airplane trip up the coast to one of the very remote communities. On the way, we were flying very low over some of the logged areas and there was a lot of activity going on. There were trees being cut, put into the water and floated down to Campbell River or Vancouver, which is not in the riding. From there, they get loaded on barges and shipped out of the country.

I have always said that the irony is not lost on the people of the north island when they see their logs being shipped out of the country to get processed. We then have to buy the lumber back. There are mills closing and people are out of work in the milling industry. It is all part of what has happened with the softwood lumber sellout.

The parliamentary secretary who spoke before me mentioned that, as a result of the softwood lumber agreement which the Conservatives are very proud of, we are not able to pass a motion like this because it would be seen as a subsidy to the forest industry.

One can only wonder why the government would agree to something that would allow the U.S. lumber lobbyists to dictate our very own forest policy and what we can do in our country. It is shameful the government would agree to something like that. I am very proud that the NDP caucus did not support that softwood lumber sellout and will be continuing to fight for our forest communities for years to come.

There are a number of things in this bill, like the economic diversification program, aimed specifically at communities that depend on the forest industry. In my riding, there are towns like Port McNeill, Port Alice and Port Hardy. Port Alice has a fibre mill that went down a couple of years ago. It had to get help from the provincial government to reopen and now it is only at half capacity. Again, because of the softwood lumber sellout, all the logs that are cut down and shipped out do not go to that mill for the fibre.

Private Members' Business

This mill makes a very high quality fibre that is recognized around the world and yet it cannot obtain the logs needed. It has to go to Alaska to get the logs. Alaska is not part of Canada, and it is bizarre that we are surrounded by trees and cannot get them.

● (1150)

It is asking for help to diversify its small community with a dock. It does not need much money, maybe \$500,000 to get going, and it would increase the opportunities for tourism and other things in the community, but we are having a hard time getting any money out of the government for that community.

Any kind of program that would help these single industry towns, which are dependent on the forest industry, to diversify is a good thing. It will keep people in the community. It will keep jobs there and it will actually help grow those communities and give them a better economic base.

Another issue is the tax measure that encourages the development of processing activities in the region. The government's ideology is that if we give general corporate tax cuts, it will help the trickle down effect, however it has never helped any sector create jobs.

Take the auto industry for instance. My colleagues from Windsor West and Windsor—Tecumseh know full well that we could create cleaner, greener jobs where we have lost our standing compared to other countries. We have dropped from fourth to tenth in assembly production in the automotive industry and yet today the government will not support the Ford Essex engine opportunity in Windsor. My colleagues have been pushing for that and general tax cuts do nothing to increase industry. All they do is give the corporations big tax breaks.

We need to see investment in people and in communities to help increase our greener types of industries. Some of those in the forest industry would be like a little company in our community called Woodland Flooring. It makes flooring out of the wood that is left in the forest by the big logging companies. It is difficult for it to get that wood. It does it but it needs help. It is always a tough fight for small industry.

Other things like using wood waste for fuel for bio-energy is something we have been looking at in our committees when we are talking about biofuels and wood waste. Instead of just burning the slash in the bush and having it smoke, we could use that wood that would be waste anyway and create energy out of it because we know that is what we need to do. It is also better for the environment.

There are so many things I could say regarding this bill which would help communities in my area. The Comox Valley, Courtenay and Cumberland areas are communities where we used to have mills and they have closed. In Campbell River the Catalyst pulp mill and the Elk Falls Lumber Mill are going through downturns every few months and they are closing production for a few weeks. It is really hard on the workers in those communities.

The mills on Vancouver Island are asking the municipalities for tax breaks because they are struggling to stay open, so they are looking for anything. But unfortunately for the municipalities, they cannot afford to give tax breaks because the government needs to make sure it is supporting communities.

We are not seeing that through infrastructure investments in our communities. Small towns need to have the mills' tax base to maintain their infrastructure, so it is a double whammy for them.

Other little towns like Sayward, where we used to have a huge logging industry, is now almost a ghost town and it is looking for other ways to diversify. It is hard for it because it does not have the means. It does not have the capacity to build alternative industries. So, that is why we need to have the supports for the diversity.

I want to thank the Bloc for this motion. Hopefully—

● (1155)

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): Resuming debate, the hon. member for Trois-Rivières. I would like to inform her that she has ten minutes for her speech, but that she only has eight minutes today.

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, I would like to start by reading the beginning of the motion:

That, in the opinion of the House, the government should introduce a series of measures to assist businesses, communities and workers hard hit by the forestry crisis—

We must not forget that whole communities—workers, families, women and children—are affected by this unprecedented crisis. It is truly time to take action and we must act now. It is our responsibility as parliamentarians to support this motion because we must take action. That is what citizens are asking us to do and it is important to do so because this crisis is unprecedented.

This is a very serious crisis for Quebec. Since the Conservatives came to power, 78,000 manufacturing jobs have been lost. The majority of Canada's job losses have occurred in Quebec, where the forestry industry alone has lost 21,000 jobs, half the Canadian total. Almost one quarter of these jobs have been lost since the Conservatives came to power. Some regions, such as mine, La Mauricie, have been devastated. Between the summer of 2004 and the summer of 2007, 58% of forestry jobs were lost in Hautes-Laurentides; 38% in Abitibi-Témiscamingue; 34% in Saguenay—Lac-Saint-Jean; 32% in the North Shore; and 29% in Mauricie. And more cuts are coming.

The Bloc Québécois not only believes it is urgent that action be taken, but has solutions to suggest. For one thing, we are proposing an economic diversification program devoted specifically to communities that are heavily dependent on forestry. We know that there are single-industry regions; one industry provides the livelihood for an entire region or village. So when people depend on a single specific industrial activity, which is vulnerable to the ups and downs of the dollar or the price of gas, as in the forestry industry, an economic diversification program is needed to help those communities. We certainly do not want an exodus from the regions of Quebec.

In the fall of 2006, when the Conservatives came to power and this widespread crisis was occurring, the minister responsible for the economic development of the regions of Canada terminated the fund, claiming that it was being badly used. We are calling for the fund to be reinstated, but management of it to be assigned to the regions, based on their own needs. The bureaucratic requirements have to be more flexible, and the fund certainly must not be terminated. In our opinion, Ottawa is not the one in the best position to decide what the regions need. The people of Lebel-sur-Quévillon, Trois-Rivières and Donnacona know perfectly well how to spend that money and how to diversify their economy.

The government's assistance plan does not do what we need it to. The EDC's CEDI-Vitality program is not up to the challenges that the regions of Quebec are facing. The Bloc Québécois is proposing that a billion dollars be placed in a fund set aside strictly for diversification of forestry-based economies. We are also suggesting tax measures to encourage the development of processing activities in the regions. How can we do this? We have to encourage skilled workers to settle in the regions, by doing as the Government of Quebec has done, offering a refundable tax credit worth \$8,000 for every young graduate who settles in a resource region to take a job in his or her field.

We are also suggesting that job creation in resource regions be encouraged and companies operating in secondary and tertiary processing in those regions be given a tax credit equivalent to 30% of the increase in their payroll. We are further suggesting that the development of small and medium-sized manufacturers in resource regions be encouraged by offering them a tax holiday equivalent to 50% of their income tax. We have discussed all these measures at the Standing Committee on Industry, Science and Technology. They are measures that will enable our regions to survive, that will enable our economy to diversify.

We are also suggesting a government program to provide loans and loan guarantees for modernizing companies. Investment in modernizing production equipment is the solution for a company and for the entire industry so it can continue to be competitive. In the softwood lumber crisis, we saw the federal government's failure to act.

•(1200)

The Bloc Québécois has consistently called for loan guarantees for companies, and the government has turned a deaf ear. Among other things, paper mills have been unable to invest, and ultimately we have experienced significant job losses. It is high time to have refundable contributions of \$1.5 billion for companies to purchase new equipment. The refundable tax credit for research and development seems to us to be one such solution.

In closing, this was one of the recommendations in the report on the manufacturing sector. Why is this government not making an effort to do this? Why has this government come in with a plan, a trust, that is unacceptable, and with amounts that are too small or too badly allocated?

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. When the House resumes consideration of Motion

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M-414, there will be three minutes for the hon. member for Trois-Rivières to finish her comments.

GOVERNMENT ORDERS

[*Translation*]

YOUTH CRIMINAL JUSTICE ACT

The House resumed from November 26, 2007, consideration of the motion that Bill C-25, An Act to amend the Youth Criminal Justice Act, be read the second time and referred to a committee, and of the motion that this question be now put.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, I am extremely pleased to rise in this House to speak to a bill as important as Bill C-25, An Act to amend the Youth Criminal Justice Act.

A few months ago, my colleagues in the Liberal caucus, especially the hon. member for Notre-Dame-de-Grâce—Lachine and the hon. member for Yukon, spoke in this House about the Liberal Party's serious concerns about the direction this government is taking by adding denunciation and deterrence as sentencing principles that a court may consider when imposing a sentence on someone convicted under the Youth Criminal Justice Act.

•(1205)

[*English*]

In previous debates, the House has heard a lot of discussion around how the Youth Criminal Justice Act could be improved.

I think all members would acknowledge that the Youth Criminal Justice Act is a significant improvement over previous legislation, the Young Offenders Act, for example. Legislation as important for the protection of the public, as the Youth Criminal Justice Act, from time to time needs to be examined, to be updated and to reflect the different circumstances that may lead Parliament in its wisdom to make amendments.

This bill proposes to do two things. It proposes to add denunciation and deterrence as sentencing principles that a court may consider when it imposes a sentence on someone convicted under the Youth Criminal Justice Act. It also facilitates the use of pretrial detention in cases where a youth has committed a violent crime, has breached current conditions of release or has been charged with an indictable offence for which an adult would be liable for a term of imprisonment for more than two years and has a history which would lead the court to conclude that there is a pattern of findings of guilt.

Those of us in the Liberal caucus, who have looked at the legislation, have concluded that the government has gone a considerable distance, and in a positive way, to deal with the breakdown in the system, particularly around pretrial detention of some of the most violent young offenders.

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This aspect of the bill merits considerable approval in the House. It attempts to strike the right balance between protecting the public and also recognizing that the objectives of rehabilitation and integration are obviously important when dealing with a young offender.

Where we have some considerable difficulty, however, is with respect to the government's intention to introduce deterrence and denunciation as principles in sentencing of young offenders.

Many colleagues have spoken in the House about a report done in Nova Scotia by Justice Merlin Nunn, following a tragic incident in the province in 2004 involving the death of a woman, Theresa McEvoy, who was killed in her vehicle by a 16-year-old person joyriding in a stolen car at the time of this tragic incident. At the time, the particular young offender had been released by a court despite having 38 criminal charges filed against him.

In June 2005 the Government of Nova Scotia called a public inquiry to look at how the charges against that youth were handled and issues relating to why he was in fact released, which led to the tragic death of Ms. McEvoy. Justice Merlin Nunn was named by the Government of Nova Scotia to conduct this important inquiry.

Those of us in the Liberal caucus, who have spoken previously on the legislation, have urged the government not to simply cherry-pick from Justice Nunn's report, as it has attempted to do in the bill, but to look in a comprehensive way at all the recommendations made by this eminent Nova Scotia judge, who had extensive public hearings and who considered a wide range of issues. From our perspective, Justice Nunn made a number of very thoughtful recommendations to rebalance the legislation to deal with such difficult issues as pretrial detention of violent, repeat young offenders.

The bill focuses only on a partial response to some of the recommendations made by Justice Nunn.

In his report Justice Nunn talked about finding a better balance in the Youth Criminal Justice Act in terms of focusing on rehabilitation and integration. Justice Nunn does not believe that the concept of having denunciation and deterrence as important sentencing principles will lead to a better balance and to modernizing the Youth Criminal Justice Act. The Conservatives are attempting to introduce these elements in sentencing, which to some extent import adult sentencing principles into youth criminal justice legislation.

Section 718.1 of the Criminal Code, dealing with adult sentencing, addresses the issue of proportionality. The Youth Criminal Justice Act has had a different set of values when considering sentencing, and we have some hesitancy in seeing the government move toward adult sentencing principles of the Criminal Code as they would apply to the Youth Criminal Justice Act.

As I said a minute ago, of the two elements in the bill, there should be broad support, and certainly in our caucus, around the issue of pretrial detention, allowing the court to impose pretrial detention on some of the most violent, repeat young offenders.

The Supreme Court of Canada, in a decision on June 22, 2006, said that deterrence and denunciation with respect to sentencing were not principles found in the Youth Criminal Justice Act. The court's opinion was persuasive with respect to the need to focus on

rehabilitation and reintegration when one was dealing with a young offender.

Many experts in the youth criminal justice field have expressed concerns that the two particular principles the government is attempting to import into this legislation have not proven to be effective in dealing with youth criminal justice matters.

Jail time for young offenders is obviously an issue that is very complicated. Many observers have said, and I think correctly, that it should be a last resort in incarcerating a young person. All too often prison time and jail time can be the best training ground for crime. Prisons have often been referred to as schools for criminal activity. As much as possible, young persons should be put into a system that focuses on rehabilitation and reintegration in the community. We should not simply lock them up and throw away the key.

In his report Justice Nunn directs his attention very appropriately to the issue of jail time. He says, and I will quote from his report: "Many of these critics believe that jail is the answer: "There they'll learn the error of their ways". He goes on to say:

These critics pay little attention to contrary evidence, nor do they understand that [for a young person] jail [is often not recommended and] does not correct or rehabilitate, but rather often turns out a person whose behaviour is much worse than it was. Others espouse the vengeful adage "adult crime—adult time," paying no attention to the fact that it is a youth crime and not an adult crime.

As debate on second reading continues, we will be listening and looking forward to making amendments at committee. We believe the other recommendations of Justice Nunn, which my colleague, the member for Notre-Dame-de-Grâce—Lachine, identified in her speech, need to be added into the legislation.

• (1210)

[*Translation*]

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I was listening to my colleague from the Liberal Party comment on Bill C-25. First of all, this bill seems to be modelled on American practices. It leans more toward cracking down and getting tough on youth.

In Quebec, for many years now, we have been developing an approach focused more on rehabilitating and reintegrating youth. Some people do indeed commit serious crimes and must be punished, but our approach seeks to identify what these youth need. It does not necessarily criminalize them right away or send them to detention centres, and possibly to adult detention centres, as this bill would have us do. I do not believe that is a good way to rehabilitate and reintegrate youth.

I would like the hon. member to explain why this bill seems to be modelled on the American approach, when we know that the homicide rate in the United States is three times higher than it is here in Quebec and Canada.

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•(1215)

Hon. Dominic LeBlanc: Mr. Speaker, my colleague from Berthier—Maskinongé has done a fine job bringing into focus a model that the rest of the country can emulate. To my knowledge, Quebec is very advanced in the areas of youth criminal justice and the treatment of young offenders. He has clearly stated the important principle of rehabilitation, which remains paramount to the Liberal Party in discussing youth justice issues.

I agree with what he said about many bills put forward by this Conservative government being inspired from failures of the Republic model in the United States, a model that never worked by the way. In Nova Scotia, Justice Nunn produced an important report on all these issues. He reviewed all the evidence relating to how to protect society and rehabilitate young offenders. We believe that his report deserves special attention. This is why we will be proposing amendments to that effect in committee.

[*English*]

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, in the member's assessment of the bill and in looking at the whole question of youth justice and the criminal justice system, did he factor in at all the whole notion of restorative justice? Has he thought about it much?

I know that a lot of research has been done. A lot of people have worked in that area and are bringing restorative justice forward as a way to reduce recidivism among youth who find themselves in trouble with the law. Plus, it adds a whole new element to the way that we grow and develop a community and the community responsibility and response in regard to this terrible challenge of youth and crime and youth who find themselves in difficulty with the law.

Could the member share with me how he sees this piece of legislation perhaps impacting on the movement to have more of a restorative justice approach to dealing with youth and the law?

Hon. Dominic LeBlanc: Mr. Speaker, my colleague from Sault Ste. Marie raises what I think is a very good point. The legislation is a very narrowly focused piece of legislation, as I have said, designed basically to deal with two elements of the Youth Criminal Justice Act. From our perspective, it does not take into account much of the important innovation that has taken place around restorative justice.

I have two federal prisons in my constituency, in Dorchester, New Brunswick. I have had a chance to meet a number of people involved in those prisons, including social workers, people from the John Howard Society and a remarkable gentleman called Siegfried Janzen, who in his eighties had done a number of community initiatives around restorative justice and had made great progress.

We think those innovations need to be looked at in a comprehensive way around the Youth Criminal Justice Act. We think that to focus narrowly on sentencing and pre-trial detention takes away from other very important aspects.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I am very pleased to address this bill today. I remember a few years ago, when the Bloc Québécois fought an epic battle regarding the Youth Criminal Justice Act. Our

justice critic at the time, Mr. Michel Bellehumeur, had tabled 3,000 amendments to the bill, and over 2,800 of those had been deemed in order. These proposed changes by Mr. Bellehumeur—who is now a judge—were based on the approach that has been in use in Quebec for several years.

Indeed, when it comes to youth justice, we must really promote rehabilitation. Young offenders must understand the consequences of the bad decisions that they have made, and of the actions that they have taken. They must realize that they did not do the right thing, and we have to help them reintegrate society and become good citizens again. We must avoid sending them to what is known as “crime school”, by slowly putting them on the path to penitentiaries, because these young people may then make inappropriate contacts and end up making the wrong choices. It has been demonstrated—again in the 2007 data—that Quebec's approach results in lower crime among young people, while there is an increase in all of the other provinces of Canada.

That was an epic battle indeed. In the end, we lost the vote in the House and the act was amended. However, a court ruling helped reduce the impact of the decision made by the federal government in office at the time, which was influenced by the American model and which felt that this was the way to go. Ultimately, the results achieved were not as bad as expected. However, the Conservative government is now going on the offensive again and wants to introduce measures that will again target youth behaviour, rather than focus on rehabilitation.

In that sense, the point of view the Bloc Québécois supports in this House is shared by all of Quebec. Our point of view is in direct opposition to the Conservative government's vision. Let us remember that the Minister of Justice said that children as young as 12 should be thrown in jail. Then we were told that the statement was being quoted out of context. However, the spirit in which this bill was tabled, the spirit in which they want it to be adopted, reflects the attitude that young people should be punished. According to this draconian policy, the justice system should punish young people, not rehabilitate them. The bill before us is not in line with choices that Quebec has made in the past. In Quebec, the crime rate has dropped.

For example, clause 1 of Bill C-25 states that the judge should presume that pre-trial detention is necessary if a young person is charged with a violent offence, has been found guilty of failing to comply with non-custodial sentences, or has been charged with a crime for which an adult would be liable to imprisonment for a term of more than two years and has a history that indicates a pattern of findings of guilt.

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This is the same line of thinking that motivated the government to impose mandatory minimum sentencing in all adult cases. They want to box young people in. That kind of attitude can have a very negative impact when it comes to youth crime. We have seen how Quebec's justice system works for minors, and it is important to have an approach that makes it possible to find real solutions that will result in the rehabilitation of young people, not the opposite.

The clause before us may seem appealing at first glance, but we have to take a closer look. By attempting to transfer the burden of proof to youths, the Conservative government is challenging a basic principle of the justice system, the presumption of innocence. As we have so often seen, charges do not necessarily result in a guilty verdict. Teenagers who are detained prior to trial, and who are then found innocent, will have been subjected to the awful consequences of detention even if they did nothing wrong.

● (1220)

With the presumption that is weighing on him, a young person will have to prove that he does not pose a threat to society even before being found guilty of an offence. Moreover, this will even have an impact on his day-to-day life. To his classmates, it will be as if the young person was found guilty before the fact, which is not necessarily a happy choice. In our opinion, this clause is not in line with the logic that should prevail on the issue of youth crime.

Clause 2 makes a major change in sentencing criteria. It states that, from now on, sentences can be aimed at denouncing unlawful conduct or deterring the young person and other young persons from committing offences. This seems benign in and of itself, but it is anything but. It represents a fundamental shift and goes against Quebec's traditional position. Moreover, the Supreme Court issued this opinion on this issue:

Parliament has sought preferably to promote the long-term protection of the public by addressing the circumstances underlying the offending behaviour, by rehabilitating and reintegrating young persons into society and by holding young persons accountable through the imposition of meaningful sanctions related to the harm done.

This is not the spirit of the bill before us. For that reason, we believe that we are right to be opposed to the bill as introduced.

According to the Supreme Court, the fact that deterrence is not among the objectives of youth sentencing is a very significant deliberate omission. We have found that the spirit in which the federal government acted is meeting with a great deal of opposition from stakeholders in Quebec who are concerned about the whole youth crime package. We would therefore like the federal government to reverse its decision and reconsider the issue so that the approach developed in Quebec can continue to apply appropriately.

Our fear is that Bill C-25 is merely the first step. It is not necessarily surprising to see the Conservative government put forward measures like the ones in Bill C-25. It is not very surprising, coming from a party that tolerates the fact that its Minister of Justice is so blinded by his ideological approach that he is contending that the only way to eradicate the supposed wave of youth violence is to increase public safety, restore public confidence in the justice system and sentence young people to prison, even children no older than 12.

The law currently states very clearly that incarceration should be an exceptional measure and that the judge must give priority to extrajudicial measures before incarcerating a youth. So it is obvious that the bill's proposed amendments to sections of the act go against the spirit of judicial intervention in this sector. For these reasons, the Bloc Québécois believes that this bill should not be passed as is.

The former minister of justice said that it was acceptable to incarcerate young people aged 12 and up. At the time, there was a concern that this statement implied that the Conservatives' goal was to change the sentencing principles in the act to make incarcerating youth the rule, instead of the exception. Now we see that the minister did not make a mistake, but that this is the path the Conservative government wanted to take. This is why we will vote against Bill C-25 as it stands now.

In conclusion, I would like to remind the House about the epic battle fought by Michel Bellehumeur, the member for Berthier—Montcalm at the time, which was supported by all the Bloc Québécois members. Our strength in that battle came from the fact that we had the support of all of Quebec.

The scope of Bill C-25 is much less broad, but it still has the same goal and would still have us copy the American model. The Bloc Québécois says no to this approach and it is representing Quebecers on this issue.

● (1225)

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I want to begin by congratulating my hon. colleague on his very good presentation. I guess I am not telling him anything he did not already know when I say that, under constant pressure from the Bloc Québécois, the government eventually recognized that there are after all two peoples in Canada: the Quebec nation and the Canadian nation. The bill before us today really highlights one of Quebec's distinguishing features. This is what I would like to question my hon. colleague about.

With its heavy-handed approach, is the government not reinforcing the idea that there are indeed two nations? On the one hand, the Quebec nation believes in rehabilitation, solidarity and providing whatever help it can to young offenders. On the other hand, on the government side, not only can a "made in USA" approach be perceived, but I would go as far as to call it a Republican approach, which contrasts even more starkly with Quebec's distinguishing feature.

In addition, I think my hon. colleague will agree with me that Quebec seems to have achieved greater success in that area, with its lower crime rate. By investing in these young people to rehabilitate them, we are showing that Quebec's society got it right. I would like to hear my colleague on this Quebec approach, as opposed to the Canadian or "made in the USA" Republican approach.

● (1230)

Mr. Paul Crête: Mr. Speaker, I thank my colleague from Saint-Jean for his very relevant intervention. I would remind him that in May 2001, the National Assembly of Quebec called on the federal government to consider Quebec's approach. The text read:

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That the National Assembly call on the Government of Canada to make provision within the criminal justice system for young persons for a special system for Quebec under the Young Offenders Act, in order to fully reflect its particular intervention model.

At that time, we will remember, the nation of Quebec had not yet been recognized in this House. A Bloc motion led the debate on that issue, and the Prime Minister agreed to recognize it. The time has come for concrete actions to illustrate how this nation is different and today provides a very concrete way to do so. The Conservative Party needs only to recognize that the nation of Quebec wants a different model and that even if the rest of Canada wants a more Republican approach, modelled on the U.S. Republican Party's punitive approach, that is not the approach Quebec wants to take. If the concept of nation means anything, this would be a concrete way to prove it, and recognize that Quebec could have a different model.

Unfortunately, the Conservative party says one thing and then does another. For example: the nation was recognized, Bill C-25 is still being debated and there is no specific measure to allow Quebec to withdraw from its application. Quebec's approach has produced some interesting results. Youth crime is handled differently; rehabilitation is possible. We want that approach to continue.

Thus, we must be clear that we are against the approach in Bill C-25. In the past, there was an epic debate on this whole issue. Today, there are specific measures, but the federal government's attitude remains the same. Whether Liberal or Conservative, the government wants to impose the same repressive right-wing American model on everyone, while Quebec's model is exemplary and has been recognized. Earlier I heard some members from the Liberal Party of Canada cite it as an example.

I hope that we will come to recognize the background of this issue, the battles that have been fought and the way youth justice is applied in Quebec, so that this approach can continue to be used in that province. I also hope that the repressive approach in Bill C-25 will be dropped.

[*English*]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I am pleased to rise today and speak to Bill C-25, An Act to amend the Youth Criminal Justice Act. The bill has two potential consequences to the Youth Criminal Justice Act. In particular, I want to focus on the possibility of a pre-trial detention for a young person. The bill also adds denunciation and deterrence of unlawful conduct to the act's principles in sentencing.

The New Democratic Party has concerns about these two elements and also the vacancy of other public policies to prevent crime and in particular issues facing youth.

Our party is supporting the bill. We are indicating though that we do want to see amendments prior to the bill being passed. These two issues are very significant and have several consequences that relate to youth and justice in our society. We believe that the bill in its current state does not address those issues.

I want to touch now on a couple of those issues. The first one is with regard to the first part of the bill which is a little bit different in the sense of treating young people and making sure that they are detained longer. At the present time the judicial system has that capability. What this legislation will do is codify existing practices.

The concern that the NDP has around this is that it could to some degree also take away the opportunity or impose a structure for judges that we believe would be a step backward. We think that this is one of the things that should be looked at.

As well, one of the things that is going to be happening with regard to this issue is really a deterrence as a principle of sentencing. This issue is very debatable in terms of the justice file right now and also in terms of how to prevent crimes and provide an opportunity for restorative justice.

I have spent four years and was involved in five programs with helping youth who were at risk. These youths either had some type of issue with regard to the law, committed crimes and were punished, or alternatively they were viewed at risk because they were out of school and unemployed. These youths were seen as persons who would eventually end up in those circumstances if they did not either decide to go back to school or find a job.

What I have found is that to this day those programs are not supported enough, not only in terms of the federal programs but also provincially. We heard some discussion about Quebec and that province deserves some kudos in terms of the way it has led the way in many respects in this country on making sure that youth and youth issues are looked at in a preventive style.

In my community it can be said that those programs, whether it is St. Leonard's House or New Beginnings, have been very successful because they were designed so that street level youth would have an opportunity to be able to turn their lives around.

Some of those programs I ran and still being run today. This was done with a philosophy of a small investment of the correct prevention strategy. The programs made sure that people had choices in front of them, as opposed to feeling that they had closed doors. This led to greater decision making and resulted in either finding employment or going back to school and obtaining the skills and training that would provide employment. What we see with Bill C-25 is a deterrence to sentencing.

The Supreme Court looked at this in *Regina v. B.W.P.* I want to read a small excerpt in terms of the discussion that came out of that decision, so people will understand what this mode is going to do. It said:

When general deterrence is factored in the determination of the sentence, the offender is punished more severely, not because he or she deserves it, but because the court decides to send a message to others who may be inclined to engage in similar criminal activity.

It is not necessarily what a person has done that is going to increase the sentence for a particular crime, but it is to send a message to others. This has generally been a philosophy adopted in the United States. Quite frankly, I am not sure that it has worked successfully there. Perhaps in some jurisdictions there may have been some modest improvements, but overall in terms of North America we actually have higher rates of incarceration of youth. One of the things that is interesting about this debate is that we do have some issues related to that in our own country.

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•(1235)

One has to wonder whether that is going to be the way to ensure that youth are not going to make subsequent decisions or other poor choices that are going to lead to criminal activity and that will have consequences for them and society.

One can lay out programs and services like the ones I provided at the multicultural council or New Beginnings in my riding of Windsor West where individuals can be successfully unplugged from the wrong people they are hanging around or even from gangs. They can also be provided with a host of opportunities that undermine the person's attraction or so-called easy decisions at the moment that lead to poor choices and get them in subsequent trouble. They have the opportunity to turn things around.

These programs will not get to everybody. There is no doubt about that. There are some individuals who will have to face the justice system straight on. The fact of the matter is that this country has not done enough for the programs to make sure youth will make the right decisions.

I can think of a few individuals who went through the program in my riding. They had been involved with the wrong people and had been in and out of custody numerous times but, at the same time, when they were provided the stability of counselling, an opportunity to feel that they would be constructive in their place in society, as well as the economy, they became successful.

This is what I cannot understand. The government is not acting on those opportunities. It has talked about announced funding and so forth, but it has very rarely delivered.

This bill is not as comprehensive as it probably could be because there are some outstanding legal court challenges coming forth that will affect the way the government can go forward, but it is important to note that prevention still is not at the top of the order by the government.

The fact of the matter is there are supposed to be police officers in different municipalities and the government has yet to deliver on that. I recently spoke to the chief of police in my riding about this issue and there is still no support that was promised by this administration. It said it was going to put more police officers on the streets of this country and has yet to deliver on it.

That is interesting. The government makes these announcements, but they never come to fruition and it never delivers on them. The government does it in all kinds of fashions, whether it be this issue or other simple issues like infrastructure projects, where it does not sign agreements with its partners, be it the provinces or other municipalities, to get the money flowing.

These are problems because the government is not providing a vision on how we should move forward. We also lack the opportunity to uproot some of the most important issues that centre around youth criminal justice and that is to make youth feel that they are going to have a good future, engage in good choices and, most importantly, feel like productive members of society.

There are individuals who are going through troubled times in their lives and I have not even touched on the issue of mental illness and the lack of supports. In my province of Ontario there are

individuals who are not getting the proper medical and psychological support which would enable them to maintain productivity in terms of being citizens and not engaging in activities that harm other individuals or making bad decisions that have significant consequences. This is really important. With every dollar that we put toward prevention, we can save double or triple that when it comes to incarceration later on.

This is an important bill. The act has been amended several times. It has been debated hotly politically, but at the end of the day we have to do something that is going to be an improvement for youth, so that those who have to go through our justice system, and create victims who are affected by these poor decisions, are going to receive the penalties through the justice system in a full and accountable way.

At the same time, the government and society have to do a lot more to provide opportunities to help youth make the right decisions or, if they have made wrong decisions and are willing to turn things around, have the opportunity to do so. That comes with support and a community that is inclusive.

•(1240)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, it is opportune that we have several justice bills before us this week. It is a good chance for the three opposition parties to point to the failure of the whole justice agenda of the government. I would like the member to comment on that.

The government has failed in a number of areas. It has failed the rights of Canadians as related to court challenges. It has been a disaster as related to capital punishment. It has been a disaster as related to alternative sentencing, and only the opposition parties held the government back from making mistakes in that instance. It has been a disaster as related to reforming the legal system through the Law Reform Commission. It has been a disaster in reducing aboriginal overpopulation in prisons.

It has been a disaster in crime reduction factors. When the government first came to power, crime in Canada was going down, but just a week ago the government had to introduce a bill to increase the number of judges because crime has not decreased dramatically.

Our position in the Liberal Party is that one of the reasons for this is that the Conservatives are not focusing at all on things that would reduce crime, such as prevention of the root causes, as well as an area where we had some success, alternative sentencing for youth. The government is also not dealing with the determinants of crime. Also it is not focusing on not putting everyone in prison longer in cases where, as the experts have told us at committee time and again, it actually is going to increase crime.

There are a lot of areas on which my colleague would agree. He has a lot of experience and he could depict the areas where he could offer more productive ways to reduce crime in Canada.

Mr. Brian Masse: Mr. Speaker, my colleague is right in his intervention when he says there are all kinds of issues out there, such as capital punishment and the current court challenges situation.

Government Orders

He mentioned one issue, though, that I think needs some attention and that I did not get into due to lack of time, but I do want to read for members a little research on the issue of the aboriginal population. I think it is an important connection to prevention and also to the systemic issues we have. The research states that currently:

Aboriginal youth are overrepresented in the youth criminal justice system. While aboriginal young people comprised only 8% of Canada's youth population in 2002-2003, they made up "44% of admissions to remand, 46% of sentenced custody admissions and 32% of probation admissions, and 21% of alternative measure cases reaching agreement".

The point is that we know just from this evidence that there are systemic problems in dealing with our aboriginal youth and that we in this House collectively have failed in many regards to resolve this situation.

On an issue like that, we would hope to find non-partisan ground to change things around. Quite frankly, this is an international embarrassment to our country. It is well known outside our borders what we have done in Canada with regard to our aboriginal people. Although there has been some recent success on some issues with regard to residential schools and the apology, at the same time we know we have systemic issues.

I would offer to my hon. colleague as a suggestion to the House that we support those programs that work with youth. From my perspective of formerly doing this type of work, we should make sure to have regular and routine funding. We always had a problem with that. We were always going after a small amount of funding to keep the program going as opposed to having long term, stable funding that is accountable and fully reviewed. That has great expectations attached to it, but it also has a measure of stability so that the professionals involved can make sure there is going to be continuity. That, and working with the youth in local populations, is how to provide opportunities for people to make better decisions, because there is that connection.

It is something I would like to see and which we can control. When we provide funding we must make sure it is long term, stable and predictable. The community organizations providing this work will have no problem whatsoever with being accountable and being reviewed, but at the same time they need to be supported appropriately.

• (1245)

[*Translation*]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, I am pleased to participate in today's debate at second reading of Bill C-25 to amend the Youth Criminal Justice Act. This bill has two main purposes. First, it broadens the circumstances allowing for custodial remand and, second, it adds denunciation and the deterrence of crime to the principles of sentencing. In addition, Bill C-25 clarifies that the presumption against the pre-trial detention of a young person is rebuttable and specifies the circumstances in which the presumption does not apply.

I want to make it very clear from the beginning that this bill is very much in line with the Conservative ideology, which consists of punishing the offender rather than preventing the offence. We have become accustomed to seeing this from this government since the Conservatives came to power in 2006.

So that our listeners may fully understand the impact of Bill C-25, I will comment on each of the provisions included in the bill and explain how this bill reacts to a deplorable situation, rather than preventing it from occurring in the first place.

The first provision states: a judge must presume that the pretrial detention of a young person is necessary if the young person is charged with a violent offence or an offence that otherwise endangered the public by creating a substantial likelihood of serious bodily harm to another person; the young person has been found guilty of failing to comply with non-custodial sentences or conditions of release; or the young person is charged with an indictable offence for which an adult would be liable to imprisonment for a term of more than two years and has a history that indicates a pattern of findings of guilt.

Those who are hearing this provision for the first time may consider the amendments appropriate and even logical since they refer to serious situations and offences. However, by transferring the burden of proof to the young person, the government is tampering with a fundamental feature of the justice system: the presumption of innocence. This is not the first time this government has tried to amend this aspect, but it must realize that we regularly see proof that not all charges lead to a guilty verdict.

In such a case, a youth who is detained before his trial and then is found innocent, will have experienced the often undesirable consequences of detention even though he did no wrong. In addition, because of the burden of proof on his shoulders, the youth will have to prove that he does not represent a risk even before being accused. The fact remains that we must avoid increased costs to communities to comply with the additional requirements. This logic is even more pertinent for those who are quite innocent but penalized by Bill C-25.

I have spoken often of the social and monetary costs of massive and preventive imprisonment in speeches on previous government justice legislation. Bill C-25 specifies that, henceforth, the sentence may have the objective of denouncing unlawful conduct or deterring one or more young persons from committing offences. Once again, anyone not very familiar with the law could find that this provision makes sense and would be a reasonable solution to a recurring problem. However, that is not the case at all.

This very ideological provision rejects the federal government's previous approach and runs directly counter to Quebec's traditional position. First, the fact that deterrence is not one of the objectives for youth sentencing in the Youth Criminal Justice Act is revealing. Why? Because the federal government in power at the time resisted imposing punishment for the sake of punishment and wanted to address the root causes of crime. It sought to focus on the reintegration of youth, often called for by parliamentarians in Quebec's National Assembly. However, the Conservative amendment is attacking efforts to not marginalize youth who make mistakes and to not send them to prison, the university of crime.

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I want to emphasize that Quebec has already taken a stand in this matter. With regard to young offenders, it has traditionally opted for an approach based on rehabilitation and reintegration, a position strengthened by the passage of time and the results achieved.

● (1250)

When the federal government passed the Youth Criminal Justice Act, which replaced the Young Offenders Act, it was heavily criticized by the Quebec government for having ignored what Quebec had done in this area.

Specifically, the Government of Quebec felt that the new act undermined its approach, which is based on the reintegration of young offenders rather than on the seriousness of the offence. I remind the House that Quebec's approach has enabled it to achieve the lowest rate of juvenile crime and recidivism in Canada.

Quebec has already challenged the constitutionality of certain provisions in the act before the Quebec Court of Appeal in view of the inflexibility shown by the federal government toward Quebec's own specific approach.

It is clear, therefore, that although Bill C-25 may seem reassuring, it actually harbours objectives that are injurious to individuals and to Quebec.

The Bloc Québécois was vehemently opposed at the time to the reform of the Young Offenders Act, deeming it worthless and even dangerous because of its likely effects on the long-term reduction of crime. At the very least, Quebec should have been exempted from it. Quebec should be allowed to pursue its own approach based on the needs of young people and emphasizing prevention rather than rehabilitation.

Getting back to the Youth Criminal Justice Act, the government seems to have forgotten that the current act already permits the incarceration of violent young people who are at least 12 years old. It defines a young person as "a person who is...twelve years old or older but less than eighteen". It also states unambiguously that incarceration should be the exception and judges should look first to extrajudicial measures before considering imprisonment.

It is obvious, therefore, that Bill C-25 is a backward step based on an unproven, punitive approach. What is worse, I remember that the former justice minister, my hon. colleague from Provencher, was toying with the idea of extending the act to include children as young as 10. How telling, Mr. Speaker, are the real intentions of this government.

Once again, the Bloc Québécois is proposing an approach that is suited to the situation in Quebec and defends its fundamental interests, this time in regard to justice.

First of all, we firmly believe that prevention remains the most effective approach. We need to address the causes of crime. This means that we have to prevent crime instead of waiting to repair the damage after a crime has been committed. Not only is it the most effective approach, but we believe that it is also the most beneficial, both socially and financially.

It could not be any clearer. As I have said on previous occasions, we must first deal with poverty, inequity and all forms of exclusion.

In fact, exclusion breeds frustration, which in turn can lead to violence and crime as an outlet for these frustrations.

In the context of Bill C-25, youth justice should not be an exception. Young people should benefit from a healthy environment, they should not be living in extreme poverty and they should have access to affordable education. In all these areas, Quebec has made choices that set it apart, and we support these choices. As I mentioned earlier, the approach chosen by Quebec is yielding good results, thereby proving the lack of merit of the ideological and sensationalist shortcuts proposed by this government.

Of course, the Bloc Québécois is fully aware of the fact the young people commit crimes and that they must be brought to justice. It is the government's duty to use all the tools at its disposal to ensure that Quebecers and Canadians can live in peace and safety.

In this regard, the measures that are brought forward must have a real, positive impact on crime, an effort that goes beyond sheer rhetoric and fearmongering. We need more than a mere imitation of the American model, which is yielding unconvincing results.

Like my colleagues, I also deplore the lack of seriousness with which the Conservative government brings in amendments or measures that reflect on the foundations of our justice system.

In conclusion, Bill C-25 should have been more than a response to mere impressions.

● (1255)

It should build on what is already working well and also allow Quebec to continue—

The Acting Speaker (Mr. Royal Galipeau): I am sorry, but we have to move on to questions and comments.

The hon. member for Yukon has the floor.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I think the theme this week will be the failure of the Conservative government to deal with crime.

We had dozens of expert witnesses in committee who gave us direction. As a member of the justice committee, how does she feel about the fact that the witnesses gave us suggestions on how we could reduce crime in Canada and the government ignored them? It must be very frustrating.

Being on that committee, I have found that people have studied this for years and have given us examples on how to reduce crime. It is very sad for the victims of crime, who will be victimized again. More Canadians will be victimized because the government is not making changes to the agenda to follow what the experts have told us about reducing crime.

Could the member, who is a very thoughtful member on the justice committee, comment on that?

[*Translation*]

Mrs. Carole Freeman: Mr. Speaker, first, I want to thank my colleague for his two-part question on how to reduce crime and on the solutions that could be used.

Government Orders

As regards reducing crime, there are models that exist. Currently, this government is very much influenced by the American and Republican ideology which, as confirmed by the statistics, is not producing any positive results. It does not reduce crime.

We have here a model that has proven its effectiveness, namely the Quebec model. There is absolutely no question about that. As the hon. member for Beauséjour mentioned earlier in his speech, the Quebec model should serve as an example to all legislatures, beginning with this government.

Quebec is currently the province with the lowest crime rate. That also applies to young people. When there is such a model around, we should follow it, push for prevention and rehabilitation, and work with young people right from the beginning. It so happens that this legislation deals with teenagers. It is at this stage in their lives, when young people may take a bad turn, that we must salvage and rehabilitate them, we must invest in prevention, instead of sending them to jail, to a place where, instead, they will learn about crime.

This approach, which the government is once again trying to impose on us, does not work. Studies and statistics constantly show that this approach does not yield any positive results and does not solve any problem. On the contrary, it creates more.

To answer my colleague, there are measures available. The Quebec model includes many of them. More importantly, these are effective, as is clearly confirmed by all the statistics.

• (1300)

The Acting Speaker (Mr. Royal Galipeau): The member for Saint-Jean has the floor for a brief question.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I know that my colleague has legal training. I want to congratulate her on her speech and ask her whether she agrees with me that we are seeing the government get tougher on young offenders. I remember being here when the then Liberal government introduced a young offender bill that was very harsh. It seems to me that the bill before us today is even harsher.

I would like to hear the member's opinion, as a legal expert and as a parliamentarian, on taking a tougher stance against young offenders.

The Acting Speaker (Mr. Royal Galipeau): The member has only 20 seconds left to answer the question.

Mrs. Carole Freeman: Mr. Speaker, I am in total agreement with my colleague. Not only did the National Assembly vote unanimously against the previous bill, but this bill will have even more serious consequences—

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Moncton—Riverview—Dieppe has the floor.

[*English*]

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, this is an important debate on an important aspect of criminal justice. I want to open with a little anecdotal story from my and my community's past, greater Moncton.

I was elected to council for the city of Moncton in 1992. We had an older councillor, who was over 80 years of age, named Al Galbraith. He is now deceased. He was a veteran of World War II.

He was a very fair-minded individual, but a law and order councillor. We all know those types who speak from the benefit of age and experience.

We were having some problems with loitering and lack of curfew being followed in some of the poorly lit parks in the city of Moncton at the time. I was newly elected and like all newly elected people I was going to save the world very quickly and easily. He was the old sage councillor and when we went on a radio show together, he talked about the problem of youth congregating in a darkly lit park. I thought perhaps we should toughen the curfew laws and look to the law side of it, the black letter. The older councillor suggested that if children were congregating in a place without lights, perhaps we should put lights in the park or provide opportunities for youth to congregate elsewhere. It struck me at the time that there were more ways to effect better laws and to have good laws followed than just enact new laws and that we had to look always at the resources in the community and what we would do to raise a community.

I do not want this to be seen as an endorsement of Senator Clinton, but it is a village that we are raising and the attempts to raising the village come not always from the law and from this place.

Nevertheless, we are talking about Bill C-25. Just like that park in the north end of Moncton, it would have been really easy perhaps for the government to turn on the light over its desk and read all of the Nunn report. It appears that it only got to one of the six recommendations.

The part of the bill that deals with the revolving door of custody is a good start. It will have to be fixed at committee. However, the Conservative government once again is in the dark with respect to criminal justice issues by not following the whole of the Nunn report. It has not even adverted to the review of the Youth Criminal Justice Act, which will be upon us very shortly. It also has not embraced other aspects that come from without the Nunn report.

My colleague, the member for Beauséjour was very clear in his remarks, as our justice critic, that the part of the bill that dealt with custody of repeat offenders or those charged with serious offences under the Youth Criminal Justice Act was a good start and that it could be fixed. I do not want to spend any more time talking about it because there is so much to the Canadian public what the government is not doing to keep our community safe. It did not follow the other aspects of the Nunn commission report, which was the very germane, sensible and logical response to a horrific incident involving Ms. McEvoy. Being in neighbouring New Brunswick, it rocked the province of Nova Scotia for the period in question.

In short, with Bill C-25, the government could have at least copied the recommendations in the Nunn report. If the government needed a set of crayons, we could have got them for it. However, it only copied one of them and, at that, not so well.

Then there was the slip-in of the issues of deterrence and denunciation.

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What the government does not realize is that from time immemorial there has been legislation that bifurcates the responsibilities and the penalties to be meted out to adults on one side and youth on the other. If we are only to return to an era where everybody, in some sort of Dickensian novel way, gets treated the same way, everybody gets thrown in the debtors' prison and the poorhouse respective of age and circumstance, then that is what Canadians should know. Maybe they should know that the government wants to return to that sort of era.

We have had youth crime legislation, whether it was the Juvenile Delinquents Act, the Young Offenders Act and now the Youth Criminal Justice Act, for some time, and we do not act in a vacuum.

• (1305)

It is quite interesting to note that upon the enactment of the YCJA in 2003, it was the subject of a reference from the province of Quebec in respect to constitutionality and also its legitimacy on the world stage. These are important matters dealing with children and the way children are raised in our communities.

The bill does not talk about punishment. It talks about justice to the community. What are we to do with our youth? None of the principles of deterrence or denunciation were in the YCJA. The most offending aspects of the YCJA in international law deal with those provisions in sections 61 to 72, regarding the imposition of adult sentences, or the mode of trial in adult court, for young offenders.

Sometimes we live in a bubble that media outlets and certain Conservative demagogues propagate, such as having no laws covering this, or we are a lawless society, or our youth are running rampant across the country committing crimes. That is not the case.

The YCJA has provisions that have been challenged for their constitutionality and their international human rights legitimacy with respect to trying youths as adults. It is important perhaps to remember and to remind Canadians that we have legislation on the books to deal with the problems that face our communities. In certain circumstances children and youths have been tried as adults. What is wrong with the principles of deterrence and denunciation is that they import a concept from the Criminal Code of Canada into the YCJA.

Justice Nunn talked about a lot of things. The McEvoy incident was horrific. It rocked the community. There have been instances like the McEvoy incident across the country. As parliamentarians we should be dealing with things like this.

Let me be clear. We on this side of the House would have welcomed both here in the House and in committee a more comprehensive Bill C-25. Alas, amendments to Bill C-25, incorporating more of the Nunn recommendations, might well be out of order. They might be further than the concept that this very narrow bill suggests.

The government chose to import one concept of the over six recommendations. It inserted from its political quiver an agenda of punishment, of incorporating concepts that did not belong in the act. The government chose to try to get a reference to the Supreme Court of Canada to get the whole YCJA thrown out. Maybe that is the whole play here. Incorporating the principles of sentencing of deterrence and denunciation will put the YCJA in jeopardy.

It is important to remember this. We often talk about what we add to legislation, but often there are teeth to pieces of legislation. The Criminal Code and the YCJA are no exception.

Reading the very monosyllabic but frequent Conservative press releases on criminal justice, one might be surprised to read that there are principles of sentencing in the YCJA. On a good and fair reading, these principles might make Canadians feel that judges are given the task of interpreting these principles and ensuring that our communities remain safe.

Section 38(3) states:

In determining a youth sentence, the youth justice court shall take into account

- (a) the degree of participation by the young person...
- (b) the harm done to victims and whether it was intentional...
- (c) any reparation made by the young person...
- (d) the time spent in detention...

These alone speak to the community interest.

How many times at justice committee and in the House have we heard, for example, the member for Wild Rose say that victims are never part of any determination by judges or lawyers in any of the discussions on criminal justice across the country?

I stand here today as a representative of a community where an 83-year-old veteran councillor had the sense to say that we did not have to deal with all the law. Sometimes we just had to turn the light on in the park and read the laws that exist. I wish the government had done that.

• (1310)

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, I appreciated the member's story about the lessons he learned as a young councillor. Certainly, we always can learn lessons from those who have gone before us. I know that this government is looking at all kinds of ways, a comprehensive package, to deal with the Youth Criminal Justice Act.

The member has gone on at quite length, as have a lot of his colleagues, as to the failure to embrace all the Nunn recommendations. Is the member aware that Nova Scotia's attorney general supports Bill C-25? Is he aware that the minister has worked closely with the Nova Scotia government, as well as listened to what those ministers have had to say, and that they are supportive of this?

Mr. Brian Murphy: Mr. Speaker, I am aware that the Conservative government in Nova Scotia signed on to the Atlantic accord and it signed on to this piece of legislation. I am quite familiar with the attorney general in the province of New Brunswick, I might remind the member. I am not aware that any attorney general in this country has said that Bill C-25 has implemented all of the recommendations of the Nunn commission. I do not know of any attorney general in this country who has said that the Nunn commission recommendations are all that there is to say about the YCJA.

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The question to the public of Canada clearly has to be why the Conservatives did not implement all the recommendations of the Nunn commission report. They would not have had a lot of opposition from this side. I cannot speak for my colleagues in the other parties. It was here to take.

I am advised by legislative clerks that we cannot now amend it to add all of the recommendations of the Nunn commission because they would make the bill wider in scope. The question I have is why these recommendations did not get further along. Surely the attorneys general of all provinces, including Nova Scotia, would have approved of all of the recommendations.

• (1315)

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, I always enjoy listening to my colleague from Moncton when he speaks on any issue, but especially on justice issues. He echoes a concern that I had when I had a chance to speak to this, which is that the government made much ado about Justice Merlin Nunn's recommendations.

The Nunn report is a very impressive piece of work that looks at a whole number of issues to do with youth justice coming out of the McEvoy incident. I should say for members opposite that having the support of the Nova Scotia government these days does not count for much in Nova Scotia, after the way that it has mishandled files continually, from the Atlantic accord through many others.

One of the things that Merlin Nunn specifically says in his report is that in fact, while there are some flaws, Canada's Youth Criminal Justice Act is one of the best pieces of youth legislation in the world. I wonder if my colleague could just expand on that.

Mr. Brian Murphy: Mr. Speaker, the member for Dartmouth—Cole Harbour is an excellent MP. He lives in a community where many of us in Atlantic Canada send our children for their university education. We are concerned about youths living in Dartmouth—Cole Harbour and the greater Halifax area. We know that there have been some instances of crime down there that concern the member very greatly. It is gratifying to know, and the public should know, that the member has worked very hard on criminal justice issues and that the system will work.

The question he might ask and the people of Nova Scotia might want answered is where the 2,500 police officers are that were promised by the government in order to help enforce laws like the YCJA, which indeed, to answer the question, is a splendid piece of legislation. It needed all of the Nunn report recommendations implemented to make it an even better piece of legislation.

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, I do not know where to begin.

The hon. member just referred to the YCJA as a splendid piece of legislation. I think that sums up his lack of understanding about the YCJA and its implications on my community. I know that law enforcement officers in my community want specific changes made to the YCJA. In fact often they will not even press charges on youth offenders because they feel that there will be absolutely no implications on their actions whatsoever when it comes to court, that in fact it is practically not worthwhile.

I would like to ask the member very openly, does he not have people from his community who come forward regularly and ask for changes to the YCJA? I know I do. This is a very important bill.

Mr. Brian Murphy: Mr. Speaker, I am not accustomed to such questions from this side, but I welcome the member's question. I know he is as tough as a Peterborough Pete, but where he is sort of off, and the Petes have not won the Memorial Cup for awhile either, is that the people in my community are asking for their community to be a little bit safer and they would like to see a policeman now and then. They would like to know why Riverview, for instance, has gotten such a shaft with respect to federal funding for the municipal police force, which is the RCMP. They want to know where the policemen are that the government promised, to enforce the laws that would make their community just a little bit safer.

[*Translation*]

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I am worried but I am nonetheless pleased to speak today to Bill C-25, An Act to amend the Youth Criminal Justice Act.

The bill that has been introduced by the Conservative government very clearly shows the approach this government intends to take to the criminal justice system. In the bill, this government is not trying to improve outcomes for young offenders, young people who are experiencing social and emotional problems in Quebec; rather, it is trying to hinder the development of those young people.

This is not the first time I have spoken regarding a bill introduced by the Department of Justice. Those bills have all taken the same approach to the criminal justice system, an approach based on repression and detention. Bill C-25 contains two important provisions.

First, it is intended to change the youth criminal justice system by providing that sentences imposed by judges may have the objective of denouncing unlawful conduct or deterring young persons from committing offences. By adding deterrence, the federal government is now going down the road of punishment for punishment's sake. We are forgetting about prevention, rehabilitation and social reintegration. In short, the government's purpose in introducing this bill is to increase the severity of sentences imposed on young people.

Second, and I believe this is the most controversial aspect of the bill, it now provides that judges will be able to presume from now on that detention of a young person before trial is necessary where the young person has committed certain acts. The bill lists those acts.

What is the government trying to do in this provision? In short, it has two objectives. First, it wants to use the presumption against young persons by transferring the burden and responsibility of proof onto them, the young persons, when very often the problem is social, psychological or family-related.

Second, the Minister of Justice is proposing to detain a young person before his or her trial starts, when very often, from what we can see, the trial will end with a not guilty verdict.

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When we look at this amendment we see that the government is attacking a fundamental aspect of our judicial system, the presumption of innocence. Because of the presumption of innocence that a young person must now shoulder, the young person will have to prove that he or she is not a risk even before being found guilty.

This means that young people might end up in prison when their trial has not even begun. A young person would end up in the school for criminals, that is, in prison. He or she would be incarcerated in a prison, with adults, without having committed a crime, without having been convicted. These young people will then certainly suffer from bad influences that once again will hinder their own development.

I was a social worker for many years, and I worked with youth and young offenders. I have no doubt that detention would have a very negative impact on teenagers at such an important stage of their development.

The main problem with this bill is that its vision for youth criminal justice is diametrically opposed to Quebec's vision. In Bill C-25, the federal government is presenting a model inspired by the American method, a Republican method based on repression and detention. Quebecers have chosen a model based on rehabilitation and prevention.

• (1320)

Over the past 30 years, regardless of the political party in power, the Government of Quebec has always been guided by the belief that we should focus on prevention and rehabilitation.

This is not the first time the Bloc Québécois has opposed the federal government's attempt to change the youth criminal justice system. Members will recall that some time ago, the Bloc Québécois vigorously opposed the Liberal government when it proposed reforms to what was then the Young Offenders Act, now known as the Youth Criminal Justice Act.

At the time, the Government of Quebec and many other stakeholders, such as youth groups, youth shelters, street youth workers and organizations that oversaw the Young Offenders Act and that applied alternative measures for young offenders, opposed a critical element of the proposed reform, which was that young people aged 14 or 15 could be subjected to adult sentences and be tried in adult court. We opposed that measure because we believed then—as we do now—that the proposed legislation would hurt young people. We opposed it because we favoured an approach based on rehabilitation, prevention, and social reintegration through measures that met the needs of young people in the justice system.

Bill C-25 gives us another opportunity to reject this reform proposed by the Conservative government, because we still believe that the Quebec model should predominate, because it is more successful. Statistics prove that. In its model, Quebec decided to work with young people, listen to them and punish them severely if need be, of course. The Quebec model involves all the social stakeholders who work with youth. It is a comprehensive approach, to ensure that these young people have a healthy environment and can be the best they can be.

We are convinced that prevention is still the most effective approach to justice and always will be. We need to attack the causes

of crime, which, as we know, are often linked to poverty or lack of parental support. Attacking the causes of delinquency and violence, rather than trying to repair the damage once it is done is the most appropriate and, above all, most profitable approach from both a social and financial point of view.

Unfortunately, the federal government is once again suggesting a model inspired by our neighbours to the south and not by Quebec, whose prevention-centred model has stood the test of time.

Is this really the right approach to reducing youth crime? No. What we are defending is a model that has proven itself, a model that has meant a crime rate three times lower than in the United States, a model that has helped Quebec reduce its youth crime rate by 4%, according to Statistics Canada, while the rate in all the Canadian provinces has gone up.

The government has to imitate the American model, which produces less conclusive results. The Quebec model based on rehabilitation and reintegration gives real results. These statistics prove it.

In closing, I invite all the members opposite to take a look at the Quebec model, rather than always looking to the Americans for inspiration. They will see that Quebec's approach is far more successful in the fight against crime. The Conservative members and ministers from Quebec are well aware—at least, I hope so—that Quebec's approach is better.

• (1325)

[English]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, this debate has been largely about the government's failure to deal with crime. I appreciate how the member put forward the fact that we need to spend more on prevention and on dealing with the root causes. The Liberal Party totally agrees with the member. We have been making that case over and over again.

Other failures include the failure to deal with alternative sentencing, but I am sure the member knows of success stories in Quebec in that regard. There is the failure to deal with Canadian rights through the court challenges program, the failure to reform the justice system through the Law Reform Commission, the government's shameful treatment of judges, and its lack of a plan to reduce the preponderance of aboriginal people in our prisons.

Now in this bill, rather than following the recommendations of the Nunn commission, which put forth very thoughtful ways to improve youth justice, the government has brought forth something totally different, deterrence, which the experts before the justice committee told us would not work at all, particularly with youth.

I wonder if the member could comment on the failure of the government's crime strategy, especially in areas where he has expertise and experience.

Government Orders

•(1330)

[*Translation*]

Mr. Guy André: Mr. Speaker, I thank my hon. colleague from the Liberal Party for his question, on which I will gladly comment, of course.

This government seeks to criminalize youth and throw young people in jail. We are not saying that we are opposed to that approach. It might be appropriate in the case of serious offences committed by young offenders. However, approaches more closely focused on prevention and rehabilitation are required.

In Quebec, we have developed a youth response network. We have youth homes and streetworkers available to provide support. We also have organizations involved in crime prevention.

For example, when a minor commits a first offence, alternative punishment is sought. Conciliation measures are also put forward. We have a set of tools in place: the youth protection branch, remedial teachers in schools, and anti-poverty programs.

This government, however, is not contemplating such tools. It is not inclined to implement support measures for youth from environments conducive to crime.

A comprehensive approach to youth is indeed required. This government has eyes only for the United States, which inspired it this bill among other things.

[*English*]

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, I appreciate the opportunity to put a few thoughts on the record this morning concerning Bill C-25.

Right off the bat let me say that I agree with my colleague from the across the way who spoke earlier, the member for Moncton—Riverview—Dieppe. When I came to this place almost four years ago, I came here with a sense of mission, as I did when I went to Queen's Park in 1990. Based on the community work I did, I wanted to change a number of things and I wanted that to happen immediately. Alas, I discovered it was not going to be that easy. In fact, it takes much effort, with support from government, to make the kind of change that is necessary if we are going to experience and enjoy the result of change, particularly if it is a positive change.

One of the things that always disappoints me more than anything when I see a bill like this come forward is the missed opportunity it represents. We have a bill here focused on dealing with a very difficult challenge that we all face with our young people as we try to keep them on the straight and narrow.

There is no one, and I include myself, who does not want to reduce the number of people who get into difficulty with the law in our communities. There is no one here, I do not think, who would not get up and speak very passionately about the need to keep our communities safe.

However, there are different ways of approaching this. It takes more than one bill with a couple of small items in it to actually effect the kind of larger, longer term difference we want to see in our communities. We would like to reduce the recidivism rate going forward and we would like to see young people participate in more

constructive and positive ways when they find themselves in trouble with the law.

Those of us who have family know this in a very personal way. We see our young men and women who go out into the world, having received the support, love and care of family, sometimes not being able to cope with what comes at them and then acting in a rather irresponsible or thoughtless way and finding themselves in trouble with the law.

If we go down this road the government wants to take us down, and which so many in our country today seem to think is the answer to this question of young people and the law, particularly young people involved in violent crime in our communities, we in fact will end up losing more young people than we actually save, than we actually get back on the straight and narrow. More than anything, that is what concerns me about this bill.

I remember going to Mississauga about a year or so ago and talking with a gathering of people from the community around the question of poverty. A number of parents at that meeting, particularly female immigrant parents, said to me that they were as concerned as anybody, including me as an MP and including the government, about how their young people were behaving in the community sometimes and how they were getting themselves into trouble. They very clearly said to me that the way to deal with them was not to just bring in harsher punishment or to throw them in jail, where they enter into a whole new culture of negative behaviour that then affects them when they ultimately get out.

They told me and all the others gathered that night that we need a more comprehensive approach to this, which includes a government that is committed to making sure that our young people can get the schooling, training and education they need to participate in the life and economy of their communities in a positive and constructive way. That will give them a sense of self-satisfaction, allow them to grow as human beings and contribute in the way that most of us do as we successfully live out our lives.

•(1335)

As for those parents, those mothers in particular, it could be seen in their faces that they were very disappointed and frustrated with this lack of understanding and the lack of commitment by government to actually step up and come forward to provide them with those resources, opportunities and support as they tried to keep their young people in school and keep them on the straight and narrow.

These parents are the people who keep our economy going. In many cases, these are the single mothers who work all night cleaning buildings, making beds and serving food, only to come home to a house that has been left for large chunks of the day unsupervised, with young people coming home from school or not going to school at all. They were crying out for a more structured framework to be provided to them so that their young people could participate in behaviour that was more constructive and productive.

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They saw that in juxtaposition to the fact that in their community, as in so many communities across this country, in the evenings and weekends at night, for example, schools are closed because there are no resources to provide supervision, to turn on the lights and to do the janitorial work necessary, or even to provide the insurance that is so often required when public facilities are made available to a community.

I would be very pleased to have an opportunity in this place to talk more fully about these questions of youth, the criminal justice system, crime and the activity of some young people in our communities, so that we might together look at the Quebec model, which has been presented this morning on a couple of occasions. Quebec found a different way to deal with this challenge that we all face and are very concerned about. Quebec has gathered the community around this question of keeping our young people on the straight and narrow. It has begun to introduce concepts which flow out of the thinking that is often referred to as restorative justice.

I remember attending a gathering of foster parents led by the Children's Aid Society in my community at which a priest from Los Angeles talked about his work with gangs in the inner city of that community. In 2007, when I heard him speak and had the chance to talk to him, I learned that Los Angeles officials had gone beyond the more punitive approach to dealing with and trying to fix a very difficult challenge in terms of our young people getting into trouble with the law.

Officials there are now themselves searching out more creative restorative justice types of approaches to dealing with this problem. They know that in bringing this kind of response to this challenge communally and together, we stand a better chance, first of all, of helping some of these young people, of keeping them out of the criminal justice system, of actually changing their ways and reducing recidivism so they do not continue to repeat this behaviour. More than that, officials find that these young people become very constructive and productive members of the neighbourhoods in which they were previously seen as a difficulty.

We in this caucus are going to be supporting the bill to move it forward, not because we agree with a lot of what is in it but because we would like to have more opportunity to actually dialogue, discuss and try to find some common ground with the different approaches and parties that exist here in the House of Commons, and so that we might find some way to bring some real, constructive, positive change to this very difficult task that we face as a community today.

• (1340)

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I would like to congratulate my colleague from Sault Ste. Marie, whom I greatly admire. I think he represents a party that is on the left of the political spectrum, a bit like the Bloc Québécois.

I am surprised and a little disappointed that now, when the bill is at second reading, his party is saying that it will vote in favour of the bill and will try to amend it later. Canada's political left usually defends a social conscience. The bill before us today flies in the face of this social conscience by, for example, preventing young people from being rehabilitated. By treating them like adults and imprisoning them as a preventive measure, we are taking a tougher

stance on young offenders. I find it difficult to understand how a party that is proud to represent the left could say that it will try to amend the bill. The solution would have been to do what the Bloc Québécois is doing and say that the bill is completely unacceptable and that the government must withdraw it.

I would like my colleague to explain how he can reconcile a party with a social conscience with a bill that, in my opinion, looks like something straight out of the American right wing.

[*English*]

Mr. Tony Martin: Mr. Speaker, I appreciate the opportunity to clarify our position on this bill and our wanting to enter into further discussion about the appropriateness of this approach.

Normally it is at committee where we get the opportunity to roll up our sleeves and with other parties have that very frank and honest discussion with each other and bring forward amendments that we think might improve or make better what has been tabled.

As my colleague from Windsor—Tecumseh, the critic for our party, said earlier, we support the notion that judges should be allowed the discretion to impose pretrial restrictions on those who pose a serious threat to society. The sections dealing with pretrial detention maintain judicial discretion and simply entrench principles which are already being practised by most courts.

The sections of the bill dealing with sentencing principles are the most problematic. There is no evidence to suggest that the adult principles of deterrence and denunciation will have any positive outcome for public safety.

Furthermore, they shade the differences between adults and youth, something we as New Democrats, the courts and society do not sanction. We will seek to delete this section and introduce an amendment which would require judges to take into account the concept of the protection of society as the sentencing principle.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I appreciate the member's thoughtful speech. He asked for an opportunity to discuss more positive solutions to reduce youth crime. I will give him that opportunity now to elaborate on those.

There was a very thorough study regarding the bill before us done by the Nunn commission. Instead of bringing forward most of the recommendations, a majority of them were ignored and the Conservatives brought in the element that, as the hon. member said, has proven not to work.

The discussion today and this week will be generally on the failures of the government to reduce crime. Most of the members who spoke today suggested alternatives. The member is quite familiar with alternative sentencing. There was a wonderful session in Ottawa a month or so ago on alternative sentencing. It was a great group which showed how effective it was. The government tried to get rid of a lot of that. It is one of the few success stories for youth.

There was no answer on how to reduce the aboriginal presence in the justice system, which is far too great.

Government Orders

• (1345)

Mr. Tony Martin: Mr. Speaker, I do want to respond ever so briefly to the member. Yes, all kinds of different, creative and successful approaches have been tried in other jurisdictions. We need to look at them as well.

From my own background, I did a lot of work with youth before I got into politics in 1990. I explored approaches like restorative justice, community development, investing in community facilities so that young people have a place to go to hang out and to do some constructive things. There are a million different ways we can deal with this.

I know there is a problem. When we pick up the paper and read of another shooting in one of our big cities, we all become that much more concerned and afraid that perhaps this phenomenon is taking over, but it is not.

There are responses that we could bring to this that would be more constructive and successful in the long run.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, I am pleased to address the House on the subject of Bill C-25, which we are debating today.

The Bloc Québécois is totally opposed to this legislation which, once again, is on the wrong track, because it is focusing on repression rather than prevention and rehabilitation. In this regard, it is sad to see a party such as the NDP, which claims to be progressive and which presents itself as such, support the government when it is pushing the Canadian justice system along the path taken by George Bush in the United States.

When I was preparing my presentation, I entitled it “Illusion and Hypocrisy”, because this is what the bill is about. On the one hand, it creates the illusion of increased safety, the illusion that this legislation will solve problems when it is obviously not the case—as can be shown by the statistics. On the other hand, it is also tainted with hypocrisy, because while this government pretends to target crime, it facilitates the use of all kinds of firearms. One wonders about the logic of imposing harsher sentences for the crime, while allowing a larger number of firearms to circulate. It is hard to see any consistency here. My presentation is going to deal with these two issues.

I begin with the illusion aspect. This government, with the support of the NDP, is presenting a whole philosophy based on repression. Under this approach, sentences will be increasingly stiffer and harsher to help reduce crime. However, that will not work.

Why? Because if we put ourselves in the shoes of a criminal, potential criminal or young offender, we realize that the fear of getting caught is a much more effective deterrent than the length of the sentence. Most criminals commit crimes because they are convinced that they will not get caught. If they thought that they were going to get caught, they would try to find other crimes they think they would get away with. That is true for murders, rapes, robberies and any other crime. A criminal never calls the police before committing his crime. He does his deed because he is sure that he will get away with it. He has confidence in himself.

If we want to make a real effort to reduce crime, we must focus our effort on the means at our disposal to catch criminals. They need to know that they will be caught. Of course, that requires money. It is more difficult and demanding than simply passing legislation, but it is a lot more effective.

The perfect example of the principle of deterrence is capital punishment. In the United States, several states use capital punishment. Everyone will agree that it is the ultimate punishment. One cannot imagine a harsher sentence than capital punishment. And yet, in the United States and in several other countries that use capital punishment, the results are unconvincing. Crime rates in the United States are three times higher than in Canada and four times higher than in Quebec. Following the same logic, we would have to find something even more horrible than capital punishment to deter people from committing crimes. Obviously this does not work because this is not what motivates people.

The Quebec model proves that the present government's repressive approach, supported by the NDP, is not the right way to go for Quebec and probably not for Canada either. In Quebec, measures focused on prevention and rehabilitation are yielding results. Indeed, Quebec has better statistics than the rest of Canada for all crime indicators. There is no denying it, the figures speak for themselves.

And we must not forget, particularly in the case of young offenders, that it is all well and good to send them to prison, but is that not the best crime school?

• (1350)

Consider, for example, a young offender who, early on in life, takes a wrong turn and commits minor offences. To send that person to prison with serious offenders, real criminals—is that not the best way to ensure that he or she becomes a hardened criminal? There is something illogical and ineffective about this approach. It would be a much better idea to keep him or her away from criminals doing time in prisons and find ways to encourage rehabilitation.

This bill creates an illusion and will produce no concrete results in terms of reducing crime. Furthermore, this bill is very hypocritical. While this government, supported by the NDP, introduces bills in this House to give the illusion that it is resolving the problem, it is diminishing the gun registry. Since the beginning, it has been trying to weaken the registry to make it less and less effective, less and less relevant. This government pretends to be tough on crime, yet it allows weapons to circulate indiscriminately and would eliminate an extremely useful tool for the police.

Obviously, the gun registry is not perfect. It does not prevent all crimes, but it can help prevent some crimes, as we have seen. It can also help the police when it comes time to go to the scene of a tragedy or hostage taking. It can tell them if there is a weapon on the premises where such an incident is taking place.

Statements by Members

Of course, some people plan their crimes, committing premeditated murder, for example. Clearly, those people would not register their weapons before committing such crimes. However, there is another category of murders, those that are more passionate, impulsive, less calculated. In such cases, those people might use guns they have in their homes to commit those crimes. Thus, it would be useful for the police to know what weapons are on the scene.

The registry is relevant. All police forces and stakeholders in Quebec want it to be maintained. Yet, the government is doing everything it can to weaken it.

Recently, we had another example of this government's hypocrisy in a related matter, firearms marking. Regulations to this effect are to be implemented enabling the police to trace the owners of firearms left at the scene of a crime. There is consensus on these regulations. It is something that all police forces are asking for. Yet the government has again delayed implementation of these regulations. It makes you wonder who this government is defending by delaying the implementation of the firearms marking policy.

While nothing is being done to truly prevent crime, they are creating the illusion of attacking the problem by developing an increasingly repressive system. It is not surprising to see the Conservatives, the allies of the United States and of George Bush in particular, adopting this repressive approach. However, it is surprising that the NDP, which claims to be a progressive party, has allied itself with the government and its ways of repression. I am quite disappointed. I hope that the NDP members will come to their senses and that this House will defeat this bill, which is nothing but illusion and hypocrisy.

• (1355)

[English]

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I agree with my colleague across the way from the Bloc that in many cases if we look at individual communities we may find answers to some of the problems that are associated with youth crime.

I want to highlight one briefly. It is the community of Déline in the Northwest Territories which has a population of 800 aboriginal people, a community much like many of our other aboriginal communities across the Northwest Territories. The exception is that it has not had a young offender charge for a period of five years.

Why is that? It is because the community has taken hold very carefully of the young people in the community to provide them with the kind of mentoring in sport, school and activities in the community which brings the young people together. It emphasizes as well bringing back the basic family traits, bringing the elders in with the young people and putting them out in camps on the land.

These things all bring results. This suggests to me that most of the problems inherent in youth crime are focused on the society. Is this not the case? Is this not what the member's observation intended?

[Translation]

Mr. Thierry St-Cyr: Mr. Speaker, indeed, crime is rooted in well-known societal problems: poverty, the difficulties experienced by youth in taking their place in society, and violence that is passed down through generations. Therefore, this House must attack these

problems as well as those of poverty and violence. This House must not waste its time studying this bill, which gives the illusion of security but which focuses on repression and is hypocritical. The NDP should not support it. We must deal with the real issues right away.

STATEMENTS BY MEMBERS

[English]

ROBERT HARTOG

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, a week ago Sunday, my riding lost one of its most celebrated community leaders and builders.

Born in the Netherlands and schooled as an economist, Robbert Hartog helped to rebuild the economy of the Netherlands after the second world war.

Soon after, he came to Canada, earned a master's degree, and built his career and a reputation for candour and generosity that was admired by all who knew him and who worked with him.

Robbert was an outstanding member of the business community. He led success with local organizations like Georgian College, the Wye Marsh Wildlife Centre, and the YMCA.

Distinguished not just in his own community, Robbert received the Order of Canada for service to his country and his leadership on a national scale with Scouts Canada and CESO.

We join his sister Rose Marjan, his 10 nieces and nephews, and their families in remembering and celebrating the life of Robbert Hartog, a great friend and as Rose proclaimed herself, "truly a Canadian treasure".

* * *

• (1400)

FORESTRY INDUSTRY

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, on Thursday, January 31, the natural resources committee passed a resolution insisting that the Prime Minister free up the promised money right now for hard hit forest communities.

The Prime Minister must act right now to help smaller communities across Canada to survive the devastation that his government has imposed on these communities. It is hard to imagine that after two years the forestry industry continues to be ignored.

We await the Prime Minister's announcement flowing the funds for the community development trust. If he does not act immediately, and instead holds these workers ransom until July, then Canadians will know his words are empty. In accordance with the committee's direction, he should release this money right now.

Statements by Members

[Translation]

NORMAND BEAULIEU

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, I am very proud today to pay tribute to Normand Beaulieu, who has been with the Société de développement économique in Thérèse-De-Blainville for 22 years, and is currently the assistant director general.

Last year, the Chamber of Commerce of Bois-des-Filion—Lorraine awarded Mr. Beaulieu a trophy for personality of the year, in recognition of his economic, social and community contributions. His consistent involvement in the region in all these areas is much appreciated by entrepreneurs, young people and the less fortunate.

Hebdos Transcontinental, in the *Journal Le Courrier*, recently acknowledged the importance of his achievements and named him personality of the week.

The members of the Bloc Québécois and I, along with the people of the Lower Laurentians, would like to thank him for his dedication to the people of our region.

* * *

[English]

OMAR KHADR

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, Canada is standing idle as one of our citizens faces indefinite detention, a questionable legal process and inhumane conditions.

Omar Khadr is the only Canadian detained by the United States at the Guantanamo Bay facility. He has been languishing for almost six years without conviction.

Khadr was 15 years old when he was arrested in Afghanistan. That makes him a child soldier. Since the 18th century, the western world has not prosecuted a child soldier.

Other countries, including Britain, France and Australia, have repatriated their nationals from Guantanamo. Nothing less should be afforded to a Canadian.

In the absence of the Conservative government's leadership, Canadian human rights groups and organizations have been joined by the United Nations, members of the European Union and the international community calling for Khadr's return to Canada.

New Democrats call on the government to immediately repatriate Omar Khadr to Canada.

* * *

BIG BROTHERS BIG SISTERS

Mrs. Betty Hinton (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, I rise today to pay tribute to Big Brothers Big Sisters of Kamloops. This organization provides long term, one on one, positive role models for children in need. A great deal of care is taken in screening and matching each volunteer with a child. It also provides ongoing support and supervision. This valuable work helps more than 275 children annually.

In Kamloops, Big Brothers Big Sisters raises its own budget through Strikes for Tykes. It is the largest community fundraising

bowling event in Kamloops. This year it is celebrating its 30th anniversary.

I would like to encourage all area residents to get involved in this very worthwhile cause from February 15 to 28. Very generous sponsors have donated great prizes and there is an abundance of fun to be had by all.

Come out and support the members of our Big Brothers Big Sisters and show them we appreciate the time they spend mentoring children in need.

* * *

INTERNATIONAL AID

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, this week is International Development Week and its purpose is to highlight and illustrate the work of Canada's development community. Unfortunately, the government has not given us much to highlight and even less to celebrate.

The government consistently makes grand announcements that it will boost overseas development assistance and increase spending on ODA, but instead reports show that Canada's ODA level has fallen consistently under this government's watch.

Under the previous Liberal government, we made international development our commitment and Canada's ODA increased by 8% annually from 2002-03. We made it our goal to maintain this annual increase beyond 2010 and accelerate the projected rate of growth in international assistance as our fiscal position continued to improve.

The government's role in international development is unacceptable. It is time the Conservative government put its money where its mouth is and gave us something to celebrate.

* * *

● (1405)

CHALK RIVER NUCLEAR FACILITIES

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, cheers were heard up and down the Ottawa Valley when, at 12:48 a.m. on February 2, the second emergency back-up pump was successfully connected to the emergency power supply for the national research reactor and became fully operational.

Congratulations to the women and men at Chalk River laboratories who worked tirelessly to secure our nation's supply of medical isotopes.

The NRU has dependably provided this nation's supply of medical isotopes for over 50 years.

While the isotope maker is served by eight pumps, one pump is sufficient to provide cooling flow when the reactors shut down for regular maintenance. On December 14, 2007 the back-up, back-up emergency power system's first pump was operational.

This announcement is for the second emergency back-up, back-up pump.

Statements by Members

The women and men at AECL are committed to the safe and reliable operation of the NRU.

Congratulations, Chalk River.

* * *

[*Translation*]

YOUTH COMMITMENT TO THE ENVIRONMENT

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I am very proud to tell the House about a group of grade six students who have done something extraordinary.

This group of young people from Saint-Gabriel-de-Brandon and Mandeville was given an assignment: they were to do something concrete to help someone in need. They decided that their “someone” would be Lac Maskinongé, a lake that has been affected by a blue-green algae bloom. They decided to circulate a petition in their community to support Bill C-469, to prohibit the use of phosphates in dishwasher and laundry detergents.

On behalf of my Bloc Québécois colleagues, I would like to sincerely congratulate these young people, and the person responsible for the project, Éric Turcotte, on their civic commitment to the environment.

* * *

[*English*]

AFGHANISTAN

Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC): Mr. Speaker, last week opposition members on both the defence committee and the foreign affairs committee defeated a motion that would have allowed a joint committee of Parliament to debate the Manley report. Conservative members had proposed a full month of meetings on this important issue.

Canada's future role in Afghanistan is of great concern to Canadians all over, yet the opposition refuses to allow Canadians to debate this critical issue.

Every day we hear the Liberal Party raising questions about Taliban prisoners, yet that same party continues to block attempts at serious debate and discussion on our mission in Afghanistan.

Our government understands that this mission is not easy. That is why we must seriously debate the issues at hand, something the Leader of the Opposition refuses to do.

It is time the Liberal Party and its leader, Mr. Flip-Flop, quit playing politics with our soldiers and began showing leadership on this crucial issue.

* * *

SUPER BOWL

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, his team did not win the Super Bowl, but he is certainly a winner. I am referring to Nick Kaczur, number 77, of the New England Patriots.

Nick is from Brantford, Ontario. He is described by all who have the privilege to know him as a genuine, hard-working, terrific

person. Our entire community is very proud of Nick, yes, of his success but also of the person he is.

We are also very proud of Rita and Frank White, owners of Frankie's Home Town Tavern, who hosted a Super Bowl party and raised funds for the Sunshine Foundation, which fulfills dreams for kids.

Frank says about Nick, “He's got all the time in the world to give to kids”.

Thanks to Nick Kaczur, and Rita and Frank White, many children will benefit from their generosity.

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INTERNATIONAL AID

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, I am pleased to recognize International Development Week.

Canada's government is making a difference in the lives of people around the world.

Because of Canada, 83% of Afghans have access to basic health care.

Because of Canada, more than seven million Afghan children will receive polio vaccinations.

Because of Canada, there are an estimated 9,000 teachers in Afghanistan, 4,000 of whom are women.

Canada is also making a difference in Africa. Last November the Prime Minister announced \$105 million for the initiative to “Save a Million Lives”.

Along with the Bill and Melinda Gates Foundation, we will train 40,000 health care workers. That means treatment for malaria, tuberculosis and HIV-AIDS.

Canadians truly are improving the lives of people around the globe.

* * *

● (1410)

HEALTH CARE

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, Hamilton's home care patients, their families and our entire city won a significant victory last week when we forced the provincial government to reverse a decision to shut out the Victorian Order of Nurses and St. Joseph's Home Care from home care nursing contracts.

VON and St. Joseph's Home Care provide highly respected and professional nursing to clients who suffer from chronic illnesses and medical conditions. The loss of these excellent nurses would have been a devastating blow to some of our most vulnerable citizens. But the Hamilton community was not going to allow it to happen.

Over 1,500 people came out to a rally where many speakers, including the federal NDP leader and myself, came to the defence of our non-profit service providers. Our community convinced the province to cancel the Hamilton process and review the province-wide program behind it.

How did we win? It was the unions representing these nurses leading this fight and a unified community standing together for quality, non-profit health care in Hamilton. When we stick together, we win.

* * *

[Translation]

OWENS-ILLINOIS PLANT IN SCODOUC

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, two week ago, Owens-Illinois, a glass recycling plant in Scoudouc, announced its closure and the loss of more than 200 well paid jobs.

It is because of the manufacturing sector's current economic situation that this plant will shut down in two months. For more than 200 workers and their families, this means a difficult time ahead. Many people have been working at that plant for more than 30 years and are suddenly unemployed.

Enterprise South East and the provincial government are working to help the employees, but the federal government is nowhere to be seen. The Conservative government prefers to ignore these economic tragedies instead of supporting the workers and the community during this difficult time. These people are suffering while the government does nothing to help them.

It is high time to help the hundreds of men and women who are worried about their economic future and that of their families and their community.

* * *

AFGHANISTAN

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, the Conservative government is using the Manley report to justify the course of action it always intended to pursue, continuing the mission in Afghanistan beyond February 2009 and for an unspecified period of time.

Before looking at extending the military mission in Kandahar, the government should start by being more transparent in the matter of detainee transfers, which has turned into an unprecedented diplomatic disaster.

Once again, improvisation and incompetence are the mark of the Conservative government. The Bloc Québécois is calling for an immediate vote on ending the mission in Afghanistan. The future of the mission must be decided by parliamentarians.

The current mission must end in February 2009. In this matter, as in others, the Bloc Québécois' position is clear: the government must put to a vote the withdrawal of troops from Afghanistan in February 2009.

* * *

[English]

KELOWNA ACCORD

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, next week the Senate will commence its study of private member's Bill C-292 from the member for LaSalle—Émard to implement Canada's historic Kelowna accord.

Statements by Members

Despite the harsh and disappointing opposition from the Conservative members, a majority of MPs passed this critical bill in the House of Commons last year. As important as the investments for first nations, the Inuit and Métis, Kelowna represented a new partnership. It was the commitment to principles which Canadians hold dear: human rights, equity and justice.

The passage of this bill is well overdue and will finally correct a grave error in judgment at the hands of the government. I call on the Conservative members to urge their colleagues in the upper chamber to work together to swiftly pass this bill.

* * *

[Translation]

FORESTRY INDUSTRY

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, everyone knows the forestry crisis is nothing new. While the Parti Québécois was mismanaging the forestry in Quebec, the Bloc Québécois said nothing.

Some hon. members: Shame.

Mr. Jacques Gourde: In 17 years in Ottawa, has the Bloc ever announced a single agreement to support Quebec's forestry industry?

Some hon. members: No.

Mr. Jacques Gourde: Before the Conservative Party came along, did the Bloc put an end to the softwood lumber dispute?

Some hon. members: No.

Mr. Jacques Gourde: Before the Conservative Party came along, did the Bloc allow Quebec's industry to recover a single dollar from the U.S.?

Some hon. members: No.

Mr. Jacques Gourde: In 17 years in Ottawa, has the Bloc ever implemented a targeted initiative for older workers?

Some hon. members: No.

Mr. Jacques Gourde: In 17 years in Ottawa, has the Bloc provided \$127.5 million to support the long term competitiveness of the forestry industry?

Some hon. members: No.

Mr. Jacques Gourde: In 17 years in Ottawa, has the Bloc invested a single dollar in keeping even one job in Quebec's forestry industry?

Some hon. members: No.

Mr. Jacques Gourde: The workers are not stupid. The Bloc raises the volume to disguise its powerlessness.

Fortunately, the Conservative government has the means to take action and adopt measures to support Quebec's forestry regions.

Some hon. members: Hear, hear!

*Oral Questions***ORAL QUESTIONS**

●(1415)

*[English]***CANADIAN WHEAT BOARD**

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, never have we seen a more secretive and partisan government in Canada than the current one.

Last week the Prime Minister gave Canadians yet another example. He misled Canadians on an issue as serious as torture. And now there is more partisanship, the latest victim, the vice-president of the Canadian Wheat Board.

Why does the Prime Minister fire public servants for doing their job?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, if I understand the Leader of the Opposition correctly, he is making reference to an employee of the Wheat Board who has been fired by the Wheat Board.

I would remind the House that the Wheat Board operates at arm's length from the government. The Wheat Board makes its own decisions in terms of which employees it hires and fires. He should direct his questions to the Wheat Board.

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*[Translation]***GOVERNMENT BOARDS, AGENCIES AND COMMISSIONS**

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, those who contradict the Prime Minister or say something he does not like are sent packing.

Gone is Linda Keen, the president of the Canadian Nuclear Safety Commission. Gone also is Arthur Carty, the national science adviser, and so is Deanna Allen, the Canadian Wheat Board's vice-president. These are not coincidences. This is systematic.

Does the Prime Minister realize how much his partisanship is hurting Canadians when he drives away public servants who are doing their job?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the leader of the official opposition ought to check his facts before rising in the House of Commons to ask questions.

He mentioned, for instance, Dr. Carty, a very eminent Canadian. Dr. Carty has retired. He can check with that gentleman.

[English]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, the Prime Minister is threatening public servants.

Some hon. members: Oh, oh!

The Speaker: Order. The Leader of the Opposition has the floor.

Hon. Stéphane Dion: Mr. Speaker, the Prime Minister is saying "do what I say, even if it is against your mandate. Say what I want to hear, even if it is wrong". That is not leadership.

Why does the Prime Minister insist on crushing dissent, on silencing those who dare to disagree with him?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again the Leader of the Opposition should check his facts before posing questions in the House of Commons.

He cites the case of a Wheat Board employee over whose employment the government has absolutely no control, and he cites the case of Dr. Carty, an eminent Canadian who voluntarily took his retirement. I would ask the Leader of the Opposition to check that out with Dr. Carty.

The fact of the matter is that the people of Canada have a right to fire any of us when they choose to do so, as they did in the last election with the crowd opposite.

* * *

ACCESS TO INFORMATION

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, Bob Marleau, the Information Commissioner, has protested that a fog has descended over the government's handling of information. Complaints to the commissioner have doubled in the past year.

A former leader of the opposition once said that the public interest should come before government secrecy and that information is the lifeblood of democracy. Who said that? The Prime Minister. If he still believes what he said, why has he allowed a fog of secrecy to descend on his government? Is Bob Marleau the next one to pay for his job with the truth?

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, it was specifically because of the dedication of the Prime Minister to that particular principle that we expanded the application of the act.

While we do not get personally involved and directly involved in the access to information, we have made excellent progress in that respect. In his last report, the Information Commissioner said that our response to access to information has improved under our government.

●(1420)

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, all of us who are struggling to make sense of those blacked out pages we received will be skeptical of the minister's reply.

[Translation]

The number of complaints received by the Office of the Information Commissioner of Canada has doubled from last year. The commissioner noted that the government ought to make it a habit to make information available to the public without having to be arm-twisted.

Does the Prime Minister agree with this assessment by the commissioner, or will this commissioner face dismissal?

[English]

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, it is interesting that the member would complain about this issue given that that party voted against the expansion of access to information.

The Liberals voted against the right to western Canadian farmers to see how the Wheat Board is spending their money. They wanted that shroud of secrecy to stay over the board. Our government said no. That information is accessible to the wheat farmers of western Canada as it is to the ordinary citizens of Canada.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, a new voice has joined the others who have recently criticized the Prime Minister for his lack of transparency. Indeed, the information commissioner, Robert Marleau, believes that the culture of secrecy has become systemic under the Conservative government and that it is rampant in the government.

Will the Prime Minister, who got elected on a promise that his government would transparent, admit that his government is anything but transparent, as we saw recently with the transfer of detainees and the Dimitri Soudas issues?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government invited opposition parties to review the Manley report and the mission in Afghanistan, but they refused to hold public hearings on such an important report and mission. I encourage transparency from the opposition, and I invite opposition parties to assume their responsibilities and to review this report and this mission.

* * *

AFGHANISTAN

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister reaches the heights of hypocrisy when he talks to us about transparency in Afghanistan. For months now, the government has been in possession of a report showing that the governor of Kandahar province is suspected of torture. And the government finds a way to brag about an agreement signed with the Karzai government, which appointed this governor. The Conservatives refuse to admit that there were serious suspicions of torture and they try to give us a lecture.

Will he finally stop making a mockery of transparency, the very issue that got him elected?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, Canadian officers always take allegations against our officers, and other officers, seriously. There is no credible evidence in this case.

Once again, I invite the Bloc Québécois and the opposition parties to speak with the officers in charge of this file and to examine the whole Afghan mission and the Manley report to verify this.

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AIRBUS

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, there is another matter that we should shed some light on as quickly as possible: the Mulroney-Schreiber affair. Last Thursday, the Standing Committee on Access to Information, Privacy and Ethics decided that the government should launch a public inquiry immediately, without waiting for it to finish its work. The Prime Minister has often said that he wants to respect the will of parliamentarians, so this is his chance.

Oral Questions

Will the Prime Minister heed the committee's decision and launch the public inquiry as soon as possible?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the government asked Professor Johnston to undertake a third-party review of the matter and to make recommendations concerning a public inquiry and its mandate.

Professor Johnston suggested that a limited public inquiry be conducted based on witness statements made during sittings of the Standing Committee on Access to Information, Privacy and Ethics. Therefore, it makes sense for the committee to finish its work before the public inquiry begins. We are following Professor Johnston's recommendation.

• (1425)

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, the government says that it does not want to have two inquiries going on at the same time, which makes sense. Nevertheless, I would like to point out that Justice Gomery began his public hearings seven months after his appointment.

What is stopping the government from appointing someone today so that that person can put together the future commission? Is the government trying to buy as much time as possible while perpetuating the culture of secrecy that has become its trademark?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the government is already looking for someone.

* * *

[English]

GOVERNMENT CONTRACTS

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, on Friday his own office had to admit that the finance minister had broken federal rules and awarded a \$122,000 untendered contract to write his budget speech. It was awarded to a Conservative friend and insider.

At a time when hundreds of thousands of Canadians are losing their jobs, the government is handing them out, contrary to the rules, at \$22 a word. Why should Canadians trust the Prime Minister, when instead of cleaning up the despicable practices of the previous government, the Conservatives are simply replicating them right here?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we were provided good value for money. I can assure taxpayers of that. There was good value for money in the work done in the preparation of the largest budget in Canadian history, budget 2007.

It is correct, though, that administrative functions were not followed with respect to the contracting. Those procedures are now being followed.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, let us listen to what the colleague of the minister who just spoke had to say about exactly this issue. The Minister of Human Resources said of taxpayers:

Oral Questions

I think it breaks their hearts when they see their tax dollars go to the finance minister who then turns around and gives it to his friends in the form of untendered contracts...That is completely wrong.

My question is for the Prime Minister, who has the responsibility here. Does he agree with his Minister of Human Resources that this kind of thing is not only illegal but “completely wrong”? If so, what are the consequences for his ministers when they break the rules?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the question is repetitive. I hope the House will forgive me if I am repetitive also. There was good value for money provided. The work was done. It was documented. It was compensated.

Having said that, I note that the administrative functions were not followed with respect to these contracts. I can assure the House that they are being followed now.

* * *

CANADIAN WHEAT BOARD

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, on Friday's firing at the Canadian Wheat Board, the Prime Minister's hands are all over it. The firing of the board's vice-president of farmer relations without cause is another example of the government's reign of terror against the board.

In 2006, the government fired the CEO, fired board members and undermined elected board members. Now the government pressures the board to fire staff. Why does the Prime Minister subvert democracy, undermine freedom of speech and cause to be fired anybody who stands up to his undemocratic tactics?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the member for Malpeque just proved he is on a slippery slope as he leaped to his feet there.

As for the huge public outcry he is talking about, I can assure the House that I have responded to both letters.

* * *

[Translation]

GOVERNMENT BOARDS, AGENCIES AND COMMISSIONS

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, it is becoming increasingly clear that this government has no respect for scientists. The Conservatives offhandedly dismissed the president of the Canadian Nuclear Safety Commission. They then muzzled scientists at Environment Canada and, most recently, they just forced the National Science Advisor into retirement.

When scientists do their job correctly, based on science, they end up getting fired by the Conservatives. Who will be next?

[English]

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, my friend refers in part to Dr. Carty. Dr. Carty, as the Prime Minister has indicated, announced his retirement for March 2008.

Some of the functions that Dr. Carty fulfilled are being replaced by the new Science, Technology and Innovation Council. It contains some of Canada's most respected and distinguished citizens: the president of the University of McGill, the president of the University

of Saskatchewan, the president of the University of Calgary, the chairman of the Royal Bank and EnCana, and other very respected Canadians. It is chaired by Dr. Howard Alper, who may be our most distinguished scientist.

I can assure the House that our science policy and science investments are in good hands.

* * *

● (1430)

[Translation]

PUBLIC WORKS AND GOVERNMENT SERVICES

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, the Prime Minister's press secretary, Dimitri Soudas, tried to explain his attempt to intercede in the Rosdev affair by stating that his interest in the file came at the request of a city councillor.

Over the weekend, however, councillors Tamburello and Tremblay denied Mr. Soudas' claims. They destroyed the alibi he was trying to create for himself.

Would the Prime Minister like to provide a new version of the facts regarding the actions of his press secretary, a version that indicates what really happened?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I have already indicated several times that no special favours were granted to any of the parties in question. The leader of the Liberal Party had to apologize for the accusations he made regarding this matter. The hon. member should do the same.

[English]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, let us see if I have this right. If people do their jobs and uphold the law, as independent public servants at the Canadian Wheat Board and the Canadian Nuclear Safety Commission have done, they get fired by the Prime Minister because they do not do what the Conservative Party wants.

But if the person is the Prime Minister's press secretary and breaks the law by meeting with unregistered lobbyists, the Prime Minister circles the wagons to protect that person. Is this how the government operates?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I have said it many times: the member's facts are simply incorrect. Nothing improper was done.

The thing that upsets Liberals is that special favours were not handed out. We are not practising politics the way they always did. God forbid that there be a new way for politics to be done in this country, but that is what Canadians want. That is why the Liberal leader had to apologize for his wild accusations in this matter. It would be a good time now for that hon. member to do the same.

Oral Questions

[Translation]

MANUFACTURING AND FORESTRY INDUSTRIES

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the Minister of Finance is claiming, falsely, that he is not aware of our demands concerning the manufacturing and forestry industries. On November 28, the Bloc unveiled its emergency plan funded out of the \$11.6 billion surplus for the current year. More recently, on January 24, we made public our demands for the next budget. Moreover, I will be pleased to explain all that to the minister at our meeting on Wednesday.

In the meantime, will the minister acknowledge that it is irresponsible to use \$10 billion of this year's surplus to pay down the debt when he is allocating only \$1 billion to help the manufacturing and forestry industries?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the member opposite seems to make the assumption that paying down debt is somehow not good for Canadian industry and somehow not good for Canadians overall. In fact, paying down debt, coupled with our tax back guarantee, guarantees lower personal income taxes year after year.

Also, respectfully, it is a non sequitur for the member opposite to say that we have a surplus when in fact we have excess revenue but a public debt of \$467 billion. Some surplus.

[Translation]

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, the government is saying that it will introduce a bill to invest the surplus in the economy before the next budget. Here is what we propose: \$500 million would go to Technology Partnerships Canada, \$1 billion to diversify forest economies, and \$1.5 billion to help companies modernize. In addition, a \$1.44 billion employment insurance fund reserve could be created to help workers.

Is this not a responsible plan for dealing with the crisis?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, I welcome the suggestions of the members opposite. I look forward to meeting with the critic from the Bloc on the subject of the budget to come.

Having said that, I note that we know this is a time of some economic slowness, particularly in the United States, and that this is a time for careful economic management of the Canadian budget and the Canadian economy. This is not a time for excess spending.

* * *

● (1435)

[Translation]

OLDER WORKERS

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, also on November 28, the Bloc Québécois recommended to the government \$1.5 billion in support measures for workers affected by the crisis, including \$60 million for an income support program for older workers who cannot be retrained.

The Minister of Finance can no longer plead ignorance to justify his lack of action. Now that he is familiar with our proposed measures, will he implement them?

[English]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, this government has stood up for workers like no other government. Today, not only are we there with employment insurance benefits, with \$4.4 billion last year in Quebec alone, we have invested heavily in new training arrangements with the provinces and the targeted initiative for older workers.

One thing we will not do is adopt every measure the Bloc proposes and drive this country back into deficit. We simply will not go there.

* * *

[Translation]

POST-SECONDARY EDUCATION

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, the government cannot plead ignorance given that the Bloc Québécois unveiled its proposals for the use of the 2007-08 surplus on November 28 and, more recently, its 2008-09 budget requests on January 24. In terms of eliminating the fiscal imbalance, we asked for, among other things, a \$3.5 billion allocation to post-secondary education to restore these transfers to 1994-95 levels.

Now that the minister is aware of our requests, does he intend to include them in his budget?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, substantial stimuli have been provided to the economy. We see some evidence of that in the new January auto sales numbers, which are the second highest on record, in part due to the reduction in taxes, personal income taxes and GST, as of January 1.

That matters to Canadians and Canadian families purchasing automobiles. That is why we have good numbers in January.

* * *

[Translation]

AFGHANISTAN

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, right from the start, this government has been giving evasive and incorrect responses to serious questions about how the Conservatives are dealing with Afghan detainees in Kandahar.

The Minister of National Defence said in this House that he addressed the issue with the governor of Kandahar during a face to face meeting. The minister will have to make up a new story; the governor himself has said that he does not recall ever meeting the minister.

We want to hear the Minister of National Defence's latest version. Who is telling the truth: the minister or the governor of Kandahar?

Oral Questions

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, we take allegations involving the governor of Kandahar very seriously. Officials have reported to the Afghan government with regard to these allegations and I can tell you that the Afghan government is following up on this matter.

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, the minister is out in left field. I asked him whether the Minister of National Defence met with the governor. He should re-read his notes.

[English]

We learn today that the government would like to build a Canadian wing inside an existing Afghan prison at Pul-e-Charkhi in Kabul. This is the same place where the Americans built theirs. The Afghans call this place Guantanamo. This is yet another secret policy shift without any consideration of or consultation with Parliament or our NATO allies.

Would this finally ensure that the Afghan detainees are not tortured? Who would be in charge of this new Canadian Guantanamo?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, the government is not in the business of building prisons. We are in the business of capacity building with the Afghan government.

[Translation]

If my colleague opposite truly cares about the Canadian mission in Afghanistan, he would want an open, honest and transparent debate on the Afghan mission in order to discuss all aspects of the mission. He may be against having an open and honest debate, but that is what we want.

[English]

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, the chaos, the confusion and the cover-up on the Afghan file continue. Now we learn that the Afghanistan Independent Human Rights Commission had no idea that Canada had stopped transferring its detainees to the Afghan authorities. It was not told of any change by Canada. Its members had to read about it in the media, despite the fact that they are the ones who are supposed to monitor the detainees.

What kind of keystone cops operation is this? Why was the Afghanistan Independent Human Rights Commission kept in the dark? Canadians want to know.

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, we work very closely with the Afghanistan Independent Human Rights Commission, as we do with the Red Cross. We continue to have regular contact with them on the subject of Taliban prisoners and other matters as we try to improve capacity, as my colleague from foreign affairs has said.

What is interesting is the ongoing fixation on the health and well-being of the Taliban. There are very few questions coming from the other side about our Canadian soldiers in action.

• (1440)

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, it is evident the confusion and the cover-up on the Afghan file continue.

One fact is clear. The Afghanistan Independent Human Rights Commission has had no access to the prisoners that have been captured and detained since November.

Why is the government refusing to tell Canadians the truth? When will it show some accountability when it comes to managing the Afghan mission? How can Canadians have confidence in this government when even the human rights commission has been kept in the dark?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, given the mandate of the Afghan human rights commission, it has a certain mandate that involves the visits to Afghan prisons. We have, as a result of the flawed arrangement that was in place, improved upon the ability for Canadians and others to see what is happening inside those prisons.

I would think the member opposite would applaud the efforts of the government to improve upon the failings of her own.

* * *

[Translation]

MANUFACTURING AND FORESTRY INDUSTRIES

Mr. Denis Lebel (Roberval—Lac-Saint-Jean, CPC): Mr. Speaker, this month, the Prime Minister announced a \$1 billion community development trust fund so that the provinces and territories can help communities and laid-off workers. Among other things, it will support community transition plans and job training in sectors facing labour shortages.

Can the Minister of Transport, Infrastructure and Communities explain whether he plans to introduce a separate bill to create the community development trust fund?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, hon. members will recall that in the throne speech, the government stated that it intended to act, specifically to help the most vulnerable sectors, such as forestry and manufacturing. That is why we have set up this new program.

I would like to add that our government listened to the provinces and Premier Charest and that we will shortly introduce a separate bill regarding the community development trust fund.

I hope that, after accomplishing nothing in 17 years, the Bloc will support this bill, as well as the others—

The Speaker: The member for Winnipeg Centre.

*Oral Questions**[English]***CANADIAN WHEAT BOARD**

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, we could almost hear the jackboots on the corner of Portage and Main on Friday as the Conservatives stormed the offices of the Canadian Wheat Board and arbitrarily whacked another top official whose only crime was to defend that great prairie institution. It is getting to be a defining hallmark of the Conservatives to silence their critics with thuggish tactics.

Is it not true that the vice-president of communications, Deanna Allen, was fired simply because she would not fall lockstep into their mad crusade to abolish the Canadian Wheat Board?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, those must have been awfully loud boots if he could hear that all the way out in Salt Spring Island where he lives.

I had a conversation with the president and CEO, the chairman of the board, Larry Hill from the board of directors, as late as Friday afternoon, talking about a way forward. Deanna Allen's name never came up.

* * *

CANADIAN GRAIN COMMISSION

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, it is not just the Canadian Wheat Board that the Conservatives have in their sights. They also have the Canadian Grain Commission in their crosshairs as well.

In a breathtaking example of pure political patronage, the Conservatives have appointed a former Reform MP, Elwin Hermanson, as the chief commissioner of the Canadian Grain Commission.

Will the agriculture minister admit to the House his personal connection to Mr. Hermanson, that he was a worker and a fundraiser in Mr. Hermanson's campaign and that he was appointed because of being an ideological soulmate, not because of his qualifications?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, I have made no bones about the fact that I have known Elwin for a number of years. It is a tremendous opportunity for the grain sector in the country to move ahead under his stewardship at the grain commission. He is still a farmer and producer, as he was all through his political career.

I look for big things for the grain commission as we turn the grain sector in western Canada on its ear and move toward the future.

* * *

●(1445)

*[Translation]***MANUFACTURING AND FORESTRY SECTORS**

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, we have called the government to task on several occasions for making hostages of the workers laid off in the manufacturing and forestry industries. We have challenged it to quickly table a bill for the

community development trust. It told us that it was impossible and that we had to wait for the budget.

Will it finally admit today that we were right and that it was wrong from the beginning?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, once again, if my hon. colleague were to take the time to check the Prime Minister's replies in recent weeks, even months, he would see that the answer is clear. We want to help the most vulnerable sectors and we are definitely counting on support from the opposition parties. To this end, we will be signing agreements with the provinces very soon.

I hope that the opposition parties will get it right and support this measure.

[English]

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, over and over we have challenged the Conservative government to put its money where its mouth is. We asked it to stop using laid off forestry and manufacturing workers as hostages and to stop linking its bill on the community development trust to its budget. The Conservatives keep saying, "It's impossible. It has to be in the budget".

Does the government now admit it was wrong and that we, the official opposition, were right from the start?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I guess there is going to be a big difference in the House coming in a couple of days. For the first time, we will see the opposition get up and defend something that we have supported for a long time since the budget.

I will add that the measures put forward in the mini-budget are additional to the help we are bringing to the economic sectors of our country, the manufacturing and the forestry sectors. I am looking for their support.

* * *

*[Translation]***GOVERNMENT CONTRACTS**

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the Minister of Finance acknowledged breaking the rules when he handed a contract over \$100,000 to Hugh MacPhie, a former Mike Harris aide who supported the minister in his bid to become leader of the Conservative Party of Ontario.

How many times does the minister intend to break the rules to give contracts to friends of the provincial Conservatives?

[English]

Was that man responsible for the brilliant line about Canada running from the Rocky Mountains to Newfoundland?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, from sea to sea to sea, as I said a few minutes ago when I was asked the same question, the value for money element was there, the work was done and the compensation was earned. What was not done was the administrative functions were not properly followed. That has been fixed.

Oral Questions

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, last summer the minister gave a \$24,900 contract to Rohit Gupta just 24 hours after he left his PMO job. That is only \$100 below the level where the competitive bidding process would have been required.

Obviously the minister's \$2 million office budget is not enough to satisfy his voracious spending appetite, so he has created a scam that allows him to hire as many political staffers as he wants.

When will he stop giving taxpayer money to his friends?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the value for money was provided.

With respect to the earlier matter, the administrative provisions were not followed. As I have said four times now, and I urge the member for Markham—Unionville to listen, that has been corrected.

* * *

[Translation]

GUARANTEED INCOME SUPPLEMENT

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, the Minister of Finance prefers to use \$10.6 billion to pay what he owes the banks rather than paying what he owes seniors, thereby breaking his party's promise to make full retroactive payments to correct the mismanagement of the guaranteed income supplement program.

Why does the Minister of Finance insist on paying the banks so much, some \$10.6 billion, when he is not even able to use \$3.1 billion of his surplus for seniors?

• (1450)

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, I am sure the member opposite has heard, because other members have heard, that as seniors are preparing their income tax forms this year, what they are seeing are very substantial tax reductions relating to income pension splitting in particular.

This is very important for seniors who have pensions in Canada. It is a significant reduction of great assistance to them. It is fundamental tax reform in Canada, which we brought in some time ago.

* * *

[Translation]

CANADA MORTGAGE AND HOUSING CORPORATION

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, the Canada Mortgage and Housing Corporation currently has close to \$7 billion in surplus that logically should be used for building affordable housing units and social housing. The billion dollars the Bloc proposes for building housing would not come from the budget, but from the CMHC surplus.

Will the minister take this Bloc suggestion that does not affect the budget?

[English]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the fact is the government is deeply concerned about the plight of people who do not have housing in our country. That is why today, through social housing, the affordable housing initiative, the housing trust, the first nations housing trust, the homelessness partnering strategy and the residential rehabilitation assistance project, the government is spending more money on helping people get that housing than any government in history. We are extraordinarily proud of that record.

They did not get it done. We are getting it done.

* * *

CANADIAN FORCES

Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.): Mr. Speaker, the Auditor General's latest examination of military health care proves that the government is failing Canadian soldiers returning from Afghanistan. Uncertified health practitioners are not allowed to treat civilians but are allowed to treat soldiers while a shortage of resources has forced many to go outside the military for medical help.

How can the government claim it is standing up for our soldiers when their health care service is breaking down?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, this is a very serious question and I thank the hon. member for the notice she gave.

In fact, we have already moved very quickly to implement some of the recommendations of the Auditor General's report. We thank her for that important work. We continue to work with her office to see that the necessary psychological support will be available to officers and to all members of the Canadian Forces.

We recognize that this is a serious matter. We have now a large number of returning veterans. This is something our country will have to come to grips with very quickly. We are taking steps to double the number of spaces and treatment that is going to be available to those veterans.

* * *

CHILE

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, I understand an earthquake hit Chile with great force earlier today. Given the large number of Chilean Canadians living in Canada who will be concerned about their loved ones, could the Secretary of State for Foreign Affairs and International Trade please comment on the government's reaction to this news?

Hon. Helena Guergis (Secretary of State (Foreign Affairs and International Trade) (Sport), CPC): Mr. Speaker, the hon. member is correct. Initial reports indicate that an earthquake hit Chile with a magnitude of 6.5. Our hearts and prayers go out to those affected by this natural disaster.

There are 1,361 Canadians who are registered with the embassy in Santiago. Our operations centre in Ottawa is closely monitoring the situation and staying in close contact with our embassy in Chile. Our hard-working consular officials in Chile are standing ready to assist Canadians on the ground affected by this disaster.

* * *

AFGHANISTAN

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, the government has blamed the military for not allowing information to be disclosed about Afghan detainees. It has even tried to blame its own lawyers.

The law established by Parliament is very clear. It is the minister who is the ultimate decision maker on information disclosed. Now we learn through *La Presse*, not through the minister, that Canadians are considering building their own prison in Kabul.

Will the government make it clear today that it is the one hiding information on torture and abuse of detainees and not Canada's military?

• (1455)

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, as I said earlier, Canada is not in the business of building prisons. We are in the business of building capacity with the Afghan government. We want to help the Afghan people have a secure state. That is our position.

Why does the member opposite not want an open, transparent debate on the Afghan mission?

* * *

CANADIAN HUMAN RIGHTS ACT

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, the Secretary of State for Multiculturalism and Canadian Identity deserves an opportunity to respond to allegations made recently by Ezra Lavant, who is head over heels for the Liberal motion that would gut the Canadian Human Rights Act. Mr. Levant says that the Secretary of State supports his view that "these commissions are violating human rights, not protecting them".

Knowing their shared history and personal relationship, I thought it best to clarify the Conservative position on this illogical Liberal motion.

Could the Secretary of State clearly state today that all Conservative MPs will vote against the motion and that he personally condemns the motion in the strongest possible terms?

Hon. Jason Kenney (Secretary of State (Multiculturalism and Canadian Identity), CPC): Mr. Speaker, I am absolutely on the public record defending freedom of speech. This government and this party believe in our constitutionally entrenched and protected rights to freedom of expression, freedom of speech and freedom of the press. We will always defend those freedoms, those ancient freedoms.

Oral Questions

CANADIAN FORCES

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, the Auditor General said that mental health resources in the Canadian Forces are inadequate to help our soldiers.

Post-traumatic stress disorder suffered by our soldiers returning from combat, and particularly from Afghanistan, is a serious concern.

Why does the government continue to ignore the critical need for mental health services for our soldiers? Why are they being denied essential health services? Why will the Conservative government not support our troops when they need it the most?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, I think the member opposite would have to agree that one would be hard pressed in the last 25 years to find a federal government that has been more supportive of Canadian troops.

With respect to her serious question, rigorous post-examinations are done upon return from deployment. Rigorous examinations are available to officers and members when they return. We do follow-up every three to six months. Upon their return, there are personnel available for operational stress related illnesses.

We will continue to do everything to support and protect our troops.

* * *

AFGHANISTAN

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, last week at the foreign affairs and national defence committees, the government members proposed joint committee meetings to study the Manley report.

Canadians deserve a frank and constructive dialogue on this extremely important issue. Shockingly, the Liberals and the other opposition members voted against openness, frankness and transparency. Are those members concerned that the testimony of panellists would reveal that their positions on the Afghan mission simply are not feasible?

Could the Minister of National Defence explain to the Liberals and to the other opposition members why they should reconsider allowing for public hearings on the Manley report?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, that was a good question from the member for Burlington.

It seems perfectly logical that members opposite who have been calling for a more open, transparent and substantive debate on the subject of Afghanistan would welcome the opportunity to have their former deputy prime minister appear before a committee. Although some members of that committee referred to the panel as elitist, it seems logical that they would want to have a realistic and substantive debate rather than suggest that the committee should just gloss over these issues.

We welcome, and in fact invite, the leader of the Liberal Party to unleash his members and let them vote for this debate to take place.

Routine Proceedings

[Translation]

LUMBER INDUSTRY

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, \$400 million in sales, \$700 million in payroll, \$4 billion in processed products, \$500 million in tax revenue, 29,000 jobs, 35,000 producers—this is the significant economic contribution made by Quebec's private lumber producers that is being threatened because the Conservatives have ignored the impact of the crisis on this sector in their trust.

These producers, who have lost \$70 million over two years, are on the brink of bankruptcy and are desperate.

How will the trust help these producers, these owners, continue to harvest the forest when this trust completely ignores them?

• (1500)

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, as we have been able to convey since we signed our first agreement with New Brunswick, we will be able to work on these issues in partnership with the provincial and territorial governments.

I remind my hon. colleague that even she and the members of her former party, the Bloc Québécois, resisted and voted against \$12 billion for Quebecers in the mini-budget that was tabled and passed in this House.

I would hope that this time around, they will see the light and support it.

* * *

FOREIGN AFFAIRS

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, the population in the Gaza Strip, where a partial blockade has been imposed since Hamas took control of the area, has been enduring deprivation and hardship for quite some time. The humanitarian situation in that region is getting worse, with the recent intensification of the Israeli blockade, not to mention the fact that Palestinian attacks in Israeli territory have resumed.

Does the Government of Canada intend to join its voice to those of the European Union, the UN Secretary-General, Egypt and humanitarian organizations, and ask Israel to immediately put an end to the blockade, and remind it that it must respect its international obligations—

The Speaker: The hon. Minister of Foreign Affairs.

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, we are deeply concerned about the current humanitarian situation in Gaza. In fact, a few weeks ago, I travelled to Israel and Palestine, to see the situation for myself. We are following things very closely. We hope that a peace agreement can be reached in the Middle East, in 2008.

The Americans and the international community are working together to ensure that the Middle East will become a land of peace in the coming year.

ROUTINE PROCEEDINGS

[English]

FEDERAL COURT RULES

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I am pleased to table in this House the rules amending the Federal Court Rules, including representative proceedings, class proceedings and other amendments.

* * *

[Translation]

GLOBAL PARTNERSHIP AGAINST THE SPREAD OF WEAPONS AND MATERIALS OF MASS DESTRUCTION

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, pursuant to Standing Order 32, I have the honour to table, in both official languages, the annual report on Canada's contribution to the global partnership against the spread of weapons and materials of mass destruction.

* * *

[English]

ABORIGINAL AFFAIRS

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, under the provisions of Standing Order 32(2) I have the honour to table, in both official languages, copies of the "Plan of Action for Drinking Water in First Nations Communities—Progress Report January 17, 2008".

* * *

[Translation]

CANADA LABOUR CODE

Hon. Jean-Pierre Blackburn (Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC) asked for leave to introduce Bill C-40, An Act to amend the Canada Labour Code, the Canada Student Financial Assistance Act, the Canada Student Loans Act and the Public Service Employment Act.

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

* * *

[English]

COMMITTEES OF THE HOUSE**ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT**

Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Aboriginal Affairs and Northern Development.

In accordance with the order of reference on Tuesday, November 13, 2007, your committee has considered Bill C-21, An Act to amend the Canadian Human Rights Act, and has agreed to report it with amendments.

• (1505)

ACCESS TO INFORMATION, PRIVACY AND ETHICS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am honoured to present, in both official languages, the second report of the Standing Committee on Access to Information, Privacy and Ethics, which met on January 31, 2008 in relation to the Mulroney Airbus settlement study and agreed to the following recommendation:

That the government not wait for the Committee to complete its work and immediately initiate a formal public inquiry into the Mulroney-Schreiber affair and appoint a Commissioner as soon as possible, granting him or her full latitude to define the parameters of his or her inquiry, which shall be as broad as possible.

The committee is very concerned that if the government, as has been suggested, waits until the committee finishes all of its work, it will be several months an inquiry that is established. Our knowledge of past inquiries is that it takes several months to hire staff, to get a place, to engage people, to have the necessary information, even before any witnesses are heard.

We believe very strongly that the process should commence now. We will certainly be finished our work before any witnesses need be heard.

* * *

ECONOMIC DEVELOPMENT AGENCY OF CANADA FOR THE REGION OF NORTHERN ONTARIO ACT

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.) moved for leave to introduce Bill C-499, An Act to establish the Economic Development Agency of Canada for the Region of Northern Ontario.

He said: Mr. Speaker, I am pleased to present my private member's bill which looks to establish the economic development agency of Canada for the region of northern Ontario.

The purpose of this bill is to promote economic development, economic diversification and job creation in communities in northern Ontario. An integral component of this bill is the inclusion of Parry Sound-Muskoka among the 10 electoral ridings that comprise northern Ontario.

Regional development is crucial to the people of northern Ontario. My bill is designed to ensure that FedNor will not be subject to any more cuts or face the threat of elimination altogether by the current Conservative government.

I look forward to the successful passing of this proposed legislation.

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

* * *

AFGHANISTAN

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, discussions have taken place between all parties and I believe you will find consent, if you seek it, for the following motion. I move:

That this House condemns the proposed execution of the Afghan journalism student, Sayed Pervez Kambaksh, and calls on the Government of Canada to intervene with the government of Afghanistan to have all criminal proceedings against Sayed Pervez Kambaksh immediately abandoned.

Routine Proceedings

[Translation]

We are hoping to have this motion adopted.

[English]

The Speaker: Does the hon. member for Toronto—Danforth have the unanimous consent of the House to propose the 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.

(Motion agreed to)

* * *

PETITIONS

SRI LANKA

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I am pleased to table a petition which is signed by hundreds of constituents in my riding of York West and across the GTA.

The petitioners are raising concerns about human rights abuses amid the renewed civil war in Sri Lanka and are calling on the government to work toward finding a lasting peaceful resolution to the conflict.

BILL C-458

Mr. Mervin Tweed (Brandon—Souris, CPC): Mr. Speaker, I again am pleased to present a petition from the people of Peace River, a great constituency, supporting Bill C-458, An Act to amend the Canada Post Corporation Act (library materials), which will protect and support the library book rate and extend it to include audio-visual materials.

• (1510)

NORTHERN RESIDENTS TAX DEDUCTION

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I rise to present two petitions, totalling some 650 signatures from people in my riding of Western Arctic as well as the other two northern territories, to request that the finance minister raise the northern residents tax deduction which has been set at an amount for the last 20 years, contrary to the increase in inflation which has made the cost of living prohibitive for northerners.

These actions are supported by chambers of commerce and the mining companies that employ people in the region. All people recognize that the cost of living is one of the greatest impediments to northern development.

CANADA POST

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am presenting a petition which is in the proper order about the serious reduction in services to rural Canada and rural Prince Edward Island by Canada Post.

S. O. 52

The petition basically says that Canada Post is switching from resident door to door mail delivery to community mailbox delivery without properly assessing the safety of these community mailboxes to the residents. Many of the community mailboxes being established in the province of Prince Edward Island are no safer than regular mailboxes and there are additional problems in terms of accessibility, litter, snow build-up and the environment.

The petitioners call upon Parliament to ensure proper consultations by Canada Post with those people so affected.

MANUFACTURING INDUSTRY

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I stand today to bring to the attention of the House a petition dealing with an issue of great importance to our future economic prosperity.

The manufacturing sector is a vital part of the engine that drives the Canadian economy. Good paying jobs in this sector help improve Canada's infrastructure and its industrial stability.

At this time of great economic growth in this country the manufacturing sector is suffering. Hundreds of thousands of hard-working men and women are being laid off. Plants are closing and lucrative government projects are being awarded to foreign companies instead of world leading manufacturing corporations that Canada boasts.

Manufacturing jobs in Canada affect millions of families and I urge my fellow members to join with me and support these petitioners' demand to develop a plan of action to protect our manufacturing sector.

SECURITY AND PROSPERITY PARTNERSHIP

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, it is my honour to present a petition against the security and prosperity partnership of North America.

SPP reduces protection in pesticide use, reduced food and air safety, and brings the environment to the lowest common denominator. It also allows more U.S. control over Canadian energy and water.

These petitioners call upon the Government of Canada to stop the implementation of the security and prosperity partnership with the United States and Mexico, and consider its profound consequences on Canada's existence as a sovereign nation and its ability to adopt autonomous and sustainable economic, social and environmental policies.

The petitioners also the Government of Canada to conduct a transparent and accountable public debate of the SPP process.

ANIMAL CRUELTY LEGISLATION

Mr. Rob Moore (Fundy Royal, CPC): Mr. Speaker, I am pleased to present eight petitions containing hundreds of signatures urging Parliament to update current laws on animal welfare.

STATUS OF WOMEN

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, I rise to present a petition on behalf of the residents of Don Valley East and surrounding area with regard to the callous disregard to the needs of women and women's groups in Canada which is evidenced by the

fact there was no mention of women or women's groups in the Speech from the Throne, and the cut to funding for women's advocacy programs.

The petitioners are calling upon the Government of Canada to immediately restore funding cuts to Status of Women Canada to allow women's groups to lobby government as is their duty.

INCOME TRUSTS

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I present this income trust broken promise petition on behalf of many people from Mississauga who remember the Prime Minister boasting about his commitment to accountability when he said "the greatest fraud is a promise not kept".

The petitioners remind the Prime Minister that he 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 savings of over two million Canadians, particularly seniors.

The petitioners therefore call upon the Conservative minority government to admit that the decision to tax income trusts was based on flawed methodology and incorrect assumptions, to apologize to those who were unfairly harmed by this broken promise, and finally, to repeal the punitive 31.5% tax on income trusts.

* * *

● (1515)

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Guy Lauzon (Parliamentary Secretary to the Minister of Agriculture and Agri-Food and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is it agreed?

Some hon. members: Agreed.

* * *

[English]

REQUEST FOR EMERGENCY DEBATE

MANUFACTURING AND FORESTRY INDUSTRIES

The Speaker: The Chair has received notice of a request for an emergency debate.

[Translation]

This request has been made by the honourable member for Rimouski-Neigette—Témiscouata—Les Basques who may now put forward her arguments on this matter.

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, I will be as brief as possible. I thank my colleague.

Mr. Speaker, as I advised you earlier today, I am up to my old tricks and I am asking once again. Pursuant to Standing Order 52 of the House of Commons, with the backing of the majority of this House, for the leaders of the three opposition parties as well as independent members have given me their support, I rise today to ask that you agree to an emergency debate on the forestry and manufacturing crisis that has severely affected Canada for several months, particularly in Quebec, because this is an emergency.

This emergency debate is essential for three reasons. First, to discuss the fate of the hundreds of thousands of people who are affected directly and indirectly by this serious, major, devastating crisis, it is urgent. Second, to debate the very real, daily despair of the thousands of private woodlot owners who have been driven to bankruptcy and to discuss the future of one of our greatest natural resources: our forests, it is urgent. Third, the need for us as Parliamentarians to assume our role as representatives of all the people of Canada to find solutions here and now to this crisis which is causing such widespread devastation, it is urgent. Finally, today even the government recognizes that this is urgent.

My request, which expresses the wish of the majority of the members of this House, is based on recognition of an urgent need to debate this matter as soon as possible. Finally, in addition to the general interest in this matter that you recognized yourself last week, Mr. Speaker, it is clear that the normal proceedings of the House will do nothing to end this crisis. Accordingly, the members of the opposition majority are calling for immediate action to save this industry and give hope to those regions that are affected by a real and genuine crisis. This emergency debate is essential to bring that about.

The Speaker: I must begin by saying that the subject raised by the hon. member is of great interest to many members. However, I must also mention that this morning, during the time allocated to private members' business, we discussed this subject during the debate on a motion introduced by the Bloc Québécois whip.

At this time, it is my opinion that this is not an urgent matter to be debated in the House. Naturally, were the situation to become more urgent, the debate could be held in a few days. One never knows. However, today, I must refuse the request.

* * *

PRIVILEGE

ALLEGED IMPEDIMENT IN THE DISCHARGE OF A MEMBER'S DUTIES — SPEAKER'S RULING

The Speaker: Before we turn to government orders, I have a ruling to give.

[*English*]

I am now prepared to rule on the question of privilege raised on Tuesday, January 29, by the hon. member for Mississauga South alleging that members of the opposition were impeded in carrying out their responsibilities when requesting information from public servants.

[*Translation*]

I would like to thank the hon. member for raising this matter and for providing the Chair with further comments since that time. I also want to thank the hon. member for Joliette, the hon. member for

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Vancouver East, and the hon. Parliamentary Secretary to the Leader of the Government in the House for their interventions when the matter was raised as well as the hon. member for Yukon and the hon. member for Scarborough—Rouge River who later provided their views on this issue. Finally, I thank the hon. Minister of Health for rising twice in the House to provide clarification on the procedures in his department and on steps the department is taking to ameliorate its practices.

• (1520)

[*English*]

In presenting his case, the member for Mississauga South charged that officials at the Department of Health treated requests from members of the opposition differently than those from members of the governing party.

He indicated that when his staff tried to obtain information from the department on behalf of a constituent, officials asked his staff if the member requesting the information was a member of the opposition.

Later, the hon. member himself was informed by the department that in responding to members, officials were required to fill out a form and monitor the details of the member's request.

The hon. member argued that this requirement caused delays in his being given the information requested and he claimed further that the departmental official acknowledged that this same information would have been communicated immediately to constituents who called the department themselves. The hon. member concluded that this approach constituted an impediment to his performance as a member of Parliament.

[*Translation*]

The members for Joliette and Vancouver East expressed serious concern regarding this particular case, noting the impact of this kind of conduct on the ability of opposition Members to fulfill their duties without obstruction.

[*English*]

The member for Scarborough—Rouge River underlined that the process complained of constituted an obstruction to the work of members because it delayed access to information which an ordinary citizen could obtain more expeditiously. He argued that this situation undermined the members' capacity to serve their constituents efficiently and well.

For his part, the Minister of Health, in his original intervention, indicated that it was not the standard operating procedure of the department to ask callers to identify the affiliation of the member who requires the information.

Later, however, the minister rose to explain that the department did indeed have responding officials fill out a form which included party affiliation of the questioner.

He went on to explain that this practice aimed simply to keep the department's parliamentary affairs officials apprised of issues and the need for possible follow-up. He acknowledged that seeking to learn the party affiliation of inquiring MPs might be misconstrued and that the practice would be changed immediately.

Government Orders

The Chair sees two important issues in the case raised by the hon. member for Mississauga South. The first focuses on public service procedures when providing information to members of Parliament and the alleged difference in which such requests are processed depending on which side of the House the member sits.

The second issue relates to a possible obstruction of members' ability to provide services to their constituents in a timely fashion, an obstruction that can create a perception in the mind of constituents that members of Parliament are not able to serve their constituents effectively.

From the Chair's point of view, however, the question is a good deal simpler: does the manner in which public servants serve members of Parliament when dealing with constituency matters constitute a prima facie breach of privilege or contempt of the House?

[*Translation*]

In ruling on a question of privilege raised by two members alleging that a department had directed its officials not to release information on certain projects, thus infringing on their ability to serve their constituents, Mr. Speaker Bosley indicated on May 15, 1985, at page 4769 of the *Debates*:

I think it has been recognized many times in the House that a complaint about the actions or inactions of government Departments cannot constitute a question of parliamentary privilege.

[*English*]

The 23rd edition of Erskine May on page 143 also refers to this principle:

Correspondence with constituents or official bodies, for example, and the provision of information sought by members on matters of public concern will very often, depending on the circumstances of the case, fall outside the scope of "proceedings in Parliament" against which a claim of breach of privilege will be measured.

[*Translation*]

Furthermore, with respect to a similar question of privilege, Mr. Speaker Parent in a ruling on October 9, 1997, at page 687 of the *Debates*, stated:

—in order for a member to claim that his privileges have been breached or that a contempt has occurred, he or she must have been functioning as a member at the time of the alleged offence, that is, actually participating in a proceeding of Parliament. The activities of members in their constituencies do not appear to fall within the definition of a "proceeding in Parliament".

And he went on to say:

In instances where members have claimed that they have been obstructed or harassed, not directly in their roles as elected representatives but while being involved in matters of a political or constituency related nature, Speakers have consistently ruled that this does not constitute a breach of privilege.

• (1525)

[*English*]

Let me assure the House that the Chair understands that all hon. members wish to serve their constituents as expeditiously and efficiently as possible. Indeed, in another incarnation, as the representative for Kingston and the Islands, I share that laudable objective with all of my colleagues.

However, as Speaker, I must view matters through the rather narrow prism of parliamentary privilege. In that light, it does not

appear to the Chair that the hon. member has been obstructed in the performance of his parliamentary duties and therefore, I cannot find that a prima facie breach of privilege has occurred.

That said, the hon. member for Mississauga South and other members have raised legitimate concerns regarding the efficiency of the procedures used by public servants as they relate to requests from members of Parliament. There are other avenues where members could raise these concerns, notably in the appropriate standing committees, where they might enquire about the procedures in place in various departments and agencies and make helpful recommendations for assisting them to respond more efficiently and effectively to the needs of members of Parliament seeking information to assist constituents.

I thank the hon. member for Mississauga South for bringing this matter to the attention of the House.

GOVERNMENT ORDERS

[*English*]

YOUTH CRIMINAL JUSTICE ACT

The House resumed consideration of the motion that Bill C-25, An Act to amend the Youth Criminal Justice Act, be read the second time and referred to a committee, and of the motion that this question be now put.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, first, I am delighted to be able to spend a few minutes addressing some concerns and viewpoints with respect to Bill C-25, a bill which seeks to make some changes pertaining to our youth criminal justice system.

Second, I want to say to the Conservatives to stop playing games and to stop making this issue into one that is a political football instead of getting down to work and making serious attempts at finding reasonable solutions based on the input of all parliamentarians.

I for one find it rather curious that the government has just now brought in a couple of small changes to our youth justice system. It has merely tinkered with it and has not made the big overhaul that the government claims to the public that it has done, and to which we apparently are already in opposition. I would suggest to the Conservatives that if they want a serious debate and if they want to craft the best legislation possible, they ought not to be suggesting that they have already introduced a massive overhaul of the Youth Criminal Justice Act and that the NDP is already in opposition and therefore we are not prepared to sit down and deal with some of the tough problems that we all know are confronting us. I find that offensive and I wish they would stop.

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What we are dealing with today is a very small piece of legislation, a couple of changes, hardly that which the Conservatives promised, hardly that which we have asked for, hardly that which provincial governments have asked for. In fact, I want to reference the significant work by the Manitoba NDP government in trying to get the federal government to make some real changes that would make a difference to some of the serious situations we are dealing with.

There is nothing in this legislation that actually deals with car theft and the use of cars as a weapon by young people. Gary Doer and the Manitoba NDP government were here in Ottawa trying to persuade this government to make some changes in that regard, particularly providing stronger penalties for youth involved in serious crimes, especially those involving auto theft. The Manitoba government and Gary Doer were here calling for first degree murder charges for gang related homicides. The Manitoba government and Gary Doer were here calling for the classification of auto theft as an indictable violent offence. They also were here calling for making shooting at a building and drive-by shootings indictable offences.

Are any of those in the bill? Are any of those in any legislation around us? No, we are still dealing with a government that is creating an illusion of being tough on this issue but basically is doing very little. I would suggest that we try to make this legislation into a much more substantive piece that in fact would get at the root of the problem, that does not tinker at the edges but in fact makes a real difference.

My colleague from Windsor, our justice critic, has already made clear remarks on record suggesting what this bill is and where there are problems. He talks about the move toward deterrence, when in fact there is little recognition sometimes among young people about even the punishments that are associated with the crime at hand. He talks about the question of pretrial release and the fact that this is very seldom used today.

We know that this bill misses the main point. What we do need is some tough legislation to deal with some very serious problems. Let me say that there is no shortage of examples around the hardship that is caused in our communities by young people who have used a car as a weapon, or engaged in other violent crimes.

For the record, I want to send condolences again to three families that have been through this in a very difficult way over the past six months. They of course are no secret to members of the House and are well known in the media. They are pretty horrific cases. Rachelle Leost, who had three young kids, was actually on her way to work when she was hit by a young driver who had stolen a car. She was killed. We also want to recognize Erin Pawlowski, a 35-year-old man who was viciously beaten on his way home from work, who later died from his injuries. We do not know for sure if the offenders were young offenders, but there certainly is that possibility. Finally, Mr. James Duane died while riding his bicycle. He was hit by a stolen car driven by a young person at the corner of Burrows and McGregor in my constituency of Winnipeg North. Those are three horrific crimes that involved, we believe, young people and therefore need to be addressed in this legislation.

● (1530)

These incidents and others like them are by no means to suggest that we are seeing a sudden rise in youth crime. There are no statistics to support such a statement. Nor can we say, as many have tried to suggest, that areas like Winnipeg North and the inner cities and north ends of our cities are hotbeds for youth crime. The problems we are dealing with are everywhere. They are not isolated in my constituency. They are not isolated in certain populations. They happen because our society has not done all it could and governments have not all they could to stop the incidence of crime by looking at the root causes and working at early stages to try to stop these incidents from happening in the first place.

I want to reference a few of the people in my constituency who are working daily trying to deal with youth crime. They need the support of government, but they still really are not getting the acknowledgement nor the financial support from the federal government that they deserve.

In my own constituency, in Point Douglas, which is probably the poorest neighbourhood in all of Canada, there is a group of citizens who have decided to take matters into their own hands with the support of the provincial government to call for a crack free zone. They are trying to identify crack dealers and crack houses and report them and make sure that those houses are shut down. Under the Manitoba legislation, we have innovative provisions for doing just that, something that should be replicated across the country.

We have in that very same neighbourhood citizens working on unslumming the neighbourhood, not gentrification, but unslumming. They are working with housing groups and local organizations to repair and renovate houses, to try to get rid of those who want to abuse their privileges and make our neighbourhoods into drug zones and areas of high crime and violence.

We have just had reports in Winnipeg about another group, the ambassadors for the North End. They are a group of young people who actually patrol the streets around Selkirk Avenue and neighbouring areas to try to prevent the incidence of crime. They are getting support from the provincial government. They need to be recognized by the federal government.

We have many youth at risk programs. We have the North Point Douglas Women's Centre, the North End Women's Centre. We have the North End Community Renewal Corporation. All of these organizations believe in working together to try to get at the root causes of youth crime.

That is best said when we look at some of the people who have written about what it means to live in poverty, and not in a functional family, without access to supports or employment. Here is one example, a piece written by Rhian Brynjolson in my riding. She said this:

One very young boy recently drew me picture. In it a boy is looking in the mirror. The image in the mirror is a boy with horns and a devil's tail. "The boy is wondering if he is going to be a bad guy when he grows up", he explained. I looked at the boy, knowing of the abusive situation he had survived, and I wondered too.

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That is one example. Let me give one more. This one is written by Christine Burrows, who is actually a retired kindergarten teacher and coordinator of the Point Douglas community safety team. She talks about what it is like to be without proper supports:

Since you are not travelling around in a car, you're just hanging around your immediate neighbourhood, so you never see those signs in stores and outside factories saying "Help wanted".

The whole idea of finding a job is difficult and daunting, so you just hang out on the street and couch-surf.

Then one day a drive-by recruitment car stops to talk to you. They don't care about your school record, there are no forms to fill in, they offer you a job, you can do the job, it doesn't mean getting up early and you can keep your hoodie on. Perfect! The pay is pretty good and it's illegal, but hey, it's not just like a few relatives haven't been in the slammer from time to time, no big deal. Besides, you won't get caught.

You are now a drug dealer's mule, you carry illegal narcotics for the man, you run stuff from one place to another, you're a success, cash in your pocket and you can wear a tough attitude.

I could go on with many more examples. I could talk about the fact that in Winnipeg, we know that many of the youth who commit crimes are actually FASD victims. They have fetal alcohol syndrome disorder, a neurological disorder for which they cannot always account for their actions. Yet we have a government that refuses to put in place proper programs for FASD, nor is it prepared to support our motion to put labels on alcohol beverage containers warning women that they should not drink during pregnancy.

• (1535)

All kinds of things can be done. I would urge the government to begin to look seriously at this problem, not as window dressing, and stop making victims out of our young people who really have every reason to want to contribute to our society if given half a chance.

[*Translation*]

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the members of the Bloc Québécois are rather surprised by the NDP's position on Bill C-25.

If I understand correctly, some members want to ensure that the bill passes second reading. However, all the arguments presented would normally lead us to believe that the NDP will vote against it. Why? Because the very foundation of this bill goes against the principles defended by the NDP. Its foundation is one of repression. They are supporting the repression of young people and adolescents, while what seems to be working so far is guidance as a means of prevention.

For example, the United States still has the death penalty for the most serious crimes. We all know what kind of results that produces. The crime rate is three times lower in Canada and four times lower in Quebec. Why? Because the strategy established by both governments, the policy maintained, is one of prevention. In Quebec, that policy is even more energetically applied.

How can the NDP now justify its position, which favours repression over prevention?

Ms. Judy Wasylycia-Leis: Mr. Speaker, I thank my hon. Bloc colleague for his question. I would like to reply in English, since it is a very complex question.

[*English*]

I want to say for the member and everyone in the House, as I tried to in my speech, that what we find most reprehensible about this legislation is what is not in it and the lost opportunity to deal with what is required when it comes to youth crime. We have always said that there must be proper emphasis on prevention, protection and punishment.

The NDP is prepared to send the bill to committee because it needs to be enhanced. What is in it is very insignificant and problematic. There needs to be more reflection on what is there and changes made.

I want to specifically reference the two parts of the bill that my colleague from Windsor has already addressed. The first is the question about youth being released pretrial. My colleague has already said that in most cases, particularly heinous crimes, that kind of pretrial release does not often happen. Some judges are still involved in pretrial releases. The proposed bill will help clarify that situation and ensure there are clear provisions when a youth crime is heinous and serious enough that it requires more stringent action than is normally the case.

The other part of the bill deals with the issue of denunciation and deterrence. As my colleague from Windsor has also said, we need to try to understand whether that section of the bill would help in any way the young people who would be involved in the most serious and egregious of crimes when it comes to destruction of property and dismemberment or the deaths of individuals.

We know deterrence may not be that useful for some young people because they do not recognize the punishment or they never stop to think about the implications of their crimes. However, when we look at the most heinous of crimes, we also have to think about how we get youth to deal with what they have done and understand that there are significant punishments for those very serious crimes. We cannot ignore that end of the equation. Maybe the Bloc sees that we can but I do not think so.

The bill is not perfect. What we suggest is get it to committee, hear from witnesses to find out what the couple of limited provisions do and would mean and find ways to enhance the bill to make it more effective legislation that truly gives our legislators the kinds of tools they need to make a difference.

I mentioned some of them already. I mentioned the Manitoba government's presentation to members of Parliament, who are trying to deal particularly with the use of cars by youth as weapons. I mentioned three horrible deaths, a young mother, a young man and a working age man. They were killed in the prime of their lives because of that kind of incident. We know we have to stop it. We have to be strong on this. At least with the bill going to committee we can get somewhere—

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• (1540)

The Acting Speaker (Mr. Andrew Scheer): Resuming debate, the hon. member for Chambly—Borduas.

[*Translation*]

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, I am particularly glad to join in the discussion of this bill because it gives me an opportunity to highlight the rather exceptional guidance and prevention work being done by many organizations in our society and in Quebec with young people. In my own riding of Chambly—Borduas and in the city of Chambly itself, the organization known as POSA has had a remarkable impact and is doing the most exemplary work with young people.

In this type of debate, we need to think about the other stakeholders in our society who are helping young people to find direction in their lives. Often, these are young people who have nothing to do.

I want to come back to the latest remarks of my New Democratic colleague. She said that what is of greatest concern about the bill is what is not in it. That astounds me because what should concern us most of all is what the bill actually says. There are two things the bill says. First, exemplary sentences are needed to deal with youth crime. That means from now on we will be using an approach that is currently reserved for adults. I will come back to that point. Second, pre-trial detention will be permitted. It is rather troubling that a young person, a teenager, would have to prove that he or she is not a danger to society even before a trial begins. That is rather troubling because it is a presumption that the teenager could be guilty.

In court, it often happens that a person is not found guilty of the crime that he or she has been charged with. This means that even before the trial takes place, if a person does not want to be imprisoned as a preventive measure, he or she must demonstrate to some degree that they did not commit that crime. People will say that is not how it is going to happen. The person need only demonstrate that he or she is not a danger to society. However, if a serious crime has been committed and the person was not involved in the crime, he or she will have to show that they were not involved.

Already, we are focusing on evidence that should be presented during a trial. There is something perverse in that; something that implies in some way that the presumption of innocence no longer applies at the first stage when we are dealing with young people. That is sometimes understandable when we are looking at measures that apply to adults because an adult may have a criminal background suggesting that he or she could re-offend or represent a danger to society based on previous evidence or charges brought before the courts.

This is the approach as things now stand and the NDP is aligning itself with that approach. That the New Democrats would take such a position surprises me a great deal. As for the Conservatives, not much about their take on crime surprises us. They are not very interested in prevention. Repression is the focus and if they can make the penalties tougher all around they will do so.

This approach also flies in the face of the youth crime policies that have been in place in Quebec for more than 30 years. These prevention-based policies have proven themselves. As I said earlier

when I asked my colleague a question, the current system in Quebec, with its focus on prevention, has led to a significant reduction in youth crime. As a result, there are four times fewer criminal cases in Quebec than in the United States and 25% fewer than in Canada.

• (1545)

Canada as a whole has three times fewer criminal cases than the United States. Yet the Conservatives are copying the American model. We know the result. The heaviest U.S. penalties are still banned here, such as the death penalty, which cannot even produce such results.

What is most important? To turn these young people into criminals and set them on a course that will inevitably lead to the same situation as in the United States? That will multiply the number of criminals once these young people are adults.

Quebec is not in favour of that. Not only is the Bloc Québécois opposed to that, but in 2003, the National Assembly of Quebec unanimously passed a motion to maintain the system in Quebec.

In addition, the measures proposed in clauses 1 and 2 of Bill C-25 are not insignificant. They run counter to a whole philosophy of Canadian law. The Supreme Court summarized the principles behind youth sentencing in this way in a 2006 judgment:

The YCJA introduced a new sentencing regime, and its wording can only support the conclusion that Parliament deliberately excluded general deterrence as a factor of youth sentencing. By virtue of section 50(1) of the YCJA, the provisions of the Criminal Code on sentencing, save certain listed exceptions, do not apply to youth sentencing.

They do apply to adult sentencing. I could go on since my point is proven many times in this Supreme Court ruling.

What is happening today is not routine or unimportant. This principle will be changed. The sentence imposed on a youth will from now on be imposed as a deterrent the same way it is for a hardened adult criminal. However, experience shows that if we take that route we will keep turning out more criminals, and hardened ones at that.

I again invite our colleagues in the House of Commons to vote with us on this bill, including at second reading, so that we do not sanction this principle here in the House of Commons. This is not theory. This is not a Conservative philosophy that should prevail here. This is not the Canadian tradition of justice, nor is it Quebec's tradition, far from it.

Our colleagues would be making a serious mistake by voting in favour of this bill, including at second reading.

We believe the amendment made to the legislation in 2001 was a mistake because it created an opening for excessive court handling of youth crime. This has considerably complicated the reintegration of young offenders.

The focus here should be on providing guidance for these young people, prevention measures, and funding for agencies like POSA, in my riding, as I was saying earlier. That is our position. That is why we will vote against this bill.

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• (1550)

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, I wish to congratulate my colleague from Chambly—Borduas on his very clear and truly fundamental presentation.

I take this opportunity to ask the member if he could elaborate on those organizations dedicated to helping young people in his riding, like others across Quebec. Could he tell this House whether most of the help is provided in the street, in big buildings, in schools or elsewhere? Where does it take place?

I think that a great deal of prevention has been carried out in Quebec. Quebec could be taken as a model, and inspiration could be drawn from our experience.

I would very much like our colleague to elaborate on that.

Mr. Yves Lessard: Mr. Speaker, I thank my colleague from Brome—Missisquoi who, by the way, is doing a great job on the whole issue of social housing.

I wanted to mention it because the issue of housing is not extraneous to crime. In fact, as has been said, faced with poverty, individuals have to deal with a whole set of factors, such as inadequate housing that is too expensive and the lack of affordable housing.

Employment insurance is part of the problem. In fact, 60% of the unemployed do not receive any employment insurance benefits. This situation leads to impoverishment and young people with nothing to do. When parents are poor, children are poor also.

My colleague is quite right. Various measures are being taken in my riding. Cities are hiring street workers; this was unprecedented in semi-urban or rural ridings. It is now part of our reality.

I was speaking earlier about the organization POSA. With limited means, these people are able to rent a small space where they create tools for youth who they find in parks and in the street, and some of whom have already committed petty crimes, as is often the case. They get them interested in, for example, the arts, trades or different aspects of life. They try to reintegrate youth by helping them to identify their interests. Every young person has an interest and help is available. They do extraordinary work. They could show us how to work with these young people.

• (1555)

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I am glad to take part in the debate on Bill C-25 to amend the Youth Criminal Justice Act.

I am very mindful of the great struggle of the Bloc Québécois over many years; a struggle led by our former Justice critic, who is now a judge of the Quebec court. I would like to acknowledge the work of our colleague and friend, Michel Bellehumeur, the former member for Berthier—Montcalm.

That struggle has not been in vain. However, we are forced to recognize that it must continue, especially in the face of this Conservative government. It is a right-wing government with a tendency, in terms of the justice system, to adopt a much more punitive approach rather than an approach based on rehabilitation.

We can recall the trip made by a member on the other side of the House, at a time when the Conservative Party was known as the Reform Party. They changed the name. It is a little like Coca-Cola—New Coke, old Coke or Coke zero—in the end it is still Coca-Cola. Whether the party changed the name to Canadian Alliance, the Reform Party or, now, the Conservative Party, it is the same party with the same individuals, and it is the same right-wing ideology that prevails in that party.

When they were in opposition, the Conservatives, in their Reform Party days, went so far as to subsidize a trip by one of their colleagues to study what they call “batting” in Thailand, I think. In that country, young people who do wrong are punished with strokes administered with a bamboo rod. That is what is known as “batting”, with penalties of 50 or 100 strokes. We know those are absolutely useless approaches and that it is totally impossible to export such practices to Canada.

As my colleague for Chambly—Borduas has properly stated, you will understand that the Bloc Québécois is opposed in principle to Bill C-25. In terms of justice, the Bloc Québécois firmly believes that the most efficient approach is, and always will be, prevention. We must attack the causes of crime. I will not repeat the remarks just made by my colleague. He described criminal activity that can be caused by poverty. However, I would add a slight qualifier to what he said.

No connection has ever been established between crime and people from a poor background. Young people from very comfortable backgrounds sometimes commit crimes. Unfortunately, a poor choice of friends, bad habits and drug dependencies can sweep young people down the wrong path. I would not want to play stepmother to my colleague from Chambly—Borduas, but I just wanted to add this nuance, that there is no direct connection, no causal relationship, between poverty and crime. It should be said, though, that poverty often provides fertile soil for the growth of the gangrene of crime among our youth.

We need, therefore, to attack the causes of delinquency and violence rather than waiting until the damage has been done and trying to repair it. The most judicious and beneficial approach, from both a social and financial point of view, is prevention.

Justice for young people is no different in this regard. Young people need to grow up in a healthy environment and not in extreme poverty; they need an affordable education system, and so forth.

• (1600)

Much is made of Canada’s current economic prosperity. We have been hit hard, though, by downturns in manufacturing and forestry. In general, the various governments in power over the last few years have just boasted about economic prosperity and the incredible surpluses they have racked up.

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Despite all that, it is still true that 1.5 million children in Canada live below the poverty line. If there are 1.5 million children living below the poverty line, it is because their parents are poor. These children do not have multimillionaire parents. I hope we understand that. These are children from poor families. There are 1.5 million children who often do not have what they need. They have no money. There is nothing in the refrigerator, and these children go to school on empty stomachs.

Talk with people in the field of education. The principals of primary schools in certain areas where there are pockets of poverty have to keep a refrigerator in the staff room filled with string cheese, fruit, fruit juice and yogourt because young people come to school without having eaten. That is the reality. The government needs to understand this instead of just boasting that its budget surplus has reached \$11.6 billion.

The Bloc Québécois is aware that there are young people who commit offences. Some people might want to accuse the Bloc Québécois of putting its head in the sand, of not recognizing that there is a crime problem among some young people. However, we know that there is a crime problem and it is completely unacceptable. It is unacceptable. On the other hand, there is a way of treating the disease and healing the wound of the gangrene festering in some of our young people.

There are acts that have been committed by young offenders and they must answer for them in the courts. The Bloc believes that the government has a duty to take action and use the tools available to it so that Quebecers and Canadians are able to live peacefully and safely. However, the measures brought forward must have a genuinely positive impact on crime, and must be more than just words, more than mere rhetoric, more than fine high-sounding pronouncements to try to put everyone to sleep, or more than a campaign based on fear.

As well, it does not necessarily have to be a model copied from George Bush's United States. We could talk about that at length. The result is familiar to us all: the United States has a high crime rate. Despite the fact that some states apply the death penalty, the United States has a homicide rate three times higher than in Canada and four times higher than in Quebec. In the United States, they still apply the death penalty. Anyone who believes that the death penalty operates as a deterrent is mistaken. The best way of deterring crime is to tackle the sources of the problem and have treatment that will be effective in the long term for our young offenders.

The Bloc Québécois also deplores how lightly the Conservative government is taking these amendments to measures that reflect the very foundations of the justice system. By shifting the burden of proof to the accused on the question of pre-trial release from detention, Bill C-25 offends the presumption of innocence, which is a fundamental principle of law. The Bloc Québécois completely understands that pre-trial detention may be necessary for certain individuals, but in those cases the measure must be the least restrictive possible in the circumstances.

I see I have one minute left, Mr. Speaker, and so I would like to say that in the past, Quebecers have opted for a system of individualized justice, based on a flexible judicial process, adapted to each case, with the positive results that we are familiar with in

Quebec. When it comes to the youth criminal justice system, we have traditionally opted for rehabilitation and reintegration in order to rescue these young people from the vicious circle of crime.

• (1605)

[*English*]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, one of the important things about the bill and the challenge we have with it is perhaps the consequence of taking some of the progressive elements out of the criminal justice system that need to be worked on, such as prevention. Despite the government not bringing forward the prevention strategies, part of the Youth Criminal Justice Act has it as its core now that the content of declaration of principles include prevention of crime. It also talks about help for young people who have committed crimes to make the right decisions.

Does my colleague have some specific examples in Quebec about those types of programs?

Ontario has been successful on a series of community based programs that help youth fix the mistakes they have made by either getting retraining, or ensuring they are getting proper counselling and also even going back to school and having that type of a comprehensive program.

A number of those organizations have suffered from lack of funds. They have been able to get at issues related to gang violence or issues in the community related to their specific problems out of the way because they have had that support.

Does my hon. colleague have other ones in Quebec that need the same support?

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, I thank my colleague for his question. In a previous life, before becoming a member, I had the opportunity to practice law, and worked in youth law in particular. In Quebec, the whole point of reception centres and social service centres is to work with young people instead of judging them and sending them to prison or to places that would help feed in to their anger and develop their criminal tendencies.

It is true that if a young person deserves to be punished, it is because he has done something wrong. If he stole a purse from a 91-year-old woman—this happened to one of my aunts—if he pushed her down and she broke her wrist, we do not just give him a little swat on the bottom and tell him not to do it again; that will not do. We must provide them with guidance and support and explain why what they did was wrong. In Quebec, with the youth centre formula, we have reception centres for boys and others for girls, where there are more secure wings for young people who have committed much more serious crimes.

The youth are supervised by social workers and live in a structured environment. They can take courses while they are still at the reception centre. When they turn 18, they have some skills as they enter the job market. There is a transition period, a short time before they turn 18, when the youth live in a group home, where they are much more autonomous. Quebec has been successful in treating its young offenders—

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The Acting Speaker (Mr. Andrew Scheer): The hon. member for Trois-Rivières should know that there are two minutes left for questions and comments.

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, I congratulate the hon. member for his speech.

He is absolutely right when he talks about poverty which, unfortunately, is not declining in Canada, as the Liberals had promised us. This was an aggravating factor, and also the violence that exists in our society.

Having said that, there is no doubt that the Quebec model, which is based on rehabilitation and social reintegration, is important, at least to us. Our children are precious, and we want to keep them. We could talk at length about how we succeeded in reducing crime in Quebec, thanks to all these reintegration initiatives. I should also point out that the process begins in school, where remedial teachers take the children under their wing when the problem occurs.

• (1610)

Mr. Michel Guimond: Mr. Speaker, I want to quickly add a comment.

My colleague has put a lot of emphasis on the Quebec model. If the Conservative government had been honest when it passed the motion to recognize Quebec as a nation, it would have recognized that Quebec has a system that is different, that is independent and that is working. One simply has to look at the statistics on youth crime. We are not at the top of the list but, rather, at the bottom of it.

If the motion proposed by the Conservatives really meant something, this government would accept the Quebec specificity, and it would recognize that the Quebec system for handling offenders is the best one that exists.

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, I would first like to congratulate my colleague, the member for Montmorency—Charlevoix—Haute-Côte-Nord, on his excellent analysis of the Bloc Québécois position, the situation in Quebec, and Quebecers' attitude and values with regard to delinquency. No one can have failed to understand that Quebecers favour rehabilitation and prevention over deterrence, which is what this Conservative government is determined to impose on us.

Since his analysis was so thorough and since my colleague from Montmorency—Charlevoix—Haute-Côte-Nord did such a good job of recounting his experiences, I would like to approach the issue from the standpoint of Quebecers' values.

First, I would like to reiterate the Bloc Québécois position. I want to explain why we are really opposed to Bill C-25 in principle.

The Bloc Québécois firmly believes that prevention is still the most effective approach to justice and always will be. We have to attack the causes of crime. Attacking the causes of delinquency and violence, rather than trying to repair the damage once it is done, is the most appropriate and, above all, most profitable approach from both a social and financial point of view.

Could this be any clearer? The first step must be to deal with poverty, inequality and exclusion, which create a fertile breeding ground for frustration and its outlets, which are violence and criminal activity.

Youth justice is no different. Young people need a healthy environment, free of extreme poverty, and they need access to affordable education. In each of these areas, Quebec has made choices that set it apart. We have only to think of tuition fees, which are among the lowest in North America, the network of day care centres, which has served as a model in this area, and so on.

Obviously, the Bloc Québécois is aware that young people commit criminal acts they must answer for. It is the government's duty to take action and use the tools at its disposal to help Quebecers and Canadians live in peace and security.

The measures that are introduced will really have to have a positive impact on crime and go beyond mere rhetoric or campaigns based on fear. They will have to be more than a weak imitation of the American model, which has had less than stellar results.

Where young people are concerned, the Quebec model, with its focus on rehabilitation and reintegration, produces real results, as my colleague from Montmorency—Charlevoix—Haute-Côte-Nord explained.

Bill C-25 should have, on the one hand, focused on what is already working and, on the other hand, allowed Quebec to pursue its successful approach based on rehabilitation and reintegration so that today's young people do not become marginalized in the future.

I would now like to explain another aspect of this bill that is important for Quebec. On November 27, 2007, this Parliament made an important decision, recognizing that Quebecers form a nation. Incidentally, just last week, the last time I mentioned this in the House, two Conservative members started laughing, as though they had pulled a fast one on Quebecers, as though they did not believe at all in the value of this recognition for Quebecers. They thought they had tricked us, which is why they were laughing. Fortunately, those members are not here right now, so they cannot laugh.

This recognition was the result of a motion moved by the Bloc Québécois in this House a few days earlier. Thus, the Conservative government, which did not believe in it at all—as we saw again last week, in many ways, and Bill C-25 only reinforces that—set a trap for us and tricked us. It was a trap set for the Bloc Québécois. They thought we would completely fall for it.

From now on, given that the Conservatives have adopted this motion, they must be taken literally. We must ignore their laughter and believe in the motion they passed. The Conservatives must put their money where their mouth is. With Bill C-25, we do not see how they can do that, since we do not see how they are respecting the different values of Quebecers, who form a nation.

They must therefore recognize the fundamental rights of Quebecers, the fundamental rights of a nation, which can be expressed as different values. Bill C-25 clearly reveals the values of the Conservative Party, which include repression, law and order, and prison for the bad guys.

• (1615)

However, Quebec's values of rehabilitation and prevention cannot be seen in it.

Government Orders

Perhaps when I talk about the nation, it may seem to have little to do with Bill C-25. On the contrary. It is at the very heart of this bill.

I want to say a few words about how Quebec addresses crime, although my colleague from Montmorency—Charlevoix—Haute-Côte-Nord made an excellent presentation on this.

As I was just saying, the Conservative government's directions, ideas and mentality are different. It has a different way of finding solutions to problems in our society. In Quebec, we found our way a long time ago. We take care of young offenders. We take better care of their needs and their difficulties. We try to rehabilitate them and—if I may say so—turn them into responsible adults whenever possible. Statistics show that in most cases it is possible.

In Quebec, we try above all to find solutions to the underlying problems that cause these youth to commit small, medium and large offences. I have to say that in Quebec, we are succeeding and we have the statistics to back that claim. In Quebec, the youth rehabilitation program works very well. Now we have this Conservative government barging in and wanting to send youth to prison to punish and deter them. We know full well that criminals, even adult criminals, do not know what prison sentence they will get for the crime they plan to commit. They do not know beforehand or during the crime. Increasing prison sentences or creating harsher sentences usually does not deter young offenders from committing an offence.

Quebec should have been exempt from this reform. We should have had the possibility of keeping our intervention strategy, which is based on the needs of youth and focuses on prevention and rehabilitation.

The Conservative government does not have the same values as Quebeckers. Quebeckers are a nation, and the government has recognized that. We have our own values, and this government, this Parliament, must recognize that when it comes to anything, big or small, and especially when it comes to bills. Everyone here in Parliament must now walk the walk. We know that the Conservative government has a hidden right-wing agenda that it is trying to sneak in bit by bit, usually behind our backs.

This bill to criminalize young people, kids as young as 12, is further proof of that. I am not even talking about bilingualism. The Minister of Canadian Heritage, Status of Women and Official Languages, the Conservative member for Quebec, said it herself. Her government is not protecting the interests of Quebeckers or their language; her government is protecting bilingualism. This government can therefore not protect Quebec's interests because Quebec's interest is its language, French, Quebec's common public language. The Conservatives have no intention of promoting French, but they do intend to promote bilingualism. They do not even respect Quebec's bill 101 in their institutions or in the services they provide to citizens. They do not respect Quebeckers' language.

The Conservative government does not have the same values with respect to the death penalty either. Contrary to what it has done in the past, Canada failed to support an international institution's resolution opposing the death penalty, thereby sending a clear message to specialists around the world that the government had altered Canada's fundamental position on the death penalty. This govern-

ment is changing Canada's and Quebec's basic values. It denies this right up until it presents us with a fait accompli. Quebec wants nothing to do with the death penalty. Quebec wants nothing to do with the Conservatives' hidden agenda.

Bill C-25 is another Conservative government bill that does not reflect Quebeckers' values, but instead reflects the Conservatives' right-wing ideology. The government is far from walking the walk when it comes to the Quebec nation. For Quebec, this bill is a step back. Quebec has some excellent solutions, an excellent rehabilitation program for teenagers. The Conservative government is trying to spoil everything.

This is yet another good reason for the Quebec nation to decide to have its own country and take care of its own children in ways that respect Quebec's values.

• (1620)

[English]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am pleased to rise in the House today to speak to Bill C-25. I know that other members of the NDP have spoken today and there will be others speaking as well. We have a number of concerns about this bill.

I have been sitting here listening to the debate and thinking about this issue. One of the problems with Bill C-25, An Act to amend the Youth Criminal Justice Act, is that it is another example of the Conservative government bringing in legislation with really very little reflection and thought about its impact.

This is part of an overall drive to create this core issue that Conservatives believe they have around crime and justice, to create a “them” and an “us”, and to play on people's fear about crime, which obviously is very strong in most communities. When we actually go through the bill and see what it seeks to accomplish, there is no evidence that what it proposes is actually going to build safer communities.

Having said that, I note that there is one aspect of the bill that the NDP does support. It has to do with pretrial discretion of the judge. We agree because it is now practice in the judiciary that judges often do take into account whether there has been a previous serious offence and whether the young person poses a risk and therefore should not be released. In the law, technically speaking, there is a presumption that the youth in pretrial would be released. We do agree that there should be discretion within the system to allow judges to make a determination for those young individuals who do pose a serious threat to society. Judges should have the tools and the availability to make sure that such individuals are not released.

However, beyond that, this bill is very problematic. It concerns us a lot. Certainly we believe that if it goes to committee we should take a serious look at it. In fact, we probably should be cutting out large sections of the bill. The two particularly problematic areas have to do with the introduction of adult sentencing principles that have to do with denunciation and the question of deterrence.

Government Orders

We need to recognize that throughout our history there has always been a difference in the way the judicial system treats adults and juveniles, young people. It is based on the understanding that sometimes young people, for whatever reason, out of impulse, ignorance or anger, commit crimes that they do not necessarily think about. These crimes are not necessarily premeditated and there is this idea that sentencing based on denunciation or deterrence is not necessarily going to work. So in 1999 and 2000, when the Youth Criminal Justice Act first came in, the act was based on the idea that a different model needed to be created. That was a good thing. We generally supported that.

The bill today is taking us yet another step closer, because of the Conservatives' agenda, to where those lines become indistinguishable and where how we treat young people in the justice system would become more blurred in terms of how we treat adult situations. I think that is a very serious problem.

We should not proceed with this bill in a mad dash just because it happens to be another bill that the Conservatives have brought forward and just because it happens to meet their political agenda. I actually find it very offensive that so much of the legislation we have debated around the crime issue has been based on this political agenda rather than on evidence based information about what works in a criminal justice system.

I have been listening to our colleagues from the Bloc, who have been telling us something about the way it works in Quebec. In my own community in east Vancouver, we have issues around crime and safety, like other inner city urban communities, and we often use Quebec as an example of a different approach based on rehabilitation, on taking the young offenders with the goal of returning them to society. In fact, that should be so for all people where possible, but particularly for young people. I think we have a lot to learn from Quebec about the system it has used, yet this bill would actually undermine that and take us in a completely different direction.

• (1625)

I was reading an article the other day and was horrified to learn that the Conservative member for Kitchener—Conestoga sent out a householder claiming that the rate of violent youth crime had increased 22%. In actual fact, according to Statistics Canada, violent youth crime had fallen by 2%. This is not a huge decrease but at least it is a decrease.

However, that information is being put out there. My concern is that it is like the oldest game in the book. We know that people are worried about crime, even though crime overall has gone down. We know that people want to see effective strategies. It is so easy to keep throwing more laws at the problem and to say that we need tougher enforcement, that we are going to have tougher regimes and that is going to solve the problem.

Let us look at justice department studies, however, and at what happens in the United States. In fact, after debate on this bill is concluded we will be moving on to another bill, the minimum mandatory sentencing for drug crimes, a very severe bill in terms of its approach. It seems to me that we are not looking at the evidence that is so starkly there, the overwhelming evidence that we have in our own country in terms of what does and does not work and what we actually see in other jurisdictions.

We do not often refer to countries beyond the United States. Different models are used in Europe and have much more focus on rehabilitation and a sense of restorative justice. In east Vancouver, we had a number of incidents in the Commercial Drive area. People were very worried about youth at risk who were on the streets. Various incidents had taken place. People had been assaulted. I think it was easy to have that initial response of saying that we should just have a get tough approach and get those kids off the street, that those kids should be in jail.

However, we held a community forum. We invited local residents and some of the community organizations. We invited young people and the businesses. We had a very thoughtful discussion about what we needed to do in our own community and what was our response. Certainly relying on the Criminal Code and on police resources was a part of that discussion and that response, but beyond that, there was a lot of reflection about how we needed to develop programs at the very local level, right at the grassroots level, to deal with problems at the street level.

For example, we started a whole series of meetings about restorative justice. I have a very high aboriginal community population in my riding. This is something that has been really well thought out in that there are some programs, not enough but some, whereby people are taking a very different kind of approach rather than having this knee-jerk reaction to crime. That is what I feel we need to do. Unfortunately, that is what this bill does not do.

That is why in the NDP, although we agree with some parts of the bill and are willing to see it go to committee, we have very serious concerns about this idea that we will move juveniles closer and closer to the criminal system and that somehow we are going to fool people that it is going to fix the problem, that this is going to work. I feel that is a big mistake.

We all have a responsibility to speak truthfully about these issues, even when politically it may appear on the surface to respond in the way that people want us to. There are those lines that we tend to come out with, such as the lines about more enforcement, more officers and getting tough on crime.

If we emphasize more crime prevention and building healthy communities, whether it is through training, better health care, housing, and certainly more opportunities for young people, then I think we would be minimizing at the beginning the number of young people who end up in situation where they become at risk and where they may become young offenders. It seems crazy to me that we load everything up at the other end, the end that is the most expensive and the end that has the least amount of impact.

I have concerns about this bill. Obviously we will see what happens in committee. The NDP will support some of its elements and we will address our concerns.

• (1630)

The Acting Speaker (Mr. Andrew Scheer): 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 Richmond Hill, Afghanistan; the hon. member for Mississauga South, Privacy.

Questions and comments, the hon. member for Yukon.

Government Orders

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I was delighted to hear the member talk about restorative justice and those items. Virtually everyone who has spoken today has given ideas to the government as to how it can rescue its failed crime agenda. Obviously that agenda has not been successful. There are a lot of things wrong with it. There have been a lot of good suggestions made by members. I noticed that the member was not finished, so I would invite her to talk more about prevention and the root causes of crime.

There was a wonderful show on CBC in the morning, I think last week, about how the prison system is failing prisoners in the federal system, prisoners who need education and anger management, the things that would protect victims. We have to stand up for victims of crime. The things that could be done to help them are not being done. That was an example.

In Ottawa there was an open house, like the one the member talked about, for restorative justice week. People talked about how restorative justice failed and how crimes were repeated 38% to 45% of the time. However, the regular criminal system failed 73% of the time, so restorative justice is actually a success. As the member knows, the Conservatives tried to pass a bill to get rid of a lot of the restorative justice alternatives.

I would ask her to comment on how we can improve the justice system, help victims of crime and make Canada safer.

Ms. Libby Davies: Mr. Speaker, I know that the member for Yukon has some experience in these matters. He mentioned the situation in Ottawa. I know that the new Ottawa chief of police is very strong on restorative justice and has a whole history with it. It is wonderful to see a major entity like the Ottawa police taking this very seriously under its chief.

In terms of the ideas I put forward, one of my main concerns is that a lot of these programs manage on very limited funds. They have to beg and borrow to keep going. They are actually very successful. To me, the ingredients we need to look at are that programs have to be locally based and come out of the local community and they have to involve different stakeholders. A program may involve young people who may be at risk and the offenders themselves, of course, and their victims, but I think it has to encompass a broader dialogue within the community.

We started to do it in east Vancouver and were doing it with really no resources. It was only what we could do through my office with a number of really good organizations that were contributing their time voluntarily. We had really good discussion and dialogue.

I know that certainly within the aboriginal community there is a much stronger emphasis on returning to traditional practices of dealing with issues and concerns in the community. Then they are dealing with their peers, so the sense of understanding the wrong that has been done and the impact it had is something that—

•(1635)

The Acting Speaker (Mr. Andrew Scheer): Questions and comments, the hon. member for Trois-Rivières.

[*Translation*]

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, I want to congratulate my colleague from Vancouver East on her speech. I

recognized in it the member with whom I worked on a very complex issue, namely prostitution. I would like her to say a few words about that.

In the case of prostitution, we could see how repression put the lives of these women in danger. Repression is certainly not a solution. Many women turn to prostitution because of problems related to mental health, poverty or different types of abuse.

From the moment repression is used instead of an approach targeting the causes of prostitution, people are sent to prison, they are not allowed to go to certain places and their lives are threatened. That just makes the problem worse.

I would like the member to elaborate on that because the connection with this bill seems very obvious to me.

[*English*]

Ms. Libby Davies: Mr. Speaker, the member and I served on the subcommittee together and I think we learned a lot.

I would agree that if we use the blunt instrument of law enforcement to solve a problem, all we are really doing is further entrenching at risk individuals in a system where it is hard for them to make changes. We learned a lot in committee. We have learned a lot from programs in our community.

The approach the Conservatives have taken of getting tough on crime, of heavy-handedness, of a reliance on enforcement, rather than prevention, rather than building healthy communities, rather than making sure that people's rights are upheld, will fail, and that is what we are seeing—

The Acting Speaker (Mr. Andrew Scheer): Resuming debate. The hon. member for Brome—Missisquoi.

[*Translation*]

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, it is my pleasure to rise today on this bill, even though the Bloc Québécois is very opposed to Bill C-25 and even stunned by its objectives.

First I would like to say that my speech will really just follow up on what the hon. member for East Vancouver had to say. I very much appreciated the specific examples she gave from her own riding and her statement that legislation ought not to be based on electoral dogma or politics but on real facts and on studies that have been done showing its necessity. We should not pass laws simply because our ideology would be better served by different legislation.

I want to say once again that this bill is based on Conservative ideology that aims to punish offenders. This is really a very reactionary ideology. Allow me to quote what the purpose of this bill is. Ultimately, its purpose is to amend the Youth Criminal Justice Act by “adding deterrence and denunciation to the principles that a court must consider when determining a youth sentence”.

Government Orders

The bill also clarifies that the presumption against the pre-trial detention of a young person is rebuttable and specifies the circumstances in which the presumption does not apply.

The purpose of Bill C-25 is therefore to intensify the punishments inflicted on young people and allow them to be detained before trial. That is obviously where the government is headed. This bill is like a father who punishes his children rather than helping them get over difficult situations. This bill is as reactionary as can be and reflects the thinking of the Republican right-wingers among our neighbours to the south. Legislation like this is based on the belief that children are born bad and have to be punished into being good. This legislation also teaches young people denunciation—how to tell on each other—and how to but or bargain their way out of trouble.

Like most of the hon. members in this House, I have had children, although they are now grown up. I never allowed them to tell on each other because I always felt it was amoral and not something I could approve. No democratic society can accept denunciation. It can only be found in dictatorships where there is just one law for everyone. Denunciation is anti-democratic and not a way to create proud and responsible citizens.

It should also be unacceptable that young people use denunciation as a bargaining chip to obtain a pardon. There is no mention of prevention in here. In fact, this government never includes prevention in the bills it introduces. It seems to me that the normal thing to do would be to focus on prevention before punishing the offenders. But there is nothing to that effect in the legislation. We are convinced that prevention, rehabilitation, straightforwardness, honesty and integrity of young people will become essential. They cannot be allowed to be untrue and get off by denouncing others.

Where is our ability to guide our young people? They often lack the tools to cope with life. They are often unable to appreciate the gravity of their actions. That is what teenagers need help with, and this help often cannot be found at home. It is the role of government to prevent and think about those things. This kind of help is the one provided by streetworkers.

This government puts so much faith in repressive legislation that it fails to see that it is turning down very worthwhile pieces of legislation.

• (1640)

Here is a case in point. In a small town in my riding, an initiative was launched with just a few thousand dollars to hire a streetworker whose mandate was to talk to young people and stop them from committing crimes. That was preventative. The idea was to not just tell young people that they would face a stiff penalty if ever they got caught. Young people are convinced that they will never get caught committing a crime, be it petty or serious.

This was a well-structured initiative. The municipalities were all in favour. Potential candidates with experience had been identified for the job. The Government of Quebec had agreed to fund part of the initiative. The rest of the funding would normally have come from the federal government. About six months ago, this government categorically opposed the initiative, in spite of the fact that it was a prevention initiative, one designed to have streetworkers working with young people.

As my colleague from Chambly—Borduas said earlier, streetworkers find things to do for young people instead of being idle and always ready to get in all sorts of trouble without realizing that they could be doing something more worthwhile elsewhere.

There are enough studies, both in Europe and in Quebec, which show that it is essential to help before the kids get into trouble, in order to reduce crime. So, we must try to prevent, instead of reacting by imposing stiffer sentences. Again, I often go and talk to young people, and they are convinced that they will never get caught if they do something wrong.

Will the promise made by the Conservative government to be open toward the Quebec nation include recognizing the need to have street and youth workers? Personally, I think it is essential.

As I said earlier, the principle of denunciation is completely immoral. It is irresponsible to create an opportunity for a young person by telling him that the length of his sentence can be negotiated if he is prepared to denounce the other members of the gang. This is not the way to build an open and honest society. Denunciation is the basic principle of societies that can be said to be less developed than ours. Reintegrating society is not the important thing for young people. How do we reintegrate them? Not by imposing longer sentences, because then they will learn all about crime. No. We must reintegrate them as early as possible in a society where sentences are minimal, and where there are people who can make them realize that they did something that one does not have to do to achieve happiness in this world.

Obviously, that is not how things work in the United States. It is unfortunate that this country is our neighbour and that it is so omnipresent and in our face. The United States believes strongly in repression. With what results? Repression and even the death penalty have not stopped crime. The United States has more murders per capita than any other country, except perhaps for certain parts of Russia, where it is a game.

By transferring the burden of proof to the accused for his pre-trial release, Bill C-25 undermines the presumption of innocence, a longstanding, fundamental principle of British law.

The Bloc Québécois has a good understanding of pre-trial detention. We agree with pre-trial detention and believe that it may be necessary in certain cases and for certain individuals. However, this restrictive measure should not be considered in all circumstances. That is pretty much the thrust of Bill C-25. In the past, Quebecers favoured individualized justice based on a legal process that was flexible and appropriate for each case.

• (1645)

The French criminal code we inherited allows us to think differently and to achieve positive results. It is true that everyone talks about it. Therefore, we should have a look at the results. In terms of youth justice, we have traditionally focused on rehabilitation and reintegration in order to remove these young people from the vicious circle of crime.

Do we believe that young people think about the punishment before committing a crime? No, but they might think about doing something else instead of committing crimes if it gave them a real zest for life.

Government Orders

I will close with a Chinese proverb: the little bird can be just as happy as the big bird. We must teach this to our young people.

[*English*]

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, I want to ask my hon. colleague a question with respect to the Youth Criminal Justice Act.

Clause 1 of the bill broadens the possibility of pre-trial detention for a young person who represents a danger to the public or has previously failed to comply with conditions of release.

When we check out how this is going to adapt to the Youth Criminal Justice Act the three specific cases are remaining, but what the bill does is add three more cases with this clause. The bill states:

—a youth justice court or a justice shall presume that detention is not necessary unless

the young person is charged with a violent offence or an offence that otherwise endangered the public by creating a substantial likelihood of serious bodily harm to another person;

the young person has been found guilty of failing to comply with non-custodial sentences or conditions of release; or

—the court or justice shall not detain the young person unless the court or justice is satisfied that there is a substantial likelihood...that the young person will, if released from custody, commit a violent offence or an offence that otherwise endangers the public by creating a substantial likelihood of serious bodily harm to another person.

It seems to me these are very reasonable amendments to the Youth Criminal Justice Act. I would like the member opposite to explain specifically if he has any problems with this specific clause in this particular piece of legislation.

[*Translation*]

Mr. Christian Ouellet: Mr. Speaker, of course I have problems with that. The government is creating a tool for repression. Does the young person represent a danger? Did he really intend to attack people or do other things? They will detain him because that is what they are thinking.

The government wants people to see that it is getting stricter and stricter, and the stricter it is, the stricter it wants to be, which is dangerous because things can go too far. That is what has happened in every other country. When they try to make the system tougher by asking these questions, and when judges start to assess these things, their assessments become harsher and harsher.

• (1650)

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, obviously some Canadians have suggested there should be some corrections to the youth justice act. The Conservatives seem to think there should be.

There was a report done, the Nunn Commission report, which had excellent recommendations, but the government for some reason ignored a majority of them. It has not acted on them and has not put them in this particular bill.

The member mentioned restorative justice issues that the government could be doing. In the bill it ignored recommendation Nos. 11, 20, 21, 23, 24 and 25.

I would like to ask the member why he thinks the government, when there were so many good suggestions from a comprehensive

report, implemented almost none of them? Was it to try to get the Bloc on side?

I know the Bloc members do not like the bill but by putting almost nothing in it, it has not seemed to work because they all seem to still be speaking against it.

[*Translation*]

Mr. Christian Ouellet: Mr. Speaker, I get a very strong sense that this bill is designed to please a segment of society that thinks that repression is the only solution for our young people. However, lots of people are misinformed. They see more on television and hear more on the radio than they did a few years ago. The issue is in the public eye, and people eat it up, but they think that our society is worse than it used to be and that, therefore, there should be more repression.

That is why this government, which wants nothing more than to please the voters, is using a bill like this one to look good and get kudos for having the guts to do this kind of thing. I do not think this kind of thing will improve society. We have to be wary of vote-seeking bills, and this, in my opinion, is one of them.

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, I have a quick question for my hon. colleague. First of all, I would like to congratulate him on his very progressive speech. The fact that the government is taking a very ideological approach in introducing this bill goes against the wishes of the Government of Quebec. The member did not say much about that.

So I would like to remind the House that in 2001, the Quebec National Assembly unanimously adopted the following motion:

That the National Assembly call on the Government of Canada to make provision within the criminal justice system for young persons for a special system for Quebec under the Young Offenders Act, in order to fully reflect its particular intervention model.

Could the member speak a little about this particular model?

Mr. Christian Ouellet: Mr. Speaker, I will be very brief. I thank my colleague for his question, which I think is excellent because it has to do with not only our national government, but also our ridings.

I met with community groups about the bills our Conservative government is introducing. They were unanimous: they did not think that Quebec needed the bills, and thought that intervention would be better.

[*English*]

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I am pleased to rise today to address the House on Bill C-25, which attempts to modify the Youth Criminal Justice Act and take into account the number of provisions that deal with the importance of youth in pretrial custody and also how we can sentence young offenders and penalize them more for the crimes they have committed.

I come from a riding in the Northwest Territories in which the crime rate is very high. Social conditions have been bad in the past and continue to provide us with no end of problems in our communities. It is something each community tries to grapple with and understand.

Government Orders

Many of the problems arise from the transient nature of our non-aboriginal society, the cultural impact of changing societies on our aboriginal people, the harsh conditions under which we live and the failure of the education system to give adequate education to many people, not necessarily the fault of the system, but of the whole society. Many things go on in our society that lead young people in the wrong direction.

As a former mayor in a small community that was 50% aboriginal, I understand many of the issues young people are facing in growing up and making choices. It is not easy. Sometimes it comes from the lack of parental guidance available to them. Sometimes it comes from problems that are physiological in nature. Sometimes it comes from a community that does not have an answer for a young person, does not have a direction to give a young person. We all grapple with these issues and we wonder how we can best serve our young people.

Whenever we look at the legislation like this, our primary purpose is to improve the lot of young people as they move toward adulthood, accept their own decisions and comprehend and understand the nature of their acts.

Basically this is common law experience in Canada for 150 years. We accept that young people do not necessarily have all the tools required for the complex decisions they have to make in their everyday life. Sometimes they make mistakes. Sometimes they are led to mistakes. Sometimes they are ill-prepared by their parents to deal with the kinds of choices they have to make. We are all troubled about how we can deal with these things and how we can put them in context.

We think that perhaps stricter sentences will give us an answer, that somehow this will drive the boat to encourage young people to move in the right direction in their future life, that it gives them a very strong message of denunciation that their acts are inappropriate and they should be struck heavily for doing them and carrying that with them for a while, while in incarceration or other forms.

I have trouble with that. I find it does not really work all that well in our society. I find the solutions for young people are more tied to the things we do that are not tied to incarceration, or the criminal justice system. We have seen the kinds of results that can bring.

I was very encouraged. I held a public meeting in a small community by the name of Déline. I mentioned it in the House earlier today with a question to another speaker.

• (1655)

This aboriginal community has had a great success rate in keeping their children in line to avoid many of those pitfalls that are in our society, unlike many other communities. It has a record of five years with no young offender charges in the community. In talking to RCMP officers who supervise and work with the community, they are very pleased with what is happening. They are very pleased the community has taken hold of these young people in many ways.

I like to talk about positive things many times when I talk about young people. We need to have a positive message for young people. That to me is part of the intrinsic nature of young people. They are optimistic and looking forward. Let us give them that chance. This is what the people in Déline have done. They have a very vigorous

program of interaction with their young people in their schools. The whole community of 800 people is linked back to the young people. They put the time and effort in with their young people and they get results from it.

They also have opportunities for young people to get the experience of elders. They consider this very important and I think it is very important as well. In our modern society so often we leave our young people with their peers. We are not providing them with the ongoing direction and counselling that they would get in previous generations or in a previous era when they had the opportunity to work with their parents in the fields or in the everyday tasks of a rural and simpler lifestyle.

Now children are alienated from their parents and their workplaces. They are put into a modern society that does not deliver this. In Déline they encourage those directions. They encourage the young people to participate with the people who can give them direction, who have the direction inherent in their nature. It is a very valid point.

As well, I had an opportunity to talk to a sociologist and psychologist about the nature of youth centres. He said to me that in a way, youth centres were validating what modern society was validating, that they got their direction from their peers. They go to a youth centre and interact with young people. They do not have that communication with the whole of society that gives them a better message, that more complete message about what they do with their lives or with the choices they have to make in life.

We have to be very careful with legislation that drives young people into correctional facilities, into environments where they will run into more of the peer situation. They will run into the criminal peer situation, which will increase their likelihood of repeating criminal acts in the future. Therefore, I do not find this is a very useful thing or objective in law. It may work for one or two, but what we have to look in legislation is the best possible solution for the most young people. I find it to be very limiting to think that young people are going to improve by being sent away to correctional facilities, incarcerated in a fashion that denounces their actions, that is a strict deterrence to them for that act.

I had the occasion the other day, in reviewing a parole application, to look at the record of a person in his forties who was incarcerated. I look back at this record and it is almost like a picture perfect image of what I am talking about today. A young person perhaps made a few bad errors in his early life, not serious errors, not things that any of us would be completely immune from or would make a big difference to society, but after a while they accumulated and he was incarcerated.

• (1700)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I appreciate the member's comments and as critic for the north I have a few questions.

This past week has been a great week. It has basically been a condemnation of the government's crime agenda which has been a failure. Many people offered positive suggestions; almost every speaker has. It is a very positive way for the House to operate.

Government Orders

The member has something different to add from other members because of the northern and the aboriginal perspectives. Would he comment on the difference in dealing with crime in the north? Some of the Inuit and first nations are so far from correctional institutions that if they are sent away, how far are they from their support systems? Some of them would have never seen the type of crime they are going to hear and learn about in those institutions.

Would the member talk about the success of restorative justice programs as opposed to imprisonment and the difference of the collective society that facilitates success in restorative justice more than it might in another type of society?

• (1705)

Mr. Dennis Bevington: Mr. Speaker, certainly, we have seen positive elements of restorative justice in our communities. The issue of the great distances between communities and the cultural alienation that individuals would have when they are incarcerated in some place that has nothing to do with their society at all, that has nothing that they can relate to as a young person, would be a serious problem. We have many people who would have that happen to them on their first trip out of their own community. That would be a very serious part of the problems that we would have with this type of activity.

Hon. Larry Bagnell: Mr. Speaker, I want to give another example that is working in our community which is government funding for artists. We have a tremendous program where these people, who may have been incarcerated or youth at risk, are doing an arts program producing spectacular work. It is a positive direction and they are not in the justice system. I wonder if the member has any examples of that from his territory because of the many aboriginal people he has in his riding.

Mr. Dennis Bevington: Mr. Speaker, whether it is aboriginal or non-aboriginal children, they respond to people taking an interest in their future development. Whether it is in art or music, we have had tremendous success in my community dealing with young people and encouraging them to participate. Music has given them some kind of basis to socialize and to interact. They do not have to be the world's best, but it gives them the opportunity for another way of communicating and that opens up the doors. The member is quite right. Whatever we do for young people, we have to remember that those are lessons they learn.

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, listening to the speeches this afternoon I am not sure members are addressing the actual substance of the bill.

Clause 2 of the bill adds the denunciation of deterrence of unlawful conduct to the Youth Criminal Justice Act's principles of sentencing. Clause 2 of the bill, by amending subsection 38(2) of the Youth Criminal Justice Act, adds the following two principles of sentencing: first, denouncing unlawful conduct, and second, deterring the young person and other young persons from breaking the law.

Perhaps the hon. member could address the specifics of this clause and explain why the NDP is opposing this clause in this specific piece of legislation.

Mr. Dennis Bevington: Mr. Speaker, we have heard many discussions about this bill. When we come to the decision about why

we support that particular amendment, it fits into the global view for the direction our society should take. If the amendment tends to move us away from that global view, then we probably do not support it. That is the principle that most of us follow.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, can you please let me know when I have two minutes and one minute left for my speech? I know you are forced to cut off our speeches with the precision of a guillotine and I would not want you to have to cut me off in mid-sentence. I promise to bring it in for a slow landing, if you can please let me know how much time I have remaining in my speech.

The Bloc Québécois is disappointed that the Conservative Party brought this bill before the House. We are disappointed for several reasons. I would first like to remind the House about something that happened here not so long ago, at which time the Bloc Québécois finally managed to push hard enough to demonstrate the existence of two nations in Canada, namely, Quebecers and Canadians. Defining a nation implies certain particularities. It is very clear that we have a different language, civil code and culture. Our difference is also expressed in the way we behave toward our young people.

Interesting initiatives begun in Quebec are often later reproduced in English Canada. Consider, for example, the whole question of child care. People in English Canada began looking at the system in Quebec, realizing that it is an entirely public system in which parents pay seven dollars a day, which frees them from having to keep their children at home. Some women did not work because they did not have the means of paying for child care. This is no longer the case, since the public sector takes care of the children.

Similarly, the way we deal with our young people in Quebec is very different from the rest of Canada. There is another good example of this in the bill before us now. How can I describe Quebecers and the way we treat young offenders? It is not very complicated. In Quebec, we believe in rehabilitation and reintegration into society. If a 14- or 15-year-old youth is caught doing something wrong, we do not get out the billy club or taser right away and try to clap him or her behind bars; instead, we attempt to make that person realize that he or she has committed a reprehensible act against society. In Quebec we focus on integrating that person back into society. People in Quebec are very partial, therefore, to rehabilitation and reintegration.

In English Canada under the current Conservative government, there is not just a hardening of attitudes but a real shift toward an American approach, and not just any. It is a U.S. Republican approach. Quebecers reject this. The effects are obvious. In the United States, they cannot build prisons fast enough. The incarceration rate is three or four times higher than in Quebec. The Americans have decided that anyone who commits an anti-social act should be thrown into jail and in a few years or a few months will find out what his or her fate will be.

Government Orders

We do not have this attitude in Quebec, especially toward our youth. Sending young people to prison is like sending them to a school for crime. Only a very small number would be saved. The prison method of dissuasion is not for young Quebecers. I would like to point out, in all modesty, that the crime rate in Quebec has gone down by 4% over the last few years while it has risen in the rest of Canada since the Youth Criminal Justice Act was imposed in 2002. People are not on the right track in English Canada. That is why we have advanced argument after argument since this morning to convince all our colleagues of the importance of the Quebec approach.

Once again, the Quebec system can be seen working in a flexible environment versus the kind of dogmatism we face from the Conservative government. For the Conservatives, anyone who breaks the law is a criminal and should go to jail. However, this conclusion is not quite right. I just proved it by saying that the youth crime rate is lower in Quebec than elsewhere in Canada.

• (1710)

We believe that this bill contains all sorts of irritants, particularly the fact that the young person could be imprisoned even before being sentenced. He is imprisoned even before learning the sentence he must serve, supposedly to protect society. Therefore, the presumption of innocence disappears, which is quite astounding given that we are dealing with youth.

According to the system with which we have always lived, we are told repeatedly that we are innocent until proven guilty. Now we want to impose on these young people a very harsh measure, one that is much too harsh. What will happen? They will revolt. They will believe that their future lies in the world of crime and not in an upright, everyday society, because they are treated worse than criminals.

There is a criminal who has defrauded thousands of investors and who struts around in a three-piece suit. To my knowledge, he was not sent to prison before being sentenced. He was just sent to Quebec jail, but he was given ample time to defend himself and to appeal.

Some people may even remain free for years in their three-piece suits, like highway robbers. Yet, you would tell a young boy or girl, who has committed a reprehensible act for the first time in their lives, that they are going to prison while waiting for the verdict. In our opinion, that is completely unacceptable.

Regarding adult sentences, is it normal to impose the same sentence on a 14-year-old who has committed second-degree murder for the first time as on an adult? As I have said repeatedly, this is not the best way to get through to our young people. Young people need to understand that they have committed a reprehensible act. And applying harsh measures like the ones the Conservative Party is preparing to implement will not deter them. On the contrary, these young people will realize that society is not giving them a chance and they will opt for a life of crime.

I am therefore calling on all defenders of social conscience as well as my friends in the NDP. In fact, this morning, I was surprised to learn that the NDP was in favour of adopting this bill at second reading. I am also calling on my friends in the Liberal Party, who are supposed to be defenders of social conscience. It is time to walk the

talk. If the opposition parties band together to oppose this bill, we can nip it in the bud and we will not have to discuss it any more. But some want to give the bill a chance, refer it to committee for study, then debate it in the House at third reading. I am therefore calling on everyone who has a social conscience: let us say no to this bill.

I want the government to be attentive to young people's needs. I do not want the government to come down hard on them as soon as they stray from the straight and narrow path. That is not the answer. Quebec has proven that.

I do not understand why the government is closing its eyes to Quebec's success with young offenders. We need to listen to what young people have to say and look at the facts.

Because my time is coming to an end, I will conclude by inviting all the members of this House of Commons who have a social conscience to say no to this bill. We need to follow Quebec's example. Then we will see Canada's crime rate decrease, which it is not doing at present. The crime rate is declining only in Quebec, which proves that we are on the right track.

• (1715)

[*English*]

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, I remember the last time we discussed this whole issue with respect to restorative justice, particularly within the context of alleged youth criminal activity. I was drawn at that time to the same points that our colleague from the Bloc has made.

The issues related to criminal and gang activity are of great concern to my community. I would like the member to elucidate a little with respect to what tools judges in Quebec have available to them when they are dealing with young people in terms of restorative justice in order to invoke the kind of positive response he indicated, with statistics showing lower criminal activity and a more positive impact in Quebec. I wonder if he could give us a brief outline of what tools judges have available to them in Quebec that may not be available in the rest of the country.

• (1720)

[*Translation*]

Mr. Claude Bachand: Mr. Speaker, I thank my hon. colleague for his question. Basically, a judge is like a member of Parliament or any member of society holding an office. Judges grow up in their own society, their own nation. The first thing they look at is whether there is a history.

The hon. member is giving me an opportunity to ask the question again. Will there be less crime in a society or an environment where people are financially advantaged, have a higher than average education and share a collective vision? The judges have to consider that in determining a sentence.

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In Quebec, in many cases, the judge determines that the child or young person comes from a very difficult background. One has to show some form of empathy or sympathy for the child to begin with. The judge infers the ability to make nuances from his or her own upbringing in a society where we want to give a chance to young people who have made a mistake, instead of beating them over the head at the first opportunity.

That is what judges in Quebec take into consideration, their thought process being conditioned by a blueprint for society, to which I referred earlier, that puts young people first and gives them a chance.

Obviously, there are individuals who may be beyond redemption. I am not suggesting that we can redeem every young person who goes through the system, but I can say that every one of them is given a chance to reintegrate society. The judges feel deeply this need to ensure justice and equity for young people.

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, first of all, I would like to say that I completely agree with what the member for Saint-Jean just said. I would like to add something.

He hit the nail on the head when he spoke about repression as opposed to prevention and about completely different mentalities, and when he said that we should consider our social conscience.

So, does he not find that now there is a laissez-faire, easy-way-out mentality, as opposed to a mentality that would involve taking the time to look at what is going on with young people, to work with them, to trust them more?

Because repression is nothing more than that.

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Saint-Jean has 30 seconds to respond.

Mr. Claude Bachand: Mr. Speaker, my colleague is correct. Right now we are taking the easy way out. In fact, there will be an automatic response: if a young person does something wrong, the police will arrest him, put him in prison and the judges will hand out tough sentences.

This is not the solution, as was said. The solution is how it is done in Quebec: reintegration and prevention, a fair and just society, and capable judges, as was mentioned earlier, who exercise judgment and give these youth a second chance. That is much more effective.

The Acting Speaker (Mr. Royal Galipeau): I thank the hon. member for a smooth landing.

Is the House ready for the question?

Some hon. members: Question.

[*English*]

The Acting Speaker (Mr. Royal Galipeau): The question is on the motion that this question be now put. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Acting Speaker (Mr. Royal Galipeau): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Royal Galipeau): In my opinion the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Royal Galipeau): Call in the members.

And the bells having rung:

The Acting Speaker (Mr. Royal Galipeau): This vote is deferred until tomorrow at 5:30 p.m.

* * *

• (1725)

CONTROLLED DRUGS AND SUBSTANCES ACT

Hon. Jean-Pierre Blackburn (for the Minister of Justice and Attorney General of Canada) moved that Bill C-26, An Act to amend the Controlled Drugs and Substances Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, it is a pleasure to rise today to speak to Bill C-26.

As members know, the Minister of Justice tabled this bill last year. It proposes a number of mandatory minimum penalties to ensure that appropriately high sentences are imposed on those who commit serious drug offences.

The bill is not about applying mandatory minimum penalties for all drug crimes. The Controlled Drugs and Substances Act contains a complex offence and penalty structure. Penalties depend on the nature of the prohibited activity and on the type of substance involved.

The most problematic and dangerous substances, such as heroin, cocaine, methamphetamines and morphine, are listed under schedule I. Offences involving these substances attract the severest penalties, up to life imprisonment.

Cannabis is a schedule II drug and attracts lesser penalties. It is only if at least three kilograms are involved that trafficking and possession for the purpose of trafficking is punishable by up to life imprisonment. Production of cannabis is punishable by up to seven years' imprisonment.

The least severe penalties, up to 12 months' imprisonment on summary conviction, are reserved for offences involving substances listed in schedules IV and V.

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It should be noted, however, that most of the prohibited activities in the Controlled Drugs and Substances Act are legal if committed by someone possessing the proper licence, permit or exemption.

For example, the marijuana medical access regulations that came into force on July 30, 2001, provide a scheme for sick individuals to apply for licences to possess or grow marijuana for medical use with the support of their doctor or, in some cases, with the support of a specialist.

As such, there are individuals in Canada who are exempted from the production offence contained in the Controlled Drugs and Substances Act and who are growing marijuana within their residences or in their yards. The amount of plants that the individual is permitted to produce is derived from a formula tied to the amount of dried marijuana product which the individual holder of the permit requires on a daily basis.

Some members of the House may be of the view that serious drug offences do not require a response such as the one contained in this bill. However, serious drug crime is a growing problem in Canadian cities and towns and a serious legislative approach is required.

According to Statistics Canada's *Juristat*, "Crime Statistics in Canada, 2004", the rate of marijuana cultivation offences has more than doubled over the past decade, from approximately 3,400 offences in 1994 to 8,000 in 2004.

According to a study on marijuana grow operations in British Columbia, approximately 39% of all reported marijuana cultivation cases were located in B.C. Between 1997 and 2000, the total number of these cases increased by over 220%.

Although the number of individual operations in B.C. levelled off between 2000 and 2003, the estimated quantity of marijuana produced has increased from 19,729 kilos in 1997 to a seven year high of 79,817 kilos in 2003, due to the size and sophistication of individual operations.

Recent investigations by B.C. Hydro indicate the existence of up to 17,000 possible marijuana grow operations. The increase in the illicit production of marijuana has occurred not just in B.C. but across all of Canada.

There are no available national data on synthetic drug production. Available RCMP data, however, indicate a steady rise in these production operations, where the RCMP seized 25 synthetic drug production operations in 2002, 51 in 2003, 60 in 2004 and 53 in 2005.

Of the 60 operations seized in 2004, 17 were producing ecstasy and 40 were set up to produce methamphetamine. Of the 53 labs seized in 2005, 60% were producing methamphetamine and 30% were producing ecstasy.

I should add that we heard in justice committee about some of the very troubling effects methamphetamine can have on its users and about the difficulty in tackling methamphetamine production. We heard testimony on the devastating impact it can have on individuals. It is something that we should all be mindful of, because none of us, whether our communities are rural or urban, are immune from the challenge that the production of these drugs presents.

● (1730)

Unlike better known drugs of abuse such as heroin, cocaine or marijuana, methamphetamine presents some unique challenges. Methamphetamine is a synthetic drug. It is not dependent on cultivation of a crop. Its production requires no specialized skill or training, and its precursor chemicals are relatively easy to obtain and inexpensive to purchase.

Part of the problem is that the purchasing and obtaining of those precursor elements, which are very much legal at the moment, are some very common chemicals that many of us would use in our day to day lives, but when they are combined in the proper doses in methamphetamine labs, they can produce extremely harmful results. These factors make production of methamphetamine attractive to both the criminal trafficker and to the addicted user.

Methamphetamine also presents a threat to law enforcement authorities. They must simultaneously combat both small toxic labs and superlabs which are primarily controlled by drug trafficking organizations.

The small labs produce relatively small amounts of methamphetamine and are generally not affiliated with major trafficking organizations. A number of factors have served as catalysts for the spread of small labs, including the presence of recipes easily accessible over the Internet. Indeed, the widespread use of the Internet has facilitated the dissemination of technology used to manufacture methamphetamine in small labs. This form of information sharing allows wide dissemination of these techniques to anyone with computer access.

Aside from marijuana, methamphetamine is the only widely used and widely abused illegal drug that is capable of being easily produced by the abuser. Given the relative ease with which manufacturers or cooks are able to acquire recipes, ingredients and the unsophisticated nature of the production process, it is easy to see why this highly addictive drug is spreading.

Methamphetamine has a number of impacts on users, on our communities and on society generally. The quality of life among users of methamphetamine is typically greatly diminished. Addicts may experience dissolution of relationships, social isolation, altered personality, difficulty with academics, loss of employment, involvement in crime, trouble with pre-existing mental illness, drug related psychosis and brain damage, health risks and declining physical fitness.

Furthermore, individuals may be unmotivated to seek help as methamphetamine can create seemingly high levels of energy and productivity. Communities can become vulnerable to petty crime, social disorder, associated risk to health, increase in violence and increases in large scale labs and drug trafficking.

Production operations also pose serious public safety and health hazards to those in and around production operations. These operations can result in serious physical injury from explosions, fires, chemical burns and toxic fumes. They produce environmental hazards, pose cleanup problems and endanger the lives and health of community residents.

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The collateral damage of methamphetamine includes impacts on families, school staff, students, law enforcers, fire departments, paramedics, health care practitioners, businesses and property owners. These individuals experience second-hand symptoms of meth use.

First responders may experience exposure to production by-products and may be subject to violence and aggression from addicts, or frustration and stress from inadequate resources, or judicial restraints preventing them from taking action.

Parents may also experience emotional and financial stress as a child goes through treatment, strain from missing work, fear, embarrassment, shame and guilt. The family may also encounter gang related crime, contamination, violence and disciplinary problems as the child continues to abuse the drug.

Furthermore, siblings and children may experience neglect, abuse and negative influence from family role models. Staff and students in the schools may face users with behavioural problems, classroom disruptions, absenteeism, negative peer influence, and once again, possible contamination. The stress of having insufficient resources to handle these issues is also a cause of stress.

•(1735)

We all know, every one of us who represents communities from coast to coast to coast, that communities in general may be exposed to violence, property damage, identity theft, decreased public safety, contamination of public areas from the disposal of cooking byproducts, and an unreliable or decreased workforce that impedes the safety of co-workers.

There are also significant health risks and costs associated with dismantling labs and removing processing agents from these locations.

As parliamentarians, we are this country's lawmakers. It is incumbent upon us to see that our laws provide appropriate and adequate measures to address serious problems. Our government has responded to the dangers caused by meth production by this bill, which proposes mandatory minimum penalties for those who produce the drug and traffic in it.

The proposed amendments to the Controlled Drugs and Substances Act are not exclusively about imposing minimum penalties. The bill contains a provision allowing for certain offenders who would normally be caught by the proposed minimum penalties to be dealt with by drug treatment courts.

A drug treatment court is a substance abuse intervention model that operates within the criminal justice system. Drug treatment courts provide judicially supervised treatment in lieu of incarcerating individuals who have a substance use problem that is related to their criminal activities, for example, drug related offences such as drug possession, use or non-commercial trafficking and/or property offences committed to support their drug use, such as theft or shoplifting.

Individuals may need to meet other requirements specific to individual courts or court systems to be deemed eligible for admission. The eligible accused must choose between the drug treatment court program and traditional criminal justice processing

that can result in various dispositions ranging from fines to incarceration.

Typically, formal admission into a drug treatment court program requires the individual to plead guilty to his or her charges. If an individual fails to comply or participate in all aspects of the drug treatment court program, consequences range from an official reprimand or revocation of bail to termination in the program and the handing down of custodial and/or community supervision sentences.

There are a number of key facets of a well designed and implemented drug treatment court model. These include: early identification of those who meet the program eligibility criteria; access to treatment programs that integrate evidence based practices of the offender and substance abuse treatment to meet individualized needs of participants; extensive ongoing judicial contact with each participant; intensive supervision and drug testing to monitor and ensure abstinence from all intoxicants; positive reinforcement for compliance; partnership among other drug treatment courts and community based organizations; continued education for those involved in the field to promote effective operations; the use of a non-adversarial approach in the court system to ensure public safety as well as the rights of program participants; and comprehensive evaluation to monitor program objectives and measure efficiency.

That is something we should also all agree on. We want to have programs that work. If a program does not work, then obviously there is something wrong with it and we need to take a serious look at it. If a program does work, then we should encourage participation in that program.

Compared to traditional criminal justice approaches, the intent of a drug treatment court is to permit motivated clients to avoid incarceration and other sanctions and to allow them access to treatment service more quickly due to dedicated services and resources. It is also to encourage clients to remain in treatment until completed, through intensive and frequent monitoring and supervision by the court. Obviously, our number one goal for those who are addicted to drugs is to treat them and have them become contributing members of society once again.

Participating in a drug treatment court program is intensive and demanding. It includes court attendance up to twice a week, random urine testing, and attendance and treatment from daily to weekly as clients progress through the program. At some sites there is a primary treatment provider, for example, the Centre for Addiction and Mental Health in Toronto, whereas at other sites there are various community agencies providing primary treatment services.

Government Orders

• (1740)

Drug treatment courts have a great deal of promise. We will be monitoring their effectiveness. This proposed legislation has been drafted in such a manner as to ensure that drug treatment courts would not be negatively impacted by this important bill.

Canadians demand that the criminal law provide adequate penalties for those who engage in serious drug crime. This bill responds to that demand and provides tough, yet fair, mandatory minimum penalties. I urge all members of the House to support these measures.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am glad the government supports the drug courts. I am certainly supporting the government in that respect.

When the hon. member says we should choose mechanisms that work, he should remember the stats used today that the restorative justice record was 38% to 45% failure, whereas the regular system was 73% failure. I hope the government will revisit that and stop trying to eliminate restorative justice.

Perhaps the member could reply to the concerns of two organizations. The first one is Canadian Students for Sensible Drug Policy. Today I had two students in from McGill from that organization and they were opposed to the reduction in harm reduction programs and support from the government and the general philosophy of the government against harm reduction. Perhaps the member could speak to that.

The second organization is the Canadian HIV-AIDS Legal Network which said that the statement that mandatory minimum sentences for drug offences will make our streets safer is a myth. It said that the detailed 2002 examination conducted for the Department of Justice concluded that mandatory minimum sentences are least effective in relation to drug offences, and noted that drug consumption and drug related crime seems to be unaffected in any measurable way by severe mandatory minimum sentences. It said that jurists and scholars from across the political spectrum have said there is no evidence that any form of mandatory sentence is effective for drug offences.

Could the hon. member address the concerns of those two organizations?

Mr. Rob Moore: Mr. Speaker, in response to the hon. member for Yukon, another Liberal member from the provincial government in Ontario, a former justice minister, famously said about a year ago that the Liberal approach to crime was stuck in the summer of love. What we have seen, even from the type of questions that we get, is that there is such a hesitancy on the part of members opposite to get tough in any way on crime.

Our bill strikes what I think is an extremely reasonable balance between all of our goals, which is to help people who are addicted to drugs, but to get tough on those who are producing drugs, who are distributing drugs, who are putting drugs into our communities.

We all represent, as the member for Yukon said, from coast to coast, communities in Canada, both rural and urban, that are struggling with drug problems and young people who are addicted to drugs. We want to cut this off.

I would have to ask, is what we are doing now working? The approach that is soft on people who produce drugs, soft on people who distribute drugs, a system that says there is no or very little consequence to a person's actions, that the person can commit a serious crime involving drugs and perhaps not go away to jail, is that working? That is not the message we want to be sending to society or to our young people. We have to show that we will be tough on those who produce methamphetamines in labs in our country.

I commend to the member the stats that I gave that show an alarming rise in methamphetamine labs, both small labs and superlabs. Individuals are taking legal substances, cooking them up and creating a very harmful and in some cases deadly concoction that has a devastating impact for those who are addicted to methamphetamine, preying on the most vulnerable. I say there should be no tolerance in our society for those who would operate a meth lab and have this product eventually wind up in the hands of our young people.

We have to be caring. We have to show compassion for those who are addicted to drugs. This bill does that. We also have to get tough on those who would produce drugs and put this scourge on to our communities, both rural and urban.

• (1745)

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, my hon. colleague, the parliamentary secretary, made the statement, and I agree with it, that we should move away from programs that do not work.

Since about 1979, we have been engaged in a war on drugs that has caused uncounted casualties all over the world. It has led to dramatic problems in developing countries and to the incarceration facilities in our neighbour to the south being absolutely loaded with individuals.

Right now in Canada the illegal drug trade is estimated to be about \$10 billion. Of that, \$8 billion is cannabis. Canadians obviously partake in this substance on a regular basis. We can increase the degree of intensity that we put toward those who produce it, but we will not change the market. The bill goes in the wrong direction.

How does my hon. colleague anticipate that the bill will deal with this very large industry, which will be present, in one form or another, after the bill is finished?

Mr. Rob Moore: Mr. Speaker, I appreciate the question, but I do not take the approach the hon. member seems to take, that we will be stuck with what happens afterwards anyway, so why should we bother to do anything? What are we doing here if we are not going to try to make things better?

Some of us in the House believe there should be serious consequences for those who produce methamphetamine in super labs. I happen to believe that. Some of us believe there should be serious consequences for those who traffic in cocaine and heroine and for those who would sell drugs to young people.

Government Orders

We are either in favour of getting tougher on people who operate methamphetamine super labs or we are not in favour of it. Many of us in the House are in favour of it. It has been shown that the approach we have taken over the past few years has not worked. This is evidenced by some of the statistics I presented.

Sometimes it is not even a case of getting ahead of technology. It is a case of keeping up with technology. As I mentioned, most drugs in the past have required a crop. Methamphetamine is not like that. It is a synthetic drug and we have to keep up with those in organized crime. We have to keep up with those technological advances.

We on this side of the House are in favour of an approach that says, "Let us do it. Let us have an attitude that we can make a difference". We should all be here to make a difference. If we can impact on the lives of our young people and keep them from getting started on methamphetamines, I am all for it. I and our government is for an approach that says that if people are going to operate methamphetamine super labs, if they are thinking of constructing one of these and producing methamphetamine, they are going to face serious consequences.

• (1750)

Mr. Dennis Bevington: Mr. Speaker, the major impact of the bill is being masked by his discussion about methamphetamines. The question was directed toward the largest part of the illegal drug trade, and he quite rightly pointed to that at the beginning of his discussion. This is the part that I think will cause the greatest degree of difficulty with the bill, so let us not call it anything but a spade.

Mr. Rob Moore: Mr. Speaker, I do not mind causing difficulty for those who are producing and distributing drugs. The bill will create some difficulty. It will create difficulty for those who have been arrested and convicted for production of drugs.

That is exactly what the bill would do. I do not mind that it creates some difficulty. I hope it creates some difficulty for those who would prey on young people, sell drugs to kids who are on school grounds, traffic in dangerous—

The Acting Speaker (Mr. Royal Galipeau): Resuming debate, the hon. member for Moncton—Riverview—Dieppe.

[*Translation*]

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, I would like to take this opportunity to say a few words about Bill C-26 and on the topic of justice, as this government sees it.

I must say I am very pleased to speak to this bill and this government's justice program, but, frankly, I have several concerns about this. Indeed, this government has introduced and will continue to introduce bills that do not work.

[*English*]

It gives me a great deal of anxiety to look at written laws that do not respond to what they are intended. I have some time to elaborate on that.

I listened to the bright and articulate Parliamentary Secretary to the Minister of Justice, who shares part of a county with me in terms of representation. Our people are not a world apart. It gives me a

great deal of anxiety to hear him suggest, perhaps naively, that the bill would have its intended effect.

The government rolls out bills in front of blue plastic platforms and talks about the new government. Cabinet ministers are paraded around in ridings the Conservatives would like to hold, or hold onto slimly. They roll out justice bills in advance of discussing them with stakeholders, in advance of discussing them as a future agenda at the justice committee and in advance of having any real discussion about law reform with a law reform commission. Canadians would be interested to know that there is no law reform commission. There is no body that can discuss and promulgate laws that affect all of us, and which have the teeth they are intended to have.

The government can try to get a three minute spiel on the evening news, which it uses to tell Canadians that it will stop all drug production and send all producers to jail for longer terms. It feels this will end the problem. That is naive, which is better than saying it is devious. The Conservative government put bills before Parliament then prorogued Parliament so those bills never saw the light of day. It then reintroduces the same bills and new bills knowing they too will likely never see the light of day. It is almost devious. If I sat on the other side, I would probably know the big game plan, but to most reasonable people involved in criminal justice issues, including police forces, prosecutors, social workers, the Conservative justice program is intended to fail.

The Conservatives have been in office for two years now so they cannot claim to be the new government. If we had socks that old, we would not call them new socks. That is an old sock over there. The odour is pronounced. This says to me that the Conservatives have not really come to terms with how to make society safe.

There is one non-partisan point that binds all parliamentarians here. We all want safe communities. Try as it might, the Conservative government, the old sock government, wants to paint those of us in the opposition ranks as people who do not care about safety and society. Perhaps those things first motivated some of us to get into Parliament. I see mayors on this side of the House. I see people who have experience in emergency measures organizations, who have been involved on police commissions and who have headed police commissions. To suggest parliamentarians do not want to save society stinks like the old sock justice program that the Conservative government has introduced.

Those members do not mean what they say. A long time ago they had another one of those blue plastic background announcements with law enforcement officials at bay. They announced that they would create 2,500 new positions for police officers across Canada. They have not done that.

• (1755)

Most of the laws the Conservatives roll out require a certain amount of police presence, and that is an understatement. I can suggest that most of it, when it comes to the detection of drug manufacturing facilities, will require a significant outlay of police resources.

Government Orders

The hon. parliamentary secretary will know that in the Dieppe-Moncton-Riverview area, even before the RCMP took over the municipal force there, the joint forces operation for drug detection was up and running. It continues to run very well. It is like anything else and will be saddled with more duties under a law such as this, which will have well trained police officers wondering if the shoot of a marijuana plant in two places is two plants to get it over the 500 mark, or if it is one to get it under the 500 mark. These are problems of detection which have not been resourced. The government is not serious about its criminal justice agenda.

The other thing Canadians must know is what this law has in one part of it, and it might seem to be well-meaning. Again, I have nothing but the utmost respect for the parliamentary secretary over there. He probably thought, when he parsed the legislation on this law, he was protecting school areas and people who frequent public areas when he agreed to put his minister's pen to subclause (ii) of clause 1, which says that the mandatory minimum punishment of two years will apply if:

(A) the person committed the offence in or near a school, on or near school grounds or in or near any other public place usually frequented by persons under the age of 18 years,

If we all knew where everybody under the age of 18 years was at all times, there would be many happy parents, school superintendents and police forces. This is so vague as to fall on its face. I pray the able committee members at the justice committee, if and when the bill should be referred to the justice committee, can fix this. This goes to the point that in their rush to get in front of that blue plastic sign and give a moment of news release, the Conservatives did not yet again produce a proper law that we could look at and say with some satisfaction that the bill would change our society.

I have been a lawyer for some 20 years. I have been the mayor of a municipality. I know, as all members of the House do, that drug abuse is a problem in any western society. It is a problem in any world society. It is a problem with which many people are grappling. Parents are involved in grappling with these issues. Teachers, doctors, nurses and people from all walks of society, not only members of the justice committee who belong to the Conservative Party of Canada, are all involved in this. Why is there not more attention paid to consulting the stakeholders and coming up with bills that will work when it comes to drug abuse?

The whole other problem of treating the addict as a criminal has to be addressed. Unfortunately, because of the time involved, it cannot be done tonight.

• (1800)

[*Translation*]

Bill C-26 against controlled substances does not provide the balance needed to reduce crime, substance abuse and drug use, nor does it protect public health. The public health aspect is very important in this debate.

Instead of these commitments, and with no real bills, we are left with a strategy that comes from south of the border, the United States, one that mirrors the Bush administration's policies. Yet these same American policies are doing nothing but overcrowding American prisons.

This bill will lead us down the same path as the one chosen by the United States. There will be many more people in Canadian prisons, if this bill and other Conservative bills are passed and enacted in this country. However, this does nothing to resolve our country's drug problems.

[*English*]

There is no question that sentences are very important and they are an important part of the solution. I look forward at justice committee to hearing this evidence that serious sentences, mandatory minimums for drug use in particular, would have the effect of decreasing drug use and drug abuse, and decreasing crime as a concomitant of that. I am looking forward to those studies because I am afraid they do not exist.

Fighting crime with longer sentences does not work. If it did and there was insurmountable evidence of that, I get back to my premise that we are all interested in a safer community, a safer Canada. So if the evidence were overwhelming that mandatory minimums, longer sentences, longer prison time served actually would keep society safer, why would we not be for it?

In order to bring up good legislation through the process here in Parliament, we have to have evidence-based legislation. We have to show that if we pass this law, this will be the effect. We cannot just say it in front of the blue plastic sign in front of the TV cameras. Tougher penalties for people who produce and are trafficking in drugs will only scare the small time producers and organized crime will fill the gap.

The aspect of gangs and organized crime is something that every community in Canada has to grapple with again. There is no one piece solution to this, but this certainly is not it. As written, it would seem, and we will hear the evidence at committee, that there is a crackdown intended on many small-time, as the parliamentary secretary mentioned, on many small operations that can be put together with household materials and with common accessories for heating and containing liquids and powders.

However, no one is condoning small-time operations, but to crack down solely or to target mostly small-time producers, there is just going to be inevitably a gap. Unless we get to the issue of addictions and what we are going to do to deal with societal issues regarding addictions, the demand side of this equation is not going to be effective.

It seems that all republican, read this now as Conservative in this country, all republican dogma on the war on drugs is supply-based. Take out the supply and the problem is gone. Well, it did not work during prohibition in the 1920s and 1930s. If we take out the supply, that is just a layer of the supply. There will always be a supply if there is a demand.

I am sounding like a raving capitalist and I apologize to my Conservative friends for that, but supply and demand is very much at issue here. What should be tackled is the demand side. How do we make it so that there would be no more demand for crystal meth? How do we make it so that a teenager at a party is not given a date rape drug? Because we do not want anyone to use it, we have to attack the demand for the drugs. There is nothing in the bill that talks about that whatsoever.

Eugene Oscapella, a criminal lawyer who teaches drug policy, would be one of the experts who would come to a committee and give evidence. When we ask the minister questions on the first day of the committee hearings, we will be assured that he is contacted and spoken to because a recognized expert in drug policy living right here in Ottawa would certainly be someone that the minister or the parliamentary secretary or someone from the blue plastic old sock gang should probably get to see. He would say organized crime does not care about the law. With the changes to the law as proposed, the government is doing a service for organized crime.

Would that not be awful, that a government in Canada would actually benefit organized crime? It is certainly not what is intended. I will give my colleagues on the other side the benefit of the doubt. They cannot intend this, but by bringing forth such poor legislation it may very well be the effect of this.

The bill needs to reflect a balanced response to substance abuse and drug addiction which includes of course prevention treatment, enforcement and harm reduction measures.

• (1805)

Did I mention that 2,500 police officers and 1,000 RCMP officers in total were promised by the government and not delivered upon? When one makes a promise to fund something, all one has to do is pass a budget. I believe the government has passed two and things called mini-budgets. So, it has had the opportunity.

Prorogation and blue plastic background in announcements could not have interfered with the ability of the finance minister, if the Minister of Public Safety and the Minister of Justice really wanted, to put the money behind where the talk was to make sure that there would be 3,500 more police officers on the streets now or in this case, in the bushes of parts of this country where grow-ops are taking place.

Now, there is no one in the bushes of the places where these grow operations are taking place. Has the government walked the walk? No. It just talks the talk.

On mandatory minimum sentences for drug offences, we have had a lot of evidence during the hearings on bills C-9 and C-10 but Bill C-10 in particular with respect to mandatory minimums. Again, if they worked, we would be all for them.

There have been mandatory minimums in certain situations where it has proven that they acted as a deterrent for the institution of criminal acts. However, do we really think that by taking people, for instance at the lower end of the chain, who are making drugs in their kitchen and are using drugs in their home, and that by going to prison alone is going to stop the production of that drug in total or help those people to become meaningful members of society?

What does it do for the addiction issue? Where is the extra funding which would have to come to Correctional Service Canada, to the parole officers across the country, to the correctional services officers across the country, and to the various attorneys general in the provinces across the country who will need funding for all of their officers who supervise probation orders and conditional sentences? Where is all of the money to back up these laws?

Government Orders

Instead, we have a stack of laws, many of which were not intended to pass, many of which were killed by prorogation, and many of which show that the government is not interested in getting tough on crime or tackling crime. It is interested in tackling the airwaves.

What can we do to get us out of this mess? We can actually put politics aside, talk about a safe society, put our money where our mouth is, and send the bill to committee to see what can be done about reducing the number of harmful grow operations, which if not detected would destroy our society.

What about discussing how much resourcing this bill will need? What about getting rid of silly definitions that parse between 500 and 501 plants and at or near a public place where young people are headed? What about working on the bill together and what about actually having an act which will do what it says, which is to amend the Controlled Drugs and Substances Act and make consequential amendments which will make our society safer? We are all for a safer community. Let us work toward getting there.

• (1810)

Mr. John Maloney (Welland, Lib.): Mr. Speaker, I would like to thank the member for Moncton—Riverview—Dieppe on his very balanced speech this evening.

Could he perhaps elaborate on how he feels the government could move forward in reducing the demand for drugs, as well as reducing the supply, as he has indicated? Could the member give us some specifics on how we can approach this war on crime by reducing the demand?

Mr. Brian Murphy: Mr. Speaker, the bulk of the bill and the program of the justice department is on the supply side with respect to drugs and it is on the supply of paper, frankly, that is meaningless. The government has done very little in discussing at any of the committees in the House issues of addiction and issues of public health.

From time immemorial people have had problems with substances. Rather than attack the addict, let us treat the addict. If there is a modality, in some of our larger cities for instances, there are situations where a safe injection site or at least a needle exchange is the best thing for society because it provides a safe, from a public health point of view, place for people to deal with their addiction and seek help if and when they want the help. That is something the government can do.

In my community 9,000 syringes, needles, were exchanged between the period of December and February by a mobile soup kitchen bus that went around and voluntarily exchanged. It is a public health issue, not funded by the federal government.

I have seen nothing from the federal government. It is a bit far away from justice. It probably delves into public safety, but that is how the government could help. We have heard nary a word from it on that.

Government Orders

•(1815)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, maybe the member could get a pen because I have several questions. I hope he will be non-partisan and not attack the government in too much detail but give some good ideas.

First, this week almost everyone has spoken about the failure of the government's crime agenda and what could be done. Many members gave a lot of good ideas. I know the member is a thoughtful member of the justice committee and will have a lot of good ideas. I wonder if he could add some.

Second, the parliamentary secretary did not even answer the first question that I asked on behalf of two organizations. He tried to blame political parties when it was organizations that asked the question.

The first was Canadian Students for Sensible Drug Policy. It suggested that we should invest in harm reduction and not reduce our investment in harm reduction like the government was proposing. Hopefully the member could provide the Liberal Party's position on that and give the students from McGill who came to see me an answer.

The second question was from the Canadian HIV/AIDS Legal Network. If the Conservatives will not answer its concern, maybe the member could provide an answer. I will not read the whole quote again but it said, “—jurists and scholars have said there is no evidence that any form of mandatory sentencing is effective for drug offences—”.

Third, I would also like the member to talk about the creation of these bills in the justice committee because they certainly were not done by the Department of Justice and did not follow the input from the experts that came to committee.

Finally, I wonder if the member thought it was humourous today in question period when the Minister of Foreign Affairs stood and said, “It is not our job. We do not create prisons”. As the member just said, many of these bills have been formed to put more Canadians in jail.

The government has provided more money to fund it and studied how many more jails are needed. The justice minister of course was six inches from the Minister of Foreign Affairs kind of squirming. I wonder if the member could also comment on the fact that the experts said that this is not the only answer to solving or reducing crime.

Mr. Brian Murphy: Mr. Speaker, what the member does not understand and I will put very clearly is that the Conservative government is in the business of building prisons in Afghanistan. It is not in the business of building prisons in Canada, yet it is in the business of putting more people in prison in Canada. Its program is very clear.

What it is not in the business of is recognizing that the institute at McGill that the member referred to has long been a proponent of a harm reduction strategy, which is nothing more than a public health slant on drug abuse issues, which is totally absent from the government.

What these bills on mandatory minimums seem to forget is that we are dealing with people mostly addicted to drugs or at least in the drug trade.

An Irish study, for instance, suggested that 20% of people who use illegal drugs actually began to use illegal drugs while in prison. If there is a problem with drug use, drug abuse or drug production, then sending people to prison is not going to help the problem.

In fact, if some of the more ambitious, intelligent and entrepreneurial drug producers were sent to jail, they might populate a whole new generation of drug users within the prison system. We could call it the Conservative college of cannabis, for instance. This could be the new higher learning agenda.

As my friend, the hon. member for Dartmouth—Cole Harbour, would suggest, finally we have found the Conservative agenda on higher learning and it is in our prisons, which may or may not be in Canada, which may or may not be in Kandahar.

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, I listened to the sock analogy made by my colleague across the way. There is another sock analogy that I think he should heed. It involves putting a sock in it when it comes to this particular issue.

One of the jobs that we have as leaders, whether we are in Parliament, in the legislature or at the municipal level, is of course that of putting first and foremost the safety and well-being of the citizens we are elected to represent.

I seem to recall that in the last election campaign after we made some announcements on what we were going to do on our crime and justice agenda, CBC or CTV, I do not recall exactly, took a look at it. I remember it vividly. It encapsulated the Liberal position on crime in just a great way. A young fellow in prison had had the actual Liberal logo cut out of his hair in prison. He was clearly advocating where he thought his interests would be best represented, that is, in voting for the Liberal Party.

I also take a bit of umbrage with my colleague saying that we are going after users. That is simply not the case. We are not going after the small-time users. If people read the act, if they read the bill, they will see that we are going after organized crime.

If my colleague really is serious about doing what we are sworn to do here as elected members, which is to protect and preserve the safety of our society, can he stand in this place and say that he is or is not going to support sending this bill on to committee so that we can study it and at least make any minor amendments we might need to make, if we have to? Is he going to support this bill getting to committee so that we can move this agenda forward and actually provide for the safety of children on the school grounds?

I have young children. I would hate to think that somebody could go onto the school grounds and start peddling a cigarette or a marijuana cigarette laced with methamphetamine. That is what get the kids addicted and gets them hooked. This is how these things happen. Those are the people we have to go after. I wonder if my colleague at least will support this bill going to committee and support taking a look at some of the positive things coming out of this bill.

Government Orders

• (1820)

The Acting Speaker (Mr. Royal Galipeau): The member for Moncton—Riverview—Dieppe has one minute in which to respond.

Mr. Brian Murphy: Thank you, Mr. Speaker. That is more than enough time. I am mindful of the sock comment, but the hon. member must have had a sock over his ears, because I clearly suggested, and I think it is the Liberal position as well, that we would send this to committee, just as we have done with an awful lot of bills, because we have to fix the bill. It is like a mended sock. It is a darned sock. It is a darned bill. We have to fix this bill if it is fixable.

I do take notice of his argument about schoolyards and public places. I did say that the parliamentary secretary, who is a recent father, probably meant well when he signed off on this bill, but I am sure that we will hear evidence about an offence being committed “near a school”. That might work, but is “school” defined in the act? I do not think so. Or it will be “near school grounds” or near any other public place usually frequented by persons under the age of 18 years? I do not have teenagers yet, but if everybody knew where their teenagers were, we could define it.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): Resuming debate.

The member for Châteauguay—Saint-Constant has 20 minutes. However, we have just seven minutes left this evening, so she will be given the remainder of her time at the next sitting of the House.

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, it is my pleasure to speak today at second reading of Bill C-26. In this bill, the government is targeting those who produce and distribute illicit drugs by imposing more severe penalties on them. This is part of a major anti-drug strategy with a budget of more than \$64 million unveiled a few months ago by the Prime Minister.

Even though the purpose of Bill C-26 seems clear, I think that its ultimate goal, to reduce consumption of illegal drugs, would be better achieved with more subtle measures that would produce truly positive results. That is why it is important to understand this bill, to hold onto the parts of it that have merit and to reveal the problems hidden within it.

First, I would like to point out that the current legislation already includes good tools to fight drugs. Since 1997, the Controlled Drugs and Substances Act has prohibited the import, export, production, sale, acquisition and possession of drugs and controlled substances, except when regulations permit it for medical purposes. At the time, the legislation created a new offence, production of a controlled substance. It also amended certain penalties in accordance with rulings of the Supreme Court, which had ruled that a minimum seven-year sentence for the import and export of drugs was far too severe.

Under the legislation, trafficking is defined as the selling, giving, administering, transporting, sending or delivering of one of the drugs listed in Schedules I through IV. The legislation also includes precursors of substances listed in Schedules I through V. Precursors are the ingredients used in the production of a controlled substance listed in the schedules.

Now that we know the context of this bill, I would like to focus on a worrisome aspect that I have criticized many times in previous bills and that is minimum sentences. With respect to heavier minimum sentences, it is clear that the Bloc Québécois has never doubted the importance of taking measures to reduce the consumption and production of drugs.

At first glance anyone would say that this bill provides more safety and more means to control drugs. However, before drawing hasty conclusions, the first thing to do before addressing a problem is to understand it in its entirety, grasp its scope and assess its consequences. We have to put things in perspective.

It is important to remind people that Statistics Canada indicated in 2006, before Bill C-26 was put on the table, that Canada's overall national crime rate, based on incidents reported to police, hit its lowest point in over 25 years, driven by a decline in non-violent crime. The crime rate dropped by 3% over the previous year and by 30% since 1991. When we look at the problem as a whole, we see that crime is going down in Canada. This is a major trend that has been observed for many years.

Obviously the Bloc Québécois does not want to minimize the situation. Any tragedy is one tragedy too many and statistics hide the human tragedies that affect families. We have to realize that the current system is producing positive results. We have to avoid giving up these gains by adopting measures whose impact has not been fully examined.

Bill C-26 relies heavily on minimum sentences, and specifically on the supposed deterrent effect of harsher sentences. That has never been clearly proven. Harsher sentences are imposed by our neighbours to the south, who obtain results that are not particularly convincing. I would say that minimum jail sentences are not a greater deterrent than adequate supervision in the community.

However, as a member of a responsible party that does not ignore reality, I have to recognize that drug-related offences have increased slightly.

• (1825)

For example, again according to Statistics Canada, the total number of drug offences rose by 2% in 2006. In fact, the picture of drug use is changing slightly. Cannabis-related offences, such as possession, make up 60% of all drug offences, but were down 4%.

We understand the situation, and we are aware of the issues. Moreover, quite recently, my colleague from Hochelaga and I examined Bill C-428 to consider the best way to combat the emerging problem of methamphetamine use.

Government Orders

We are contributing to the war on drugs, which brings me to a positive aspect of Bill C-26. The bill allows judges, with the consent of the prosecutor, to require offenders to take part in a drug treatment program. If the offender successfully completes the program, he avoids the minimum sentence. I believe that this is a good way to rehabilitate offenders.

I therefore believe that we are going to refer Bill C-26 to committee for a more detailed examination.

The Acting Speaker (Mr. Royal Galipeau): When we return to the study of Bill C-26, the hon. member for Châteauguay—Saint-Constant will have 13 minutes left to complete her remarks.

* * *

IMMIGRATION AND REFUGEE PROTECTION ACT

The House resumed from January 31, 2008, consideration of Bill C-3, An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act, as reported (with amendment) from the committee, and of the motions in Group No. 1.

The Acting Speaker (Mr. Royal Galipeau): It being 6:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion at report stage of Bill C-3.

Call in the members.

● (1855)

(The House divided on Motion No. 1, which was negated on the following division:)

(Division No. 32)

YEAS

Members

André	Angus
Atamanenko	Bachand
Bell (Vancouver Island North)	Bevington
Bigras	Black
Blais	Bourgeois
Brunelle	Cardin
Carrier	Charlton
Chow	Christopherson
Comartin	Crête
Crowder	Cullen (Skeena—Bulkley Valley)
Davies	Deschamps
Dewar	Duceppe
Freeman	Gagnon
Godin	Guay
Guimond	Julian
Kotto	Laforest
Laframboise	Lavallée
Layton	Lessard
Lévesque	Lussier
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	McDonough
Ménard (Marc-Aurèle-Fortin)	Ouellet
Plamondon	Priddy
Siksay	St-Cyr
St-Hilaire	Stoffer
Thi Lac	Thibault (Rimouski-Neigette—Témiscouata—Les
Basques)	
Vincent	Wasylycia-Leis— 56

NAYS

Members

Abbott	Ablonczy
Albrecht	Allen

Allison	Ambrose
Anders	Anderson
Bagnell	Bains
Baird	Barnes
Batters	Bélanger
Bell (North Vancouver)	Bennett
Benoit	Bernier
Bezan	Blackburn
Blaney	Bonin
Boshcoff	Boucher
Breitkreuz	Brison
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Byrne
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cannon (Pontiac)
Carrie	Casson
Chamberlain	Chong
Clement	Coderre
Comuzzi	Cotler
Cullen (Etobicoke North)	Cuzner
Day	Del Mastro
Devolin	Dhalla
Dion	Dosanjh
Doyle	Dryden
Dykstra	Easter
Emerson	Epp
Eyking	Fast
Finley	Fitzpatrick
Flaherty	Fletcher
Fry	Galipeau
Gallant	Godfrey
Goodale	Goodyear
Gourde	Grewal
Guarnieri	Guergis
Hanger	Harper
Harris	Harvey
Hawn	Heam
Hiebert	Hill
Hinton	Holland
Hubbard	Ignatieff
Jaffer	Jean
Jennings	Kadis
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Khan	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
LeBlanc	Lemieux
Lukiwski	Lunn
Lunney	MacAulay
MacKay (Central Nova)	MacKenzie
Maloney	Mark
Marleau	Martin (Esquimalt—Juan de Fuca)
Matthews	Mayer
McCallum	McGuinty
McKay (Scarborough—Guildwood)	Menzies
Merrifield	Miller
Mills	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Neville
Nicholson	Norlock
O'Connor	Obhrai
Oda	Pacetti
Pallister	Paradis
Patry	Petit
Poilievre	Prentice
Preston	Proulx
Rajotte	Ratansi
Redman	Regan
Reid	Richardson
Ritz	Rota
Savage	Scarpaleggia
Scheer	Schellenberger
Scott	Sgro
Shipley	Simard
Simms	Skelton
Smith	Solberg
Sorenson	St. Amand
St. Denis	Stanton
Steckle	Storseth
Strahl	Stronach
Sweet	Szabo
Temelkovski	Thibault (West Nova)
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)

Government Orders

Tilson
Tonks
Turner
Valley
Van Loan
Verner
Wappel
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Trost
Tweed
Van Kesteren
Vellacott
Wallace
Warawa
Watson
Williams

PAIRED

Members

Barbot
Bonsant
Davidson
Goldring

Bellavance
Cummins
Gaudet
Manning — 8

The Speaker: I declare Motion No. 1 lost.

[*English*]

I therefore declare Motions Nos. 2 to 12 lost.

Hon. Stockwell Day (Minister of Public Safety, CPC) moved that the bill, as amended, be concurred in.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

Hon. Jay Hill: Mr. Speaker, were you to seek it I think you would find unanimous consent to apply the results of the vote just taken to the motion presently before the House, with Conservative members present this evening voting yea.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

Hon. Karen Redman: Mr. Speaker, the Liberals in the House who voted nay on the previous question will be voting in favour of this motion.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, the members of the Bloc Québécois will vote against this motion.

Mr. Yvon Godin: Mr. Speaker, the NDP is voting against this motion.

Ms. Louise Thibault: Mr. Speaker, I am voting against this motion.

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

(*Division No. 33*)

YEAS

Members

Abbott
Albrecht
Allison
Anders
Bagnell
Baird
Batters
Bell (North Vancouver)
Benoit
Bezan
Blaney
Boshcoff
Breitkreuz

Ablonczy
Allen
Ambrose
Anderson
Bains
Barnes
Bélangier
Bennett
Bernier
Blackburn
Bonin
Boucher
Brisson

Brown (Leeds—Grenville)
Bruinooge
Calkins
Cannis
Carrie
Chamberlain
Clement
Comuzzi
Cullen (Etobicoke North)
Day
Devolin
Dion
Doyle
Dykstra
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Eyking
Finley
Flaherty
Fry
Gallant
Goodale
Gourde
Guarnieri
Hanger
Harris
Hawn
Hiebert
Hinton
Hubbard
Jaffer
Jennings
Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)
Khan
Kramp (Prince Edward—Hastings)
Lauzon
LeBlanc
Lukiwski
Lunney
MacKay (Central Nova)
Maloney
Marleau
Matthews
McCallum
McKay (Scarborough—Guildwood)
Merrifield
Mills
Moore (Fundy Royal)
Murphy (Charlottetown)
Nicholson
O'Connor
Oda
Pallister
Patry
Poilievre
Preston
Rajotte
Redman
Reid
Ritz
Savage
Scheer
Scott
Shipley
Simms
Smith
Sorenson
St. Denis
Steckle
Strahl
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Dhalla
Dosanjh
Dryden
Easter
Epp
Fast
Fitzpatrick
Fletcher
Galipeau
Godfrey
Goodyear
Grewal
Guergis
Harper
Harvey
Hearn
Hill
Holland
Ignatieff
Jean
Kadis
Karetak-Lindell
Kenney (Calgary Southeast)
Komarnicki
Lake
Lebel
Lemieux
Lunn
MacAulay
MacKenzie
Mark
Martin (Esquimalt—Juan de Fuca)
Mayes
McGuinty
Menzies
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Murphy (Moncton—Riverview—Dieppe)
Neville
Norlock
Obhrai
Pacetti
Paradis
Petit
Prentice
Proulx
Ratansi
Regan
Richardson
Rota
Scarpaleggia
Schellenberger
Sgro
Simard
Skelton
Solberg
St. Amand
Stanton
Storseth
Stronach
Szabo
Thibault (West Nova)
Thompson (Wild Rose)
Toews
Trost
Tweed
Van Kesteren
Vellacott
Wallace
Warawa
Watson
Williams

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Bigras	Black
Blais	Bourgeois
Brunelle	Cardin
Carrier	Charlton
Chow	Christopherson
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The Speaker: I declare the motion carried.

ADJOURNMENT PROCEEDINGS

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

• (1900)

[English]

AFGHANISTAN

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, on November 19, I raised the detainee issue in the House and was informed that there was no basis for my question. I was also informed that the government's policy had not changed and that there was no issue with regard to abuse. The government claimed that if this were an issue, it would immediately stop any transfers.

We know that as of November 5, 2007, there was a change. We were misled by members of the government, including the Minister of National Defence and the Minister of Foreign Affairs.

Many times in November it was said that if there were any abuses, the House would be informed. Clearly, it was not. Our party repeatedly asked about the transfers. Why? We are in Afghanistan to support the rule of law and to hopefully bring a sense of democracy and human rights to that country.

What is the government's response now to the issue of transfers? We have seen it flip-flop. It says that this is a national security issue and an issue with regard to operational matters. The Americans announce the capture of Taliban prisoners, as do others. It cannot be a security issue for us and not for them.

We believe the transfer issue is at the fundamental core of the failure of the government to show transparency and accountability when it comes to the Afghan issue. Canadians want to know precisely what is going on over there, yet the government continues hiding behind all sorts of issues.

The Prime Minister's director of communications first blamed the military on the change of policy. Then she had to do a back flip the next day and say that the government had been informed. There is nothing the Prime Minister's Office would not be aware of, particularly something like this.

The government is attacking us by questioning our patriotism. No one in the House is more patriotic when it comes to supporting our military. Having been in Afghanistan in April 2006, I can tell the House that our troops are doing a phenomenal job over there. When parliamentarians raise issues for Canadians, we expect the government to be upfront and honest, but that has not taken place.

We were told that these allegations of torture were not credible. Yet as of November 5, 2007, the transfers stopped. They stopped because the military was concerned about the abuses it had seen.

The independent panel on Canada's future role in Afghanistan has indicated there is no transparency and accountability with the government. That side of the House does not seem to want to come forward about this.

Canadians want to be informed about decisions. They want to now what is going on over there. We have a right as parliamentarians to know these things. If we have concerns about certain issues, then we need to express those concerns to the Karzai government. It needs to be clear on our concerns. If there are allegations, we want those allegations investigated. We want to ensure the facts are on the table. Unfortunately, this has not always been the case.

An interim report on Afghanistan was provided by the Standing Committee on Foreign Affairs. We only reported on the comments of witnesses. Unfortunately, the government put forth a minority report with no recommendations at the time. We wanted to put forth what we heard. The government has said that it can not do that, yet it talks about transparency and accountability.

I put that to the government. I await the answer from the parliamentary secretary.

• (1905)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, that member is the vice-chair of the Standing Committee on Foreign Affairs and International Development.

Adjournment Proceedings

Today he talked about two issues: democracy and human rights in Afghanistan. He quoted what the independent panel had said. He also mentioned that the committee had prepared an interim report on Afghanistan. We needed to listen to witnesses to prepare that comprehensive report. Yet that member talks about the independent panel. Why did the member opposite vote against the motion to call the independent panel in front of the committee? What were those members afraid of hearing? Why are they afraid of listening to Mr. Manley?

The member can stand up and talk about the same report, yet he refused to pass a motion to bring members of the independent panel before the committee where everyone could question them and their evidence would form part of the report. Being the vice-chair, he will be responsible for a one-sided, partisan report, not a comprehensive report in which all Canadians are interested.

Why is he afraid of listening to the independent panel? Why is he afraid of Mr. Manley?

Hon. Bryon Wilfert: Mr. Speaker, unfortunately, the member did not address the issue of the detainees, but I will respond by saying this. Prior to the independent panel submitting its report, at the standing committee I asked that it come before us for parliamentary input. I see no value in asking people to come after the fact. We have all read the report. It was the government members who opposed having Mr. Manley and others come to the committee beforehand to get the input of parliamentarians.

Therefore, it is a bit hypocritical to suggest somehow that after the fact, now that the government says it embraces the broad strokes of the Manley report, it is okay for them to come. It is unacceptable. What is also unacceptable is the government still has refused to talk about the detainee issue. We have put those questions to the government repeatedly in the House of Commons and repeatedly we have been stonewalled by the government. Is that because the government members are not talking to each other, they are not talking to the Chief of the Defence Staff? We are not sure who is making policy over there.

Mr. Deepak Obhrai: Mr. Speaker, it is amazing how a vice-chair of a committee of Parliament would not understand the committee is independent of the government. It calls witnesses independent of the government. It reports independent of the government. Then it advises to the government on that point.

That it is how committees of Parliament work, which he should know as a vice-chair. So why would he want a panel that is appointed by the government to address it? Now that the panel has come back he should exercise the democratic right for every Canadian through the committee and call in the panel.

Again, why is he now afraid to call Mr. Manley? What is he worried about? Why did the Liberals not call Mr. Manley? Is it because Mr. Manley was the former Liberal deputy prime minister and they are afraid of what he has said? Otherwise, what would be the reason for the Liberals to refuse to have Mr. Manley come before the committee?

●(1910)

PRIVACY

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, on October 19, 2007, I had the opportunity to ask a question during question period which dealt with the issue of invasion of privacy or ethnic or religious profiling. There had been some indications that this kind of activity had been going on with Conservative members of Parliament.

It causes some grief for Canadians to know that if they are dealing with their member of Parliament, some of the information they may happen to provide, whether it be in terms of getting passport assistance or maybe some issue with the Canada pension plan, may end up on a political mailing list. There is more information on those forms that in fact Canadians would prefer not be used for some other improper use.

This is what I would consider to be unethical behaviour and quite frankly is inexcusable. I want to amplify simply by reminding members that within the Government of Canada, throughout the various agencies that operate under the auspices of the government, there are privacy rules and they are very important, and probably the one most relevant to members is the electoral list. I can tell members that I visited the Elections Canada website today just to refresh myself on the rules to indicate how serious this is.

It says that the privacy of all the information on the electors list is protected by the Canada Elections Act and by the Privacy Act. The information can be used only for electoral purposes and improper use of the information is an offence. Electronic and procedural safeguards have been put in place to ensure the security of that information because privacy of the individual information is important.

Under the law, the voters list can be shared with the political parties and members of the House of Commons each year, so that they can communicate with their electors, but it only includes names and addresses.

However, the incidence of what we found was that the information being collected from other encounters with people within a member's riding was being collected for alternative uses and in fact improper uses. So I wanted to raise that as an example of how important it is within our system.

I also wanted to relate to the House another example that came across my desk. It is a card, and I have a photocopy of it here, which came from a Conservative member. It is a survey. It asks: "Are you supportive of the federal budget?; Am I [the member of Parliament] on the right track?; Is the Prime Minister on the right track?"

On the other side, where it has the return address, it says "No postage required". That is actually written here. Then it also has these boxes to tick off: "Add me to your mailing list; I am interested in learning more about the Conservative Party; I am interested in volunteering". This is, clearly, for partisan purposes, for party purposes, and not for electoral purposes. It is on an envelope which is clearly going to be distributed without paying postage. Again, this is unethical activity.

Adjournment Proceedings

There is no question in my mind that there is ample evidence that the Conservative Party has been using information from electors or from residents in their riding for unethical purposes. It is unfortunate and it must stop.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, at times like this, I have to resist the urge to laugh out loud when I hear the pompous Liberals talking about things they think are unethical. It is long past the time when Canadians need a lecture on ethics from members of the Liberal Party.

Particularly with this issue, we first heard this question raised by the member for Thornhill and again by the member for Halton and now my good friend and colleague is raising the same question. All I can say is the hypocrisy of the Liberal Party knows no bounds.

When the member for Thornhill first raised this question several months ago in the House, it was then revealed within a day that she herself had been sending out cards to the Jewish community in her riding to celebrate Rosh Hashanah. On the one hand the member for Thornhill was complaining that the government was sending out cards to commemorate special occasions and holidays for various ethnic communities, and the very next day it was discovered that the member was doing exactly the same thing.

Of course this is nothing new. The Liberal Party for years has tried to portray itself as being entitled to do anything and everything because the Liberals felt it was their God-given right to do so. Yet if another party dared do the same thing, dared try to send out commemorative greetings or celebratory greetings to ethnic communities, all of a sudden we are doing something wrong, we are using confidential information.

Mr. Speaker, I can assure you that all of the lists that we obtained are publicly available, as is the same list available to members opposite.

For the Liberal Party to suggest for one moment that we are doing something unethical is quite frankly, more than just a little amusing.

I recall during the halcyon days of the sponsorship scandal, again a subject that the Liberals do not ever want us to talk about, they tried to portray themselves as the victims of the sponsorship scandal. Canadians certainly saw through that. They understood, if not instinctively, they certainly found out empirically during the Justice Gomery investigation that the Liberals were certainly not the victims, but they were the perpetrators of the largest single political scandal in Canadian history.

As a matter of fact, may I remind members opposite and the Canadian public that there are still \$40 million that have not been recovered. Justice Gomery could not investigate it because the terms of reference set by the then Liberal government were so narrow and so restrictive that Justice Gomery could not expand his investigation.

He admitted frustration because he knew there were \$40 million gone astray. Somehow that money was missing. He might have suspected it was all part of the same sponsorship scandal where the

Liberal Party would be able to funnel taxpayers' money back into the Liberal Party's own bank account to fund elections, but Justice Gomery unfortunately was prevented from examining that point any further because of the restrictions put on by the government of the day.

Let me conclude by saying it is clear to Canadians from coast to coast to coast that the highest level of unethical behaviour ever seen in this country was foisted upon the Canadian public by the Liberal government of the late 1990s and early new millennium.

• (1915)

Mr. Paul Szabo: Mr. Speaker, I raised the question not because of partisan reasons, but because it was wrong. The matter involved here happened to be referred to the Ethics Commissioner which is the right thing to do.

The member decided to throw mud at another member of Parliament, but what he did not say is that there was no complaint made to the Ethics Commissioner about that. I think he has to be very careful.

Let me conclude by saying that today I received yet another unethical example. It comes from the Prime Minister and it has political stuff that says things such as, "We are for this and the other party is not, which one do you choose". It says, "For privacy, cut and fold and seal with tape". Yet again, it says "no postage required". It is a political piece of information. It should not be paid for by the taxpayers of Canada.

Why is the member denying the fact that there are ample examples of unethical behaviour by the Conservative government? Canadians do not deserve it.

Mr. Tom Lukiwski: Mr. Speaker, once again the member for Mississauga South has underscored my argument that I made just a few moments ago.

Here is a member standing up and accusing members on this side of the House of throwing mud on opposition members, when in fact the reverse is true. The member for Thornhill originally made an accusation that the Secretary of State for Multiculturalism was doing something unethical, when very shortly thereafter, it was discovered that the member who made the accusation was doing exactly the same thing the last time we heard a question from that member.

I think it just goes to show once again that Canadians, certainly members on this side of the House, do not need a lesson in ethics from anyone from the Liberal Party of Canada.

• (1920)

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 7:20 p.m.)

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