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OFFICIAL REPORT
(HANSARD)

Wednesday, April 16, 2008

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, April 16, 2008

The House met at 2 p.m.

Prayers

• (1405)

[English]

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

[Members sang the national anthem]

STATEMENTS BY MEMBERS

[English]

SENIORS

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, by any measure, Canada is the best country in the world. Canada's many blessings are not here by accident, but have been earned by the hard work of previous generations.

I wish to take a moment to acknowledge one of my constituents who exemplifies the many sacrifices necessary to ensure Canada remains strong and free.

Mr. George Waters was born on Dominion Day, July 1, 1919. He signed up to serve his country in April of 1941 and did so proudly as a Flight Lieutenant with the Royal Canadian Air Force Bomber Command. He served his country and community again for almost twenty years as a school board trustee. Mr. Waters is the only person I know who votes in elections in a school named after himself.

The kids at George Waters Middle School and every other school in the country owe the seniors of Canada their every today and their every tomorrow. To the seniors of Charleswood—St. James—Assiniboia and seniors right across the country, let me express very heartfelt and humble thanks.

* * *

DONALD C. MACDONALD

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, it is with great affection and respect that I rise today to honour Donald C. MacDonald, who passed away recently at the age of 94.

Donald MacDonald was an elected member of the Ontario legislature for nearly 30 years and led the provincial CCF party through its early evolution to become the New Democratic Party of Ontario. As leader of the NDP, he focused his generosity and intelligence toward the formation of grassroots community organizations of health, social well-being and education.

Donald was the guiding spirit for indispensable multi-service agencies such as the Learning Enrichment Foundation and York Community Services, which support new immigrants, the disadvantaged and a more inclusive society.

There is not much any of us can do about death. However, we are all given the opportunity to do something with life. Donald will be remembered for living long, living well and living to better the lives of others.

I am confident that all in this House will join me in sending our condolences to Donald's wife, Simone, and his three children and six grandchildren as we celebrate the life of Donald MacDonald.

* * *

[Translation]

MARC-ANTOINE LATULIPPE

Mrs. Ève-Mary Thaï Thi Lac (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, on April 7, when he was riding his bicycle near the Rivière Noire, Marc-Antoine Latulippe, an 11-year-old from Roxton Falls, disappeared after he presumably fell into the water. Yesterday we learned that the body of the young boy had been found, bringing over a week of tireless searches to an end for his parents, friends and loved ones. Although it must be a relief to have an end to this nightmare, we can only imagine the immense pain that has taken its place.

I would like to say that my thoughts, and those of my colleagues and fellow citizens, are with the parents and friends of Marc-Antoine Latulippe, and we are thinking of you during this difficult time. I would also like to thank all the police officers and volunteers who helped with searches.

On behalf of myself and my Bloc Québécois colleagues, I offer my sincerest condolences to the family and friends of Marc-Antoine.

Statements by Members

[English]

EQUALITY DAY

Mrs. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, tomorrow we will celebrate Equality Day. Equality Day marks the coming into force of the equality provisions in the Canadian Charter of Rights and Freedoms on April 17, 1985.

Thousands of women, including NDP MPs Pauline Jewett and Margaret Mitchell, fought for women's inclusion in the charter.

The equality provision, section 15, sets out four kinds of protection: equality before and under the law, and equal benefit and protection of the law, on seven grounds, including sex.

While women in Canada may have achieved equality in law, they still have not achieved equality in practice. After 23 years, women deserve better.

The Conservative government is irreversibly changing the course of women's equality in Canada. The NDP has put forward a Fairness for Women Action Plan. I would ask the government to adopt these recommendations so that women will achieve equality once and for all.

* * *

CHIEF OF THE DEFENCE STAFF

Mr. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, on the occasion of his retirement I want to honour General Rick Hillier for his tireless work in rebuilding our armed forces, his fearless dedication to the men and women in uniform, the pride he has helped instill in all Canadians, and his eternal optimism as a Leafs fan.

General Hillier is a soldier's soldier first and foremost. I know that the men and the women of the forces will miss him. He spoke out for the needs of every soldier on the line and worked tirelessly with our government to ensure those soldiers, sailors, airmen and airwomen were equipped with the tools they so badly needed after, as he so accurately put it, "a decade of darkness".

Today, the level of respect and pride our citizens have for the Canadian Forces and the recognition for excellence around the world are in no small part due to General Hillier's revitalization of our military and the dignity of those who choose to serve.

That the overpasses along Highway 401 in Ontario are filled with ordinary people standing there just to pay their respects to our fallen soldiers is an incredible testament to the place of honour our military has today.

General Hillier, for your dedication and leadership, your country and this airman thank you.

* * *

● (1410)

ABORIGINAL AFFAIRS

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, last weekend I visited Cecilia Begg of the KI6, the imprisoned leaders of Kitchenuhmaykoosib Inninuwug. The five men are in a Thunder Bay jail and she is in a Kenora jail.

Cecilia is peaceful and brave and feels that this protest is integral to her role as a mother and grandmother and as a steward for future generations. She believes her community must have a decision making capacity in its traditional territory.

Chief Morris said: "We want the right to say yes or no to development. That's what the treaty relationship is all about. We're seeking to correct that".

Grand Chief Stan Beardy of the Nishnawbe Aski Nation stated: "This nation to nation relationship has become completely inequitable. There is no benefit for first nations in these federal budgets. That is inequitable. We too want a positive future. Our ancestors did not sign treaties to have their children and grandchildren live as dependants and in dire poverty".

The federal government is neglecting its role in the duty to consult. The government cannot off-load it to third parties.

I was honoured to meet Cecilia Begg, who said: "I'm not alone. I have the prayers of the people with me".

* * *

MILAD AL-NABIY

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Mr. Speaker, recently Muslims around the world celebrated Milad al-Nabiy, the anniversary of the birth of the prophet Muhammad, which is one of the largest celebrations of the Islamic calendar.

Muslims celebrate the prophet's birth, life and teachings with prayers, readings from the Quran, feasts, good deeds and compassion toward the poor.

To mark this celebration, the Ismaili community of Ottawa is hosting an event featuring Dr. Ali Mazrui, who is the Albert Schweitzer Professor in the Humanities and Director of the Institute of Global Cultural Studies at Binghamton University.

Dr. Mazrui has been involved in a number of UN projects and is also internationally consulted on Islamic history and culture.

Dr. Mazrui's keynote address, entitled "Prophet Muhammad as the Founder of a New Civilization", will highlight the rich history and tradition around this world celebration.

On behalf of the Government of Canada and all members of this House, I would like to welcome Dr. Mazrui to Canada and extend best wishes to my brothers and sisters celebrating Milad al-Nabiy.

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[Translation]

PIERRE LAPOINTE

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, we were saddened to hear of the passing of Pierre Lapointe. He died of cancer on Saturday. A city councillor in Montreal, Pierre Lapointe left his mark as a man who was committed to his community and concerned about the quality of life of his fellow citizens.

Mr. Lapointe, a former diplomat and former chairman of the Immigration and Refugee Board, made the switch to municipal politics in 1997. He had been working with Gérard Tremblay's team since 2003. He was also a member of the board of directors for both the Société de transport de Montréal and Ahuntsic-Cartierville's Corporation de développement économique communautaire. According to his colleagues, this community builder always made every decision with compassion.

My Bloc Québécois colleagues and I offer our sincere condolences to his sister, Lisette Lapointe, to his partner, Sylvie Lamothe as well as to all his friends and colleagues.

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[English]

GOVERNMENT POLICIES

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, Canadians work hard. They pay their taxes and they play by the rules. They have real issues they care about and they expect their government to take real action.

Our Prime Minister and our Conservative government get that, and Canadian families are seeing real results from our leadership.

Our government is making day to day life more affordable for Canadians through tax refunds to individuals and families.

We are acting to keep our communities safe by passing the most comprehensive anti-crime bill in Canada's history: the tackling violent crime act.

We are acting to protect Canadians' health and well-being.

Let us contrast this with the lack of leadership Canadians see when they look at the so-called official opposition. That party and its leader take a stand and then back down. The Liberals criticize and complain and then support our government. The Liberals have no policy on issues that matter the most to ordinary Canadians.

Instead, the Liberals focus on imaginary scandals and phony controversy. Canadians are not fooled.

* * *

MEMBER FOR NEPEAN—CARLETON

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, it has become obvious that not only the opposition parties have become ashamed of the behaviour of the member for Nepean—Carleton.

Last week, he recklessly blamed the Liberals in the Senate for delaying Bill S-225 on terrorism, but let us hear what others have to say.

Here is one quote: "It is entirely incorrect and inappropriate for that member in the other place to claim that the Liberal-dominated opposition was blocking" Bill S-225.

A further quote states: "The workings of this chamber are not always understood by others, including parliamentarians who should check their facts before speaking on procedural matters".

Statements by Members

Yet a further quote states: "I repeat that there was no undue delay on this bill, regardless of whatever knee-jerk reactions may have been seen in the other place".

Who am I quoting? Who offered such a scathing indictment of the member for Nepean—Carleton? No less than the deputy leader of the Conservative government in the Senate.

* * *

● (1415)

[Translation]

THE BLOC QUÉBÉCOIS

Mr. Luc Harvey (Louis-Hébert, CPC): Mr. Speaker, once again, the Bloc is going through an existential crisis. Some members of the party are leaving to rejoin the Parti Québécois, and others are wondering what good they can do as members of a party that will always be in opposition. Despite that, the member for Québec continues to claim that she is improving Canadian federalism.

First it was PQ militants from Chutes-de-la-Chaudière, and now it is writer and ardent sovereigntist Victor-Lévy Beaulieu's turn to beg members of the Bloc Québécois, especially their leader, to return home.

More and more Quebeckers are wondering about the Bloc Québécois' record over the past 18 years—yes, it has been 18 years. As it turns out, the Bloc's record is basically a blank page, because the PQ no longer dares mention a referendum, and because under the Conservatives, the country is united and Quebec is getting stronger.

I invite the members of the Bloc to recognize that just being here is not enough and that the words "take action" will never be part of their vocabulary.

* * *

[English]

BILL DANCE

Hon. Bill Blaikie (Elmwood—Transcona, NDP): Mr. Speaker, last week was a sad week for Transcona and the larger community of railroaders in Winnipeg and across Canada. Hundreds of people gathered last Friday to mourn the sudden passing and to celebrate the life of Bill Dance, who died one day after his 55th birthday and only a short time before he was to receive his first pension cheque, after 39 years of service as a conductor.

Bill was the treasurer of UTU Local 1874 for 30 years, served on numerous committees and, as the auditor for Canada of the UTU for CN and CP, was very helpful to many locals across the country. He was a great friend and supporter of the cause of working people, and I personally will cherish many fond memories of working with him on issues of mutual concern and in various election campaigns.

To his fellow railroaders, to his wife Pat and his children, Leila, Twila and Corey, and particularly to his grandson, Braeden, who was with him when this tragedy occurred, I offer the hope that the memory of a good and faithful life that many will always be grateful for will be of comfort in the days and years ahead.

*Oral Questions***THE PRIME MINISTER**

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, yesterday's RCMP raid on the Conservative Party was not the first time the Prime Minister has had trouble with election laws.

In 2005 the Prime Minister broke election rules by donating more money than was legally allowed to the Conservative Party. The Conservative Party had to refund the money to the Prime Minister so he could avoid prosecution.

What is it about this country's election laws that the Conservatives cannot live with? The Prime Minister has never found an election law that he did not want to change, circumvent or ignore.

Years ago he launched a legal action against the nation of Canada to help right wing groups get around election laws. Now he is doing it again and the taxpayers of Canada are paying to defend Elections Canada.

Instead of going to war against election laws and the people who enforce them, why does the Prime Minister not just try playing by the rules like everyone else?

* * *

[*Translation*]

THE QUEBEC NATION

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, when it comes to recognizing the Quebec nation, the Conservatives have shown that they have no political will to go beyond recognition on paper. That is why the Bloc Québécois is launching a huge campaign throughout Quebec to increase pressure on the Conservatives, raise public awareness and thus produce real benefits for the Quebec nation.

We demand that the government respect the French language and comply with Bill 101 by amending the Official Languages Act and the Canada Labour Code, which contradicts the Charter of the French Language.

We demand that the government respect Quebec's culture, because efforts to promote our culture conflict daily with the federal government's determination to impose a cultural policy that does not recognize Quebec's culture.

We demand that the government respect Quebec's identity, which is the antithesis of multiculturalism, a concept that rejects the idea of a common culture and promotes the coexistence of many segmented, ghettoized cultures.

If these demands are not met, Quebecers will understand that the Prime Minister's open federalism and his recognition of the Quebec nation are nothing but duplicity and hypocrisy.

* * *

CONSERVATIVE PARTY OF CANADA

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, yesterday, the Royal Canadian Mounted Police searched the headquarters of the Conservative Party of Canada.

Was it to get to the bottom of the matter of influence peddling involving the Minister of the Environment during the last municipal

election in Ottawa? After all, his accomplice, Ottawa mayor Larry O'Brien, has already been criminally charged. But, no, not this time.

Was it to uncover the offer made to the late Chuck Cadman to try to influence his vote? The Prime Minister refuses to say what kind of financial considerations were offered by his party representatives. Trying to buy a member's vote is also a criminal offence, after all. But, no, not this time.

Apparently, what drew the RCMP to the Conservative head office—this time—was the Conservative election financing scam during the last election, the in and out scandal. This will be interesting to watch.

* * *

● (1420)

[*English*]

GOVERNMENT POLICIES

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): Mr. Speaker, I am pleased to rise today on behalf of my constituents and thank them for electing our Conservative government.

The Liberals have no policy, no vision for the country, no leadership, just imaginary scandals not based in reality. They continue to flip-flop on everything, putting forward no plan.

Just this week alone, we have delivered on more of our commitments. We tabled the new Canada consumer product safety and introduced amendments to the Food and Drugs Act to address product safety issues and gain consumer confidence and legislation to tackle crime related to auto theft to put thieves out of business.

We have a continued commitment to immigration. We value the contribution newcomers have made in building Canada. We want more newcomers to join us, to be reunited with their families and to become successful Canadians.

On this side of the House, we are standing up and being counted. Canadians can rest assured that our Prime Minister and the government will continue building a better Canada.

ORAL QUESTIONS

[*English*]

ELECTIONS CANADA

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, yesterday the Prime Minister's answers about the RCMP raid, which is still going on today, simply did not make sense.

If the Conservative Party provided all the information requested by the Elections Canada commissioner, then why did the RCMP need a search warrant? Explain that to Canadians.

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I have said already many times and has been known for some time, the Conservative Party of Canada has initiated a legal action involving Elections Canada. This is a legal matter between Elections Canada and the Conservative Party.

Today we were scheduled to actually examine officials from Elections Canada. Obviously yesterday's event has delayed that, but the process will at some point resume and will be heard and resolved in court, where it is appropriate to do so.

[*Translation*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, search warrants are not issued frivolously in Canada. A judge has to be convinced that there is good reason to believe that an illegal act may have been committed.

Let me ask the Prime Minister the question again. Why did the RCMP have a search warrant? Why are the RCMP searching the Conservative Party headquarters as we speak? Why was a search warrant issued? The Prime Minister knows the answer and he must give that answer to Canadians. What are the Conservatives hiding?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it was the Conservative Party who initiated this lawsuit. We are very confident about our position. In fact, today we were scheduled to examine the officials from Elections Canada, but that will happen at a later date. We remain very confident about our legal position.

[*English*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, the Prime Minister said that he was confident he did not break donation laws at their Montreal convention in 2005. He was proven wrong.

He said that he was confident in his case against Allan Ridell, the candidate his party dropped in Ottawa South. He was proven wrong.

How can he expect anyone to believe him when it is so clear that once again, in the last election, he broke the law with his in and out scheme?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, those allegations are completely untrue, just as allegations made against the Minister of the Environment and the OPP were completely untrue and just as allegations made against Mr. Soudas were completely untrue.

What we have is—

Some hon. members: Oh, oh!

•(1425)

The Speaker: Order, please. We will have some order. The question was asked by the Leader of the Opposition and the Prime Minister is attempting to respond and he is entitled to be heard. We will have some order please.

Right Hon. Stephen Harper: Mr. Speaker, with the support, or at least the complicity of the Liberal Party, this government has managed to do a number of things for the benefit of Canadians, whether we are talking about the budget, whether we are talking about the criminal justice agenda, whether we are talking about moving our environment plan forward, defence, or foreign affairs.

The Leader of the Opposition has lost ground. He has thrown away his ground on all his issues. Now he is just throwing mud.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, when the RCMP showed up at Conservative Party headquarters in bulletproof vests and carted away a truckload of documents, the government tried to pass it off as—

Some hon. members: Oh, oh!

The Speaker: Order, please. Perhaps we can all calm down. I know it is Wednesday, but we do have question period here. The hon. member for Etobicoke—Lakeshore has the floor and he will want to continue with his question.

Mr. Michael Ignatieff: Mr. Speaker, when the RCMP visited Conservative headquarters, the government tried to pass it off as a friendly visit. The RCMP was executing a search warrant. That is called a raid.

Then, Conservative spinners tried to call the raid “intimidation and a PR stunt”. Actually, Elections Canada was just doing its job.

What does this say about the Prime Minister's character?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, on the subject of bulletproof vests, I do not want to comment on the leader's attire for Liberal caucus meetings.

However, I am comfortable telling the House that the dispute we are talking about is one between the Conservative Party and Elections Canada. The position of Elections Canada in this dispute is that Conservative candidates are not permitted to campaign promoting our national leader and our party policy.

We happen to think that is an absurd position. We further think it is unfair that it is an interpretation that applies only to Conservative candidates and not to those of other parties equally. That is why we took Elections Canada to court, and that is what this is all about.

[*Translation*]

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, that answer illustrates this government's contempt for Elections Canada. This is indefensible.

This disdain for Elections Canada is on par with their contempt for our national institutions such as the Canadian Nuclear Safety Commission, the Military Police Complaints Commission of Canada, and now Elections Canada. This government is trying to undermine our country's independent institutions.

Why is this Prime Minister refusing to respect the independent institutions of our—

The Speaker: The hon. Leader of the Government in the House of Commons.

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I understand why the member for Etobicoke—Lakeshore raises this issue. It is a terrible thing for someone to take on Elections Canada, which is what the member for Toronto Centre just did with his lawsuit against Elections Canada.

Oral Questions

Do members know what that member proved? He proved that Elections Canada's interpretation was wrong. He received \$50,000 as a result of that, as did the member for Etobicoke Centre. I will bet they are pretty happy that Elections Canada lost that one.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, yesterday, the Prime Minister tried to downplay the RCMP search of his party's headquarters. He even questioned the impartiality and autonomy of Elections Canada. With his arrogant replies and his attacks on this democratic institution, the Prime Minister reminds me of Jean Chrétien, the former Prime Minister of Canada, who had no scruples about attacking Justice Gomery's credibility during the sponsorship scandal. The Prime Minister is behaving in the same way, as his reform background comes to the fore.

Will the Prime Minister admit that, beneath his veneer of transparency, he is trying to control everything and even conceal the truth?

• (1430)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it was the Conservative Party that initiated legal action against Elections Canada. From time to time there are disputes between the parties or members and Elections Canada about the interpretation of the law. Those disputes are best settled in the courts.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, to hear the Prime Minister talk, one would think the Conservatives were searching their own headquarters. Nevertheless, it has been quite a week. On Monday, in Winnipeg, the Prime Minister took aim at car thieves. On Tuesday, in Ottawa, police raided his party's headquarters.

If the Prime Minister is sincere and really has nothing to hide, why does he not release the search warrant the RCMP produced to search his party's headquarters? He has it and knows what it says. If he is so transparent and has nothing to hide, he should tell us what the warrant says. He is supposed to be the transparent prime minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it was the Conservative Party that began the legal proceedings. By nature, these proceedings will be public. I therefore expect that all the facts in this dispute will be made public. That is why we chose this way of resolving this problem.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, to downplay their election tricks, the Conservatives have the nerve to say that all parties cheated as they did. There is nothing further from the truth. The Conservatives are the only party whose returns are being challenged by Elections Canada. As proof, only the Conservative Party offices were searched by the RCMP.

If the Conservatives had handed over all the documents requested by Elections Canada, as they claimed, then why did the RCMP raid its offices?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, it is the different treatment of the parties that is the problem. Elections Canada's position is as follows: Conservative candidates are not permitted to promote the policies of our party and of our leader. We feel that is absurd. Furthermore, we believe that it is

unfair that this interpretation applies only to Conservative candidates. This demonstrates that the parties are not treated equally. That is why we are taking Elections Canada to court.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I would like to now list the Conservatives' election tricks. They are filibustering the Standing Committee on Procedure and House Affairs, refusing to cooperate with Elections Canada, attacking its credibility, and attempting to evade the issue. This reminds us of the National Citizen Coalition attacks against the limit on election expenses.

If the Prime Minister wishes to show good faith and transparency, why does he not immediately produce the search warrant in this House?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the search warrant is a matter of a legal proceeding and we will let the legal proceeding unfold where it will.

The concern for us is that there is a treatment for the Conservative Party that is different from that of all other parties, which is the absurd proposition that we cannot promote as candidates in our ridings our national leader and our party policies. That is a position that is contrary to every fundamental principle of democracy. Every fair-minded Canadian would see that as unreasonable.

Most unreasonable is the fact that the interpretation by Elections Canada only applies to the Conservative Party, which is why we have taken it to court.

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[*Translation*]

GASOLINE PRICES

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, gas prices in Canada have hit a new high. Individuals and families are suffering, and families are even finding that the cost of food is increasing because of this problem.

What is the Conservatives' solution?

A new report from KAIROS shows that the government is providing an additional \$1.5 billion in funding for the big oil companies operating in the oil sands.

Why does the Prime Minister choose his friends, the major polluters and major profiteers, over the families that are suffering because of high gas prices?

• (1435)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government removed funding and tax incentives for this sector in the 2007 budget. I am disappointed that the NDP voted against the interests of Canadian taxpayers and consumers.

*Oral Questions**[English]*

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, I would simply suggest that the Prime Minister read his own government's briefing documents on the subject, which were revealed in a report tabled by KAIROS today, showing that this year an additional \$1.5 billion will go these big polluting companies developing the oil and tar sands.

It is time the Prime Minister rose in the House and told Canadians the truth about what is going on. He has chosen his friends, the big profiteers, the big oil and gas companies, instead of helping out ordinary families that are trying to get by, buy a little gas at a fair price and get some food at a fair price. The Prime Minister should stand and tell the truth.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it is time the leader of the NDP told the truth, especially when, in budget 2007, this government put in measures to remove the special incentives and subsidies for the oil sands and, in fact, to replace them specifically with incentives for green technology development, and the NDP voted against the interests of the environment, voted against the interests of consumers, voted against the interests of taxpayers and voted to keep these subsidies. That is what the NDP did.

* * *

ELECTIONS CANADA

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, it is not just Elections Canada saying that the Conservatives cheated in the last election. Their own candidates from across the country are saying that too.

Jean Landry, their candidate in Richmond—Arthabaska, said that his campaign was forced to process \$26,000 through this scheme. Mr. Landry said, "The Conservative Party called me to tell me not to talk to Elections Canada again".

Is that what the Prime Minister means when he says that they cooperated fully with the Elections Canada Commissioner who the Conservatives appointed?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, as indicated previously, we have provided all documents that Elections Canada has asked for in this regard before yesterday's extraordinary and unusual action.

In terms of our spending practices, I would like to quote Duff Conacher of Democracy Watch, who was on CTV today. He said, "The Conservatives did something in the last election that all parties have done for years. That's legal, and parties can donate as much as they want to a local candidate and often do to candidates that don't have a lot of local support and can't raise money on their own. And then what happens is those candidates use some of that money to buy materials for national headquarters, like pamphlets, signs, platforms to hand out to people. That's all—"

The Speaker: The hon. member for Notre-Dame-de-Grâce—Lachine.

[Translation]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, former candidate Jean Landry was forced to

help the Conservatives cheat in the last election. He said that there was an amount of money for the in and out scheme.

Mr. Landry also said that he was told the money was meant to be used for his advertising, but that instead it went towards national advertisements.

Are the Conservatives now going to accuse their own candidates from the 2006 campaign of creating a bogus scandal?

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, our election spending practices comply fully with the law. Other parties do exactly the same type of spending. In fact, in the last election, the Liberal Party did grouped regional advertising, the same thing, and it even has an approach where the national campaign provides nationally produced advertising brochures and materials to local candidates who actually need to sign over their Elections Canada rebates to the central party.

It sounds like in and out and it sounds like back and forth but, guess what? It is exactly the same as what we do and we actually think it is legal.

Hon. Garth Turner (Halton, Lib.): Mr. Speaker, when police raided the Conservative Party headquarters yesterday looking for evidence of election fraud, there was one name they left without having in their files and that was mine.

As a Conservative candidate in 2005, I refused to take part in an election scheme designed to break the law and rip off taxpayers. My campaign team—

Some hon. members: Oh, oh!

Hon. Garth Turner: My question is for the Prime Minister, Mr. Integrity. If what he did was legal in the last election, will he be doing the same thing this time?

● (1440)

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I thank Mr. Integrity for his bold stance some two and a half years after the event in question. This is the same fellow who said that anybody who ever crossed the floor should go to the people for ratification of that decision.

There will be another round of by-elections. We would be happy to accommodate him if he wants to put his integrity to the test of Canadians and voters in Halton.

Hon. Garth Turner (Halton, Lib.): Mr. Speaker, the government claims that this historic raid was no big deal, just the result of a civil lawsuit. However, never before have 66 candidates, many of them obedient, pliant, silent members of Parliament, ever been indicted by the Chief Electoral Officer of Canada.

The Conservatives say that it was an imaginary raid. Were the police imaginary?

Oral Questions

Could the Prime Minister confirm that the RCMP shut down the Conservative Party's central computer yesterday to find out what was there and what had been deleted?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, all of our practices entirely follow the law. We share some of the concern of the hon. member. We do not know why any search by Elections Canada was necessary because we provided every document required.

I am also given pause to wonder why it was that the Liberal Party of Canada just happened to be on the scene, camera crew at the ready. That is an interesting question to ask.

* * *

[Translation]

AFGHANISTAN

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, in October 2007, the Minister of Foreign Affairs said that the situation in Kandahar had improved significantly, but earlier this week, he said the opposite, adding that "The president will have to decide about the governor's future. Is he the right person at the right place at the right time—?"

Can the minister explain these contradictions and what he meant by his remarks so that we can understand what he was thinking?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, I am a great champion of human rights in Canada and Afghanistan. This party, this government, is fighting for good governance in Afghanistan. We are doing so because of UN resolution 1806, which asks countries and the international community to help improve governance to "combat corruption, in particular at subnational level, and to promote development initiatives at the local level".

That is what we are doing in Afghanistan. I would like the Bloc Québécois to support us in our efforts to help the Afghan people.

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, unfortunately, the minister is not doing things the right way. In addition to having burned diplomatic bridges, the minister handcuffed President Karzai. Dismissing the governor of Kandahar right now would give people the impression that the Afghan president is heading up a puppet government.

Is the Prime Minister aware that looking like the puppet of the Canadian Minister of Foreign Affairs, whose most conspicuous activity during a recent visit to Afghanistan was handing out Jos Louis cakes, does not come across as particularly glorious?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, instead of indulging in partisan politics, my Bloc Québécois colleague should do what we on this side of the House are doing and help the Afghan people achieve better economic development, good governance, a stable government and improved security in Afghanistan.

But no, the Bloc Québécois is doing what it has always done for the past 18 years: speak out against everything happening here in Canada. The Bloc does not want to help the Afghan people build better lives for themselves.

JUSTICE

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, Conservative Bill C-484 is creating some serious concerns in Quebec. The Fédération des médecins spécialistes du Québec, the Fédération des femmes du Québec and the Confédération des syndicats nationaux are speaking out against this bill that would throw open the door for the recriminalization of abortion.

Instead of hiding behind false pretenses and saying that it is a free vote, will the Minister of Canadian Heritage, Status of Women and Official Languages finally assume her responsibilities and defend women so that this regressive bill will never pass?

• (1445)

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, for umpteen days we have been getting this question from the Bloc Québécois on this private member's bill. It is up to each member to decide how he or she wants to treat the bill.

I am happy if the Bloc Québécois members have finally discovered some justice issues. I want to get their help on ID theft, auto theft and drug bills. Where is their position on those? Let us hear it from them.

[Translation]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, Pro-Life is boasting that Bill C-484 is a triumph that could recognize fetal rights. It is very clear that the Conservatives' old reformist slant is resurfacing, and that it was with an eye to an election that the Prime Minister did not show up to vote on the second reading of this bill.

Why is the Minister of Justice allowing the debate about a woman's right to abortion to be re-opened via the back door and under false pretenses?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, maybe the hon. member missed this, but this is a private member's bill that has been debated in this House.

While I am on my feet, I would like to know where the Bloc Québécois stands on our drug bill. That has mandatory jail terms for people who import or export narcotics in and out of this country, and for people who want to sell drugs around schoolyards, and for people who want to get into the grow op business. I have not heard a peep out of the Bloc on this one. Let us hear it.

* * *

[Translation]

MINISTER OF THE ENVIRONMENT

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, the minister who introduced the accountability act was also the chair of the Conservative campaign in Ontario. While Morton Paulsen was under contract to the Friends of Science, he was also the spokesperson for that same minister during the last election.

Why did the Minister of the Environment give Mr. Paulsen access to the results of internal polls? Why did he allow him to pick the markets where Friends of Science commercials were to be aired?

[English]

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, I have never met Mr. Paulsen. I had never heard his name until yesterday.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, Friends of Science has admitted it was Mr. Paulsen, Barry Cooper's right-hand man, who planned the ad campaign and picked the five markets in Ontario while working for the minister on the Conservative campaign. They even bragged that these radio ads reached hundreds of thousands of people in ridings where they could influence the outcome of the election. In fact, they did.

Will Canadians have to wait until the RCMP comes knocking on the minister's door, or will he simply admit that Friends of Science act as an arm for the Conservative Party to break, yet again, campaign financing rules?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, until yesterday I was unaware of any radio ads. I have never heard of the Friends of Science, and I have never heard of Barry Cooper or Douglas Leahey.

What the Liberal member for Ottawa South is doing is saying things with which he has no ability to provide one ounce of truth to back them up. If he is so brave, if he is so convinced he has the facts, let him tender those facts outside of the House of Commons. Let him say exactly what he said here outside of the House of Commons. There is a reason why he will not, because it is not true and he knows it.

Some hon. members: Oh, oh!

The Speaker: Order. That question is over. We are moving to the hon. member for London West now. She has the floor. Order.

Hon. Sue Barnes (London West, Lib.): Mr. Speaker, we have heard reports that a Canada Revenue Agency investigation is ongoing into whether the Prime Minister's friend and adviser, Barry Cooper, misused the University of Calgary's charitable tax status by engaging in partisan activities in election advertising.

I ask the revenue minister, who was heading up the investigation? When does he expect it to conclude, and will the conclusions be made public?

Hon. Gordon O'Connor (Minister of National Revenue, CPC): Mr. Speaker, I am not aware of any investigation.

Hon. Sue Barnes (London West, Lib.): Mr. Speaker, Friends of Science helped the Conservatives by launching an anti-Kyoto PR campaign on the very same day that the former Liberal government's project green was announced.

Now we learn through this week's release of the Calgary University's audit services report that they also worked with the Conservatives in the last election through the potentially illegal third party advertising during an election, an advertising campaign that hit Ontario.

Oral Questions

Given that the revenue minister may be among those who personally benefited from these questionable ads, has the minister recused himself from any of his department's—

• (1450)

The Speaker: The hon. Minister of the Environment.

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, this is a very sad day for Canada. Members of the Liberal Party have exposed just how bankrupt intellectually they are—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. Minister of the Environment has the floor, notwithstanding all the applause. Order.

Hon. John Baird: Mr. Speaker, the Liberal Party of Canada is intellectually bankrupt. The Liberals have no policies for this country. They have no vision. They are providing no leadership and no agenda for the future.

Those of us on this side of the House are working to improve health care, build a strong economy, fight crime and we are getting the job done. That is why they support us each and every day to allow us to stay in government.

* * *

CANADIAN FORCES

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, yesterday General Rick Hillier announced he will step down as chief of defence staff as of July 1 of this year.

In his 30-plus years of service, General Hillier demonstrated his dedication to the men and women of the Canadian Forces and made a great contribution to the rebuilding of the pride of serving in Canada's armed services.

His retirement leaves an opening for the military's top position. Can the Prime Minister explain how the government plans to proceed in selecting a new chief of defence staff?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, first I thank the hon. member for the question and I would like to repeat what I said yesterday. General Hillier has provided strong and remarkable leadership for the military during a period in which it has been rebuilt. He has left it a much stronger institution than when he found it.

He has also left us with a strong cadre of senior officers from which the government will consult and will ultimately pick a successor. We look forward to seeing an even stronger Canadian Forces in the future.

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ELECTIONS CANADA

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the Conservative Party set up an elaborate scam to circumvent the election financing rules of Canada and when it was caught, it tried to intimidate Elections Canada into backing down. It has obstructed, defied and made a mockery of attempts by this Parliament to get to the bottom of it, but most shocking of all is the contempt the Conservatives are showing for the RCMP. Yesterday's raid was not a publicity stunt, as the government claims. It was a serious police action.

Oral Questions

When will the government stop defying the political and legal institutions of this country and admit that it broke the election financing laws of Canada?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, as I have indicated several times, our dispute with Elections Canada is a disagreement over the interpretation of the elections law. Elections Canada takes the somewhat unusual position that local Conservative candidates cannot promote in their advertising their national leader or national policies.

We think that is absurd and we do not think that is fair, because in the last federal election, if one were driving around the greater Toronto area, one would have seen everywhere NDP signs outside of the NDP leader's riding of Toronto—Danforth, all of which had the NDP leader's name on it, all outside that riding. That is the exact same principle at work.

We do not see anything wrong with that. We think it is legal. We think all—

The Speaker: The hon. member for Timmins—James Bay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, elections financing rules are a fundamental cornerstone of a legitimate democratic process. They are there to ensure that some party cannot come along and buy an election.

The Conservative Party jugged the rules and when it was caught, it tried to intimidate officials. The Conservatives promised the Canadian public that they would set a higher bar than the corrupt, old Liberals and they are no bloody better.

Why is it that average Canadians play by the rules and that party refuses?

The Speaker: I would urge the hon. member to show some restraint in his use of language. There is no use getting into other things than intestinal fortitude here.

The hon. government House leader has the floor.

• (1455)

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, let us remember that this was a dispute initiated in the courts by the Conservative Party of Canada because of the unequal treatment of the Conservative Party compared with other parties, including the NDP, which engages in the transfer of funds between riding associations from its central party to assist in local targeted ridings. It has been going on for years. Duff Conacher said that on television. He said it is legal.

Parties can donate as much as they want to a local candidate and they often do that to candidates who do not have a lot of local support which, of course, happens with the NDP very often. We think that is perfectly fine. We just think every party should be treated the same. That is why we took Elections Canada to court.

[Translation]

AFGHANISTAN

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I have a question for the Minister of Foreign Affairs.

A few weeks ago, General Hillier said he thought the governor of Kandahar was doing phenomenal work. Those were his words. Yet the minister asked if the governor was the right person in the right job.

My question is very simple. Who is right: General Hillier or the Minister of Foreign Affairs?

[English]

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, the Liberal Party claims to speak for human rights. It claims to speak for good governance. It claims to speak against corruption. But in Afghanistan the Liberal Party does not stand up for the Afghan people, does not stand up for good governance.

You know what, Mr. Speaker? On this side of the House, what is good for Canadians is good for Afghans.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, it is an old trick: weak point, shout louder.

I have a very simple question for the minister. Does he not realize that there were diplomatic efforts to deal with the question of the governor of Kandahar? He himself had a private conversation with President Karzai about the governor of Kandahar.

Does the minister not realize that, in fact, he is making the fight against corruption, the fight against the mistreatment of prisoners more difficult by babbling in front of the media and putting public pressure on the government of Afghanistan and putting them in an impossible position? Does he not even understand what he has done? He does not.

[Translation]

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, here is what we are doing. We are implementing the motion the Liberal Party voted for in this House. The motion reads: “— the ultimate aim of Canadian policy is to leave Afghanistan to Afghans, in a country that is better governed—” That is what we are doing.

Why do we want Afghanistan to be better governed? In order to ensure that schools, roads and infrastructures can be built for the Afghan people.

I would like the Liberal Party to do more than simply vote with us on the motion, but also to help us create good governance in Afghanistan.

* * *

[English]

ETHICS

Hon. Ken Dryden (York Centre, Lib.): Mr. Speaker, day after day I have asked the Prime Minister to explain his own words. With his silence, I have tried to put together what is already publicly known, giving him every benefit of the doubt. But every scenario leads to the same place, trying to buy a vote to bring down a government.

Oral Questions

To the Prime Minister, it is time for an answer. Do not slink down. Look up. Stand up. Explain.

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, it is a little bit ironic to hear the member for York Centre asking other people to stand up in the House of Commons. He has not stood up on an important vote in this House of Commons in months and stood up for his constituents.

On this issue, the Prime Minister has been clear. He has answered this question and the accusations by the Liberals are entirely false.

Hon. Ken Dryden (York Centre, Lib.): Mr. Speaker, in his cartoon strip *Doonesbury* as day after day no answers came from President Nixon, Garry Trudeau began building a wall around the White House. With every week that passed, the wall grew higher and higher. For the Prime Minister, with every week that passes, the wall is growing higher and higher as he slinks lower and lower behind it.

To the Prime Minister, do not slink down. Look up. Stand up. Explain.

• (1500)

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, today actually marks an interesting moment because this is actually the 150th question on this very issue asked by the Liberals. They are 150 questions on something that did not happen, and they are 150 questions that they did not ask on the environment, on trade, justice issues, or farmers. They are 150 missed opportunities to do what the Liberals said they were going to do in the election campaign, which is to stand up and be a voice for their constituents.

The Liberal Party members would do very well to leave their fantasies, like their questions, back in the 1970s, look to the future, stand in the House of Commons, vote and ask questions that are of substance to the Canadian people.

* * *

[Translation]

JUSTICE

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, the National Parole Board has just released a drug trafficker sentenced to 50 months in jail after serving only two years. Because of the practice of giving double the amount of credit for time spent in custody awaiting trial, this trafficker is leaving jail almost one year before having actually served two thirds of his sentence.

Does the Minister of Justice intend to put an end to the double credit practice, which undermines the administration of justice, as demanded by the Bloc Québécois?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Finally, Mr. Speaker, a question from the Bloc Québécois on the justice agenda before Parliament. It has been a while.

I would ask the hon. member just to spend a couple of minutes to worry about the agenda that is presently before Parliament. The drug

bill that we have before Parliament has mandatory jail times for people who want to sell drugs to children, people who want to import and export narcotics, and people who want to get into the grow op business. How about a little bit of support on this before the next part of the agenda?

[Translation]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, the fact that inmates can be released almost automatically after serving only one sixth of their sentence is shocking for Quebeckers. The case of Hugo Bernier, who murdered Julie Boisvenu after serving only one sixth of his sentence, clearly illustrates the system's aberrations. The victim's father, Pierre-Hugues Boisvenu has spoken out against this situation.

Does the Minister of Justice intend to abolish accelerated parole review, which is undermining the justice system, as the Bloc Québécois has been demanding for many years, yes or no?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, this is amazing. This is the same political party that was supporting house arrest for arsonists and a whole group of people. When we needed their support on that, they were nowhere to be found.

I would like to ask them to get behind the auto theft bill, the ID theft bill, and the bill on drugs. Help get the agenda that is before Parliament right now before worrying about other things.

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CANADIAN WHEAT BOARD

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the government has demonstrated that it is willing to break the law with respect to the Elections Act and break the law with its attack on the Canadian Wheat Board. Now the Minister of Agriculture has shown in writing that he is prepared to break the law when it comes to the Privacy Act.

After being warned that his request would violate the law, can the minister explain why, in two letters, he demanded the board provide the names, addresses and specific commercial information about individual producers? Why the witch hunt on individuals?

Is there no law the government is not willing to break?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, unfortunately, everything the member for Malpeque said is not true.

The reality is, as the minister of record for the Canadian Wheat Board, I have the fiduciary responsibility to make sure that these pilot projects do not intrude on taxpayers' money and that they are effective in their delivery.

When I found out that only 25 farmers took part in this pilot, I thought it was a good opportunity to phone them all personally to find out what exactly worked, what did not work, and build a better mousetrap for the future. That is what we are trying to do.

*Points of Order***ABORIGINAL AFFAIRS**

Mr. Richard Harris (Cariboo—Prince George, CPC): Mr. Speaker, when most Canadians turn the water on to have a drink or for cooking, they are not really worried about their safety, but this is not the case with many first nations. There are still far too many communities with risky drinking water systems.

This is a critical issue for first nations and one they often identify as one of their top priorities. The current state of drinking water on reserves needs improving and it needs to be addressed now.

Could the Minister of Indian Affairs tell this House what our government is doing about this critical issue?

• (1505)

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, the current situation is unacceptable. That is why, since we have come to power, we have launched a water action plan in which we have cut in half the number of high-risk drinking water systems that we inherited from previous governments.

Our work is not done. That is why yesterday we announced a strategic investment in the new water and waste water action plan that will double the resources provided to improve training and technical skills to first nations water operators.

We are conducting a formal assessment of water systems in all first nations communities. We will work with first nations organizations to develop a legislative framework. Clean drinking water is important. This action plan will get it done.

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POST-SECONDARY EDUCATION

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, tens of thousands of ordinary Canadians are suffering a crushing burden of debt. Graduates continue to be exploited through the National Student Loans Service Centre. They have to contend with shoddy service, poor record keeping, an unwillingness to share information that would help them to repay quickly, and all of this at the hands of the U.S.-based company responsible for administering the program.

Can the minister tell us why he is allowing American companies to victimize Canadian graduates for the sake of the bottom line?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I am proud to say that in the last budget the government moved forward with transformational changes to student financial assistance, which will mean low and middle income Canadians will receive upfront cash grants when they are accepted for post-secondary education, whether at a university, college or technical school.

We have also made important changes to repayment assistance, which will ensure that vulnerable students who struggle to repay will not have to bear that burden for the rest of their lives. We got it done, but the NDP voted against it.

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, the government spent \$66 million last year on the National Student Loans Service Centre that offered no service, loses paperwork, and is causing untold headaches. There was \$18.5 million paid to collection

agencies, including the U.S. firm Resolve, which is paid only for the accounts it recovers. This means the longer they keep graduates in debt the more money they make.

Why does the minister continue to dole out contracts that allow companies to make money by keeping Canadian graduates in debt? When will he amend the contract to help graduates avoid financial problems?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the answer lies in the budget. It lies in the changes that we have made in student financial assistance. If the critic for the NDP would simply read the document, she would know that.

Instead, she gets up and pontificates on an issue on which we have already provided the answers. Again, the NDP gets up with all this rhetoric, and then turns around and votes against the very solutions that are necessary to fix the problem.

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[Translation]

POINTS OF ORDER

ORAL QUESTIONS

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, I rise on a point of order.

During oral question period, the hon. member for La Pointe-de-l'Île made comments that could be seen as insulting to Quebec and Canadian workers and consumers. I grew up in Sainte-Marie and we were very proud of the Vachon bakery. When we went abroad we would bring boxes of Vachon snack cakes with us and people were pleased to have them.

I would like to give my colleague, the hon. member for La Pointe-de-l'Île, the opportunity to clarify what she said and confirm that she is a proud ambassador of Quebec's products and Quebec's agri-food industry.

The Speaker: The hon. Bloc Québécois whip has the floor on the same point of order.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I rise on the same point of order. I believe the hon. member is getting things mixed up.

My colleague from La Pointe-de-l'Île does not want to ridicule workers in the agri-food industry, or the people at Vachon, or the people from Beauce. She simply wanted to ridicule the fact that the Minister of Foreign Affairs went to Afghanistan and handed out Vachon Jos Louis snack cakes. That was what my colleague was referring to. Instead of resolving real problems, he was handing out snack cakes. I believe the hon. member is getting things mixed up and that he did not understand.

● (1510)

The Speaker: The hon. member for Lévis—Bellechasse. However, I do not want a debate on this matter. This is simply a point of order and I believe I have heard about enough.

Mr. Steven Blaney: Mr. Speaker, I am very proud to live in Sainte-Marie. I have relatives and there are people here today who have worked at Vachon and they deserve some respect. We will defend them and represent them to the end.

The Speaker: Obviously this is a debate.

[English]

Mr. David McGuinty: Mr. Speaker, pursuant to the question I put today, I seek unanimous consent, once again, particularly at the request of the Minister of Public Safety, to table the special investigation report from the University of Calgary audit services, a 27 page report that goes into the details of what is clearly an advertising scam.

I seek unanimous consent, which was denied yesterday by government members, to table this very report.

The Speaker: Is there unanimous consent for the tabling of this document?

Some hon. members: Agreed.

Some hon. members: No.

Hon. Wayne Easter: Mr. Speaker, I have in my hands the exchange of letters between the minister and the Canadian Wheat Board, wherein the minister was advised his request was in violation of the Privacy Act, yet he wrote and demanded that information again, commercial confidential information.

I ask permission to table these documents in the House.

The Speaker: Does the hon. member have the unanimous consent of the House to table these documents?

Some hon. members: Agreed.

Some hon. members: No.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 66 petitions.

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INTERPARLIAMENTARY DELEGATIONS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the Canadian Parliamentary Delegation of the Canadian Section of the Inter-Parliamentary Forum of the Americas, FIPA, respecting its participation to the trade knowledge workshop and bilateral visit

Routine Proceedings

held in Port-of-Spain, Trinidad and Tobago and Bridgetown, Barbados from March 17 to 20.

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COMMITTEES OF THE HOUSE

STATUS OF WOMEN

Hon. Maria Minna (Beaches—East York, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on the Status of Women in relation to the gender budget.

The report deals with the government appointing an independent commissioner for gender budget analysis, immediately, to conduct a gender based analysis of governmental policies, including budget policies.

AGRICULTURE AND AGRI-FOOD

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Agriculture and Agri-Food in relation to the freight rates for grain and their impact on grain shippers and our great farmers.

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CRIMINAL CODE

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC) moved for leave to introduce Bill C-537, An Act to amend the Criminal Code (protection of conscience rights in the health care profession).

He said: Mr. Speaker, this conscience clause private member's bill would prohibit coercion in medical procedures that offend a person's religion or belief that human life is inviolable. The bill seeks to ensure that health care providers will never be forced to participate against their will in procedures such as abortions or acts of euthanasia.

Canada has a long history of recognizing the rights of freedom of religion and conscience in our country, yet health care workers and those seeking to be educated for the health care system have often been denied those rights in medical facilities and educational institutions. Some have even been wrongfully dismissed.

The bill would make those conscience rights explicit in law and would safeguard the fundamental human rights of health care workers.

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

* * *

● (1515)

PETITIONS

CRIMINAL CODE

Mr. Gord Brown (Leeds—Grenville, CPC): Mr. Speaker, during this National Victims of Crime Awareness Week, I am pleased to submit a large number of petitions signed by many people from across Canada in just a few short days.

Routine Proceedings

The petitioners urge the minister and the government to amend the Criminal Code of Canada and the Corrections and Conditional Release Act to stipulate that convicted murderers should only have parole hearings every five years after reaching their parole eligibility dates.

On behalf of the Gardner family, which is visiting Ottawa today, I am pleased to present these petitions for all victims.

JORDAN'S PRINCIPLE

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, I am pleased to present this petition on behalf of a number of Canadians from Winnipeg and Edmonton, who recognize that the right to health care for Canadian children should be universal.

The petitioners recognize that first nations children residing on reserve do not have the same access to health care services as all other Canadian children. They acknowledge that as a result of interdepartmental and interjurisdictional conflicts, critical health care services continue to delay and deny health services to first nations children.

The petitioners therefore call upon the Government of Canada to address this ongoing tragedy and adopt Jordan's principle, which would ensure that health services are provided to first nations children.

ORGAN DONATIONS

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am honoured to table a petition signed by over 1,600 Canadians, many from London, Ontario and the University of Western Ontario.

The petitioners are very concerned about flawed public policy on organ donations. They point out that the policy, which bans gay men as organ donors, is discriminatory and is based on outdated and incorrect assumptions about sexuality, sexual expression and disease, the acute need for organ donors and the fact that missed opportunities for transplants can cost lives.

They call for the immediate repeal of the regulations banning men who have sex with men as organ donors.

BANGLADESH

Hon. Maria Minna (Beaches—East York, Lib.): Mr. Speaker, I have two petitions to table today for my constituents in my riding with respect to Cyclone Sidr, which hit Bangladesh on November 15, 2007. The reconstruction from that major disaster will be \$2.2 billion.

The community asks that the government increase the amount of financial aid to the devastated area in Bangladesh, that it work with international partners and NGOs to ensure the aid is given to the regions that need it the most in the area and to expedite the family class applications from Bangladesh to reunite family members from Bangladesh with their families in Canada.

INCOME TRUSTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to yet again present an income trust broken promise petition on behalf of a number of constituents from my riding of Mississauga South.

The petitioners want to 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 the hard-earned retirement savings of over two million Canadians, particularly seniors.

The petitioners therefore call upon the government to: first, admit that the decision to tax income trusts was based on flawed methodology and incorrect assumptions as demonstrated in the finance committee; second, apologize to those who were unfairly harmed by this broken promise; and finally, repeal the punitive 31.5% tax on income trusts.

Hon. Jay Hill: More, more.

Mr. Paul Szabo: Mr. Speaker, in response to a request by the government whip and other members across, they have asked if I would please read the names into the record. I ask for the unanimous consent of the House to read the names of the petitioners on this petition to the House.

The Speaker: Is there unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

* * *

● (1520)

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Translation]

The Speaker: The hon. member for Richmond—Arthabaska on a point of order.

POINT OF ORDER

ROYAL RECOMMENDATION — BILL C-445

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I would like to correct an injustice or perhaps an error on the government's part. In response to the statements made by the Leader of the Government in the House of Commons and Minister for Democratic Reform when he rose on a point of order on Tuesday, April 8, 2008, I would suggest to the Chair that Bill C-445 does not require a royal recommendation.

It is important to understand that this bill amends the Income Tax Act to provide a tax credit to a taxpayer in respect of whom an employer and the employees failed to make the contributions required to be made to a registered pension plan. This bill seeks to help retirees who have lost retirement income.

According to a ruling by the Chair on October 16, 1995 about Bill S-9, a tax reduction would not contravene Standing Orders 79 and 80. The Chair at the time said this:

The bill will also have the effect of granting some tax relief retroactively and there may be some reimbursements payable for taxes paid under the law as it now reads, should Bill S-9 be passed by the House and receive royal assent.

The bill does not appropriate tax revenue, but rather exempts or reduces taxes otherwise payable, in some cases retroactively.

...

In conclusion, Standing Orders 79 and 80 have not been contravened, as Bill S-9 neither imposes a tax nor appropriates money for any purpose. Since the bill relinquishes funds it might otherwise have gained, it is not appropriating money but forfeiting revenue it would have raised without such changes.

It seems to us that this is the same, because it would reduce the tax revenues, as permitted by the Standing Orders. The Speaker will have to consider the fact that this measure seeks not to create a specific program to help workers who have lost their pension funds, but to enable citizens who have paid taxes their whole lives to benefit via tax credits.

This fiscal measure will result in a reduced tax burden on individuals whose retirement income was downsized because their retirement plan was in a deficit situation when the company that employed them ceased operations.

Take, for example, the 1,200 Jeffrey mine retirees in Asbestos, in my riding. Since February 2003, these retirees have lost no less than \$55 million from their pension fund and \$30 million in benefits. As a result, a retired worker who was supposed to collect \$30,000 can now collect only \$22,000. When my Bill C-445 comes into force, retirees will receive 22% of the \$8,000 lost, a \$1,760 tax credit.

I could also have talked about the workers at Atlas Steel in Sorel, who are struggling with the same problem.

If this bill is passed, all retirees who have been victims of this kind of situation will be able to get back some of the money lost as tax credits—that is important to mention. This will amount to reduced revenues for the state, not a new social program.

In conclusion, I am sure that this explanation will enable the Speaker to reconsider the need for a royal recommendation on Bill C-445.

Government Orders

Mr. Speaker, I have faith in your good judgment. I believe that you will come to an enlightened decision in favour of workers, justice and democracy.

The Speaker: I thank the hon. member for his comments on this matter. I will certainly consider everything he said and everything the other hon. members said about this. I will come back to the House soon with a ruling.

GOVERNMENT ORDERS

• (1525)

[English]

CONTROLLED DRUGS AND SUBSTANCES ACT

The House resumed from April 15 consideration of the motion 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.

Mrs. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, I am pleased to speak to Bill C-26, which deals with minimum mandatory sentences for drug crimes.

I would like to acknowledge the work of the member for Vancouver East who has been tireless on this issue on behalf of her constituents.

Bill C-26 is flawed and ineffective. Mandatory minimum sentences for drug crimes do not work. The approach outlined in Bill C-26 is unbalanced. The bill oversimplifies the issue and irresponsibly seeks only to placate Conservative voters.

There are better solutions to tackling the drug problem than mandatory minimum sentences, solutions that actually work.

Bill C-26 would move Canada toward a more expensive, failed U.S.-style war on drugs that spends tens of billions of dollars a year on enforcement and incarceration while drug use soars.

At the end of last year, an editorial on Bill C-26 in the *Ottawa Citizen* read:

More than half the people incarcerated in American federal prisons are there on drug charges, according to the U.S. Department of Justice, and about one-fifth of those in state prisons. This doesn't count people whose crimes were indirectly related to drugs, but it includes people jailed for life for possessing one marijuana joint. Nevertheless, the war on drugs rages on.

Canada's Conservative government is choosing to copy this strategy, which has been failing non-stop since prohibition. The reason Canada has drug addicts on its streets is supposedly because dealers are not going to prison for long enough, which is why the justice minister has a bill to make the Controlled Drugs and Substances Act harsher.

Government Orders

Judges have had the discretion to sentence drug criminals according to the evidence presented in their cases but now the justice minister wants to change that by imposing mandatory minimum sentences.

For instance, anyone dealing in marijuana would go to jail for at least a year if he or she did so in support of organized crime, that is, in a money-making enterprise involving three or more people. That covers just about all marijuana dealers who are, by definition, organized if they have one supplier and one customer. Most of the charges are like this.

Some drug users might be exempted from the minimums if they are diverted into special drug courts that focus on treating addicts. What about addicts who deal to support their habit and who cannot break the addiction despite treatment. Why? What they needs is more prison time, right? Actually, that is wrong. This is bad law in pursuit of bad politics based on non-existent science. Parliament should not go along with it.

As the editorial points out, the bill would do absolutely nothing to reduce drug consumption in our society. All we need to do is look to our neighbours to the south and its experience over the last 35 years. It is uninterrupted. Over that period of time, the United States has actively engaged in its so-called war on drugs but what do we have today? The production of drugs in the United States and around the globe has increased. The consumption of illegal drugs in the United States has also increased. Prison populations have more than doubled and, in some cases, tripled, in terms of the number of people incarcerated on drug charges. The cost of that war on drugs is up in the range of 10 to 20 times higher than previously, depending on which state in the United States we examine.

In the last few years, the United States finally recognized that its war on drugs was not working. Last year in Detroit, Michigan, the state legislature, which controls criminal law in the area of illegal drugs, began reducing the charges in cases where if people are convicted on drug charges they would have a mandatory minimum.

The state legislature did it for two reasons. I could be somewhat cynical and say that it was only because of how much it was costing and the rate of incarceration that was occurring in that state, but it also did it because it finally recognized that it was not working. We can go through at least half a dozen to a dozen states just in the last few years that have begun to drop mandatory minimums with regard to drug offences. There is no evidence that any form of a mandatory sentencing policy for drug offences works.

• (1530)

Former U.S. supreme court justice, William Rehnquist, noted:

These mandatory minimum sentences are perhaps a good example of the law of unintended consequences. There is a respectable body of opinion which believes that these mandatory minimums impose unduly harsh punishment for first-time offenders— particularly for “mules” who played only a minor role in a drug distribution scheme...

Mandatory minimums ...are frequently the result of [legislative] amendments to demonstrate emphatically that legislators want to “get tough on crime.” Just as frequently they do not involve any careful consideration of the effect they might have...they frustrate the careful calibration of sentences, from one end of the spectrum to the other...

In spite of those experiences in the United States and in spite of the Conservative government knowing about those experiences, it intends to copy that failed experiment.

Bill C-26 proposes an unbalanced approach to preventing drug offences.

In my riding, there is a different approach. London's community addictions response strategy cites that the cities around the world, which are making progress on this issue, are doing so by planning within the context of the four pillars model: prevention, harm reduction, treatment and enforcement.

Currently, the federal government spends 73% of its drug policy budget on enforcement and only 14% on treatment, 7% on research, 2.6% on prevention and 2.6% on harm reduction.

London's community addictions response strategy states:

Substance abuse is affecting London's health and well-being

How serious is the problem? Most people in Canada use substances, such as alcohol or drugs. For example, in the past year, about 1 out of every 7 Londoners exceeded low-risk drinking guidelines, 1 in 8 used cannabis, and 1 in 33 used an illicit drug, such as cocaine, ecstasy or methamphetamine. And these figures probably underestimate actual substance use. Not everyone who drinks alcohol or tries an illegal drug develops a substance abuse problem, but some do, including individuals from all groups within society.

Substance abuse is not a “downtown” problem, nor is it limited to the poor and homeless. It is, however, becoming an increasingly critical issue among London's poor and homeless populations. Health and social service agencies in London report relatively high rates of substance abuse among their clients. For example:

Ontario Works estimates that substance abuse is a barrier to employment for between 820 and 984 of its clients (10 to 12% of the caseload).

The city's shelter operators estimate that 40 to 60% of residents - or 350 to 525 people - have substance use or abuse issues.

About 40% of visits to the London Intercommunity Health Centre are substance related.

My Sister's Place provides services to 50 to 70 women, many of whom deal with addictions and/or mental health problems.

Between January and June 2000, London Counter Point Needle Exchange Program served 730 clients and distributed over 230,000 needles.

Addiction Services of Thames Valley serves between 1500 and 1700 clients each year.

Clinic 528 which operates a methadone maintenance program sees 900 clients per month.

London's homeless population is growing. In addition to local residents who [struggle with] life on the streets, we are a regional centre for mental health, justice and social services. Issues associated with release from provincial mental health facilities to “no fixed address”; criminal discharges to local emergency shelters; and the lack of appropriate social service and emergency shelter services in many southwestern Ontario communities result in an inward migration of the homeless to London.

Complicating this situation is the deteriorating health of the homeless. A growing number are presenting with multiple health challenges as a result of poverty, mental health and addiction, particularly [addiction] to alcohol and prescription painkillers. Local social service agencies are struggling to cope with this changing population. Faith based agencies are being forced to reconsider...core values about abstinence, in order to meet their mission of serving the most vulnerable in society.

Not surprisingly, drug trafficking to these vulnerable populations is a key contributor to the declining health of these individuals. In turn, those with addictions are forced to enter into illegal activities to support their habits.

Government Orders

Treatment programs are desperately inadequate. The waiting time in Ontario for a treatment bed is four months. My constituents deserve better.

• (1535)

The NDP thinks the bill sidesteps the real problems and ignores the real solutions. Bill C-26 would not solve the problems associated with illicit drugs. It is more about creating the illusion of action rather than a genuine effort to take positive steps.

If the government really cared about the vulnerable in our society, children in schools and those who are susceptible to the temptations of drugs and alcohol, it would bring back an affordable national housing program so the homeless and low income families would no longer face a lack of decent housing. A home goes a long way to providing the stability that makes drugs less attractive.

If the government cared about children, there would be a real, safe, affordable, regulated child care program, instead of the sham perpetrated against young families.

If the government cared about the welfare of our communities, it would ensure that those who lost a job or needed training were able to benefit from the employment insurance to which they have contributed, instead of stealing \$55 billion from that fund.

The Conservatives can cry crocodile tears for those in need but then give \$14.5 billion to profitable corporations and big polluters.

If the government truly cared, it would fund programs like the London community addictions response strategy. That is genuine action and it is time this country had something genuine from its government.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the member for London—Fanshawe has outlined so well the situation in her own community of London. She has demonstrated something very important, which is that the response to drug issues and substance use in our communities comes most effectively from the local communities.

It is the organizations on the ground that are dealing with harm reduction, treatment, education and prevention. Those are the organizations that are actually doing the most valuable work in dealing with this crisis we are facing in many communities.

She has demonstrated very well that this kind of top heavy approach from the government of imposing minimum mandatory sentences has nothing to do with effecting a legitimate, rational, intelligent response to what we are facing.

I think that in her community, as in my community, these organizations that are doing such a valiant job are facing difficult times because they have inadequate resources.

We know the Conservative government completely eliminated harm reduction from its so-called anti-drug strategy. The harm reduction movement in Canada is actually very strong. It has done amazing work across the country but, unfortunately, the federal government is no longer part of that program.

Is that an issue in the member's local community in London? I know some of the organizations she has referred to, whether it is the needle exchange or the addiction response service, are organizations

that would like to see greater resources come from the federal government, as well as from the provincial governments, no doubt, which would allow them to do their work.

It would be interesting to hear how this is playing out in her community for those organizations.

Mrs. Irene Mathysen: Mr. Speaker, my colleague's question is quite timely. About two weeks ago, the council for the city of London had its quarterly meeting with London area MPs. The program, London CaReS, the proposal with the four pillars approach, was presented to the MPs. One of the government MPs present was asked if he would ensure this important program was funded because, despite the fact that London has done a great deal of work, there has been no response.

In addition to that lack of response, is the reality of what happened to Londoners in budget 2006, 2007 and 2008 in regard to housing money.

Members have no doubt heard me speak about places in London, like My Sister's Place, At'lohsha, Youth Unlimited, Street Connections and the needle exchange, that do the good work to try to help people in our community. Some of them have closed down because the government reduced the funding available to those organizations that provided support, housing and interventions. They are gone. As a result, there are more vulnerable people without help.

My Sister's Place is in a situation where it needs to fundraise privately in order to manage because the government cut the funding that it needed. It deals with the most vulnerable of people: women who have mental illness and abuse issues.

There is a lot that can be done but not much of it is done.

• (1540)

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, this debate is very troubling. It appears to me that on the face of it what we have coming from the government today is more of a blame the victim mentality. People who are addicted to drugs are victims. They are not people who are out there socially playing games.

Also, the government seems to be ignoring evidence that can be found with a modest amount of research. For example, the head of the Ontario Criminal Lawyers' Association noted that justice department research shows that mandatory minimums do not deter offenders more than tailored proportional sentences and often result in a lower conviction rate because judges are reluctant to convict somebody for a minor transgression if they know the penalty is overly harsh.

Another part of just a minimal amount of research is that in 2000 California repealed mandatory minimums for minor drug offences. In 2004 Michigan repealed mandatory minimums for most drug offences, including repealing the harshest drug law in the U.S., life without parole, for dealing more than 650 grams of cocaine.

Does the member for London—Fanshawe have any explanation of why this government is headed in the wrong direction?

Government Orders

Mrs. Irene Mathysen: Mr. Speaker, it seems to me the answer is that this is a government hell bent on punishment. It has a punitive mentality that has nothing to do with the reality within communities. It is a punitive mentality with some kind of strange need, that seeks some strange revenge, to further brutalize those who have been victims.

I want to point to something that I think the members here might be interested in. Last June, a first nations worker in London, who heads up At'lohso, organized a march to the women's monument in Victoria Park and talked about the problems that first nations women, children and men face in regard to drug addictions. This has also been corroborated by Beverley Jacobs of the Native Women's Association of Canada.

They both ask the question: what would happen to your community? Would there be drug abuse and would there be people living in despair if they had to cope with the kinds of things that first nations have had to cope with over the past few years?

Beverley Jacobs was very pointed. She has asked this government about this. If we were beaten for speaking our own language, if we were sent away from our families so that we would lose our culture, if we were raped in those schools, would we not seek the solace of drugs? Could we not see ourselves declining into a situation where we needed help and support instead of this kind of punitive attitude? I think that is a very good question to ask everyone in this chamber.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am between a point of order and a question on this bill. During question period, the Minister of Justice, in answering a question about drugs from the Bloc, suggested that he had not heard anything from the Bloc on this, yet yesterday the Bloc talked about this bill at least three times. The member for Châteauguay—Saint-Constant stood up twice, the member for Hochelaga once, and the member for Berthier—Maskinongé at least four times. I think it was totally out of order and the Minister of Justice should apologize for making those false accusations about the Bloc—

● (1545)

The Deputy Speaker: Order. Is the member making a point of order or is he smuggling in a quasi-point of order on a question and comment?

Hon. Larry Bagnell: Mr. Speaker, I could make it as a point of order. If I had made it as a point of order, I would have thought that the Speaker might rule me out of order for going too long.

The Deputy Speaker: Maybe you should make it at the time. Otherwise, do try to stick to the topic.

Hon. Larry Bagnell: Thank you, Mr. Speaker. To finish the point, the Minister of Justice went on to ask why the opposition parties were holding up his legislation, which was laughable, I am sure, for the media, who know about it, but maybe not so much for the public, who do not know that the Conservative chair of the justice committee ran out four times. Also, there are at least four or five meetings, on all these justice bills, which the Conservatives are holding up.

Does the member think it is the opposition parties, including the NDP, that are holding up the government's justice agenda?

Mrs. Irene Mathysen: Mr. Speaker, certainly all of us here in the House, members of the media, and I hope the people of Canada are catching on to the shenanigans of the government members in terms of obstructing committees and doing precisely as the member has indicated. They are running out on committees such as justice and the environment in an effort to sidetrack and delay important legislation in terms of their own legislation and the environment bill currently before the environment committee.

Maybe they understand what so many understand, including the Bloc members, which is that this is flawed, unbalanced, unworkable legislation that will not solve any problems in our communities and will simply brutalize those who are currently victims of drug abuse.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to provide some input into Bill C-26, An Act to amend the Controlled Drugs and Substances Act and to make consequential amendments to other Acts.

Some years ago, I was the chair of a health subcommittee looking at the time at what I think was Bill C-7, an act to amend the Controlled Drugs and Substances Act. That particular act dealt with very similar things, such as the scheduling of various drug categories, sentencing, and the concerns that had been expressed by the Americans and other countries about the transborder point that Canada provided for other countries to get drugs into the United States and Mexico.

It took about two years before there could be some resolution of this subcommittee within the health committee to come to some understanding about what we could do to curtail the flow of drugs and get Canada out of the situation where it was clearly shown to be a transshipment point for drugs into other countries.

During that time, I recall hearing from a large number of witnesses, including the policing authorities, medical and health experts and some of the advocacy groups dealing with NGOs. These arguments were made then, back in 1995.

As a matter of fact, at the time I gave my speech in the House at third reading, the lead speaker could still give a 40 minute speech. I gave a 40 minute speech on this issue and still was not able to fully cover all of the thoughts that I thought should be put on the table for the benefit of members so they could simply understand the forces involved with the whole issue of drugs. It is, as I found, extremely easy to make argument one way or the other depending on the examples one uses.

When I looked at this bill I thought it had to be looked at in terms of the specificities. There are recommendations for a basic toughening up of the penalty regime with regard to certain offences. If we talk about that in generalities, we could make a very good, long speech about the pros and cons.

However, let us look at the specific provisions. I would like to just mention them. The first one is a one year mandatory prison sentence to be imposed for dealing drugs, such as marijuana, when carried out for organized crime purposes or when a weapon or violence is involved.

Government Orders

If we discuss that scenario alone, I have a feeling that people are going to have some difficulty arguing that there should not be some sort of penalty regime in place because of the seriousness, the nature and the description of the offence, and the potential for that being involved in other things. Therefore, a one year mandatory prison sentence with regard to dealing drugs carried out for organized crime purposes, or when a weapon or violence is involved, is not draconian in my view. It is a responsible approach to a serious situation.

In fact, back in 1995 when we dealt with this, it was a big stretch, a big hurdle, because people were asking why we would want to get involved in this. We talked about all kinds of issues and there were all kinds of debates, because nobody was really being hurt, it was only small drugs, only marijuana or something like that.

However, in the years since we have been dealing with criminal justice issues, particularly as they relate to drugs and organized crime, we have become more and more sensitive to the fact that there are consequential implications to drug activity and organized crime: innocent people do in fact get hurt; communities become less safe; the economy suffers; and moneys from these illicit activities get involved in other illicit activities. This is a cycle that is continuing to undermine the value system within our society and the principles within our justice system, which continue to be eroded and nibbled away at simply by ignoring the realities within our communities.

I do not think anybody here should be worried about being painted as someone who is trying to throw in jail all people who commit crimes, but rather, are there the tools?

● (1550)

I am a big believer in judicial independence. We want to give the latitude to judges because every case has to be looked at on a case by case basis. I am sure if we talk to most Canadians about the issue of selling drugs and the relation to organized crime activities in the context of using weapons and violence with that activity, I think it makes some reasonable sense in the context of the values of Canadians.

Another item of change in the penalty regime is a two year mandatory prison sentence to be imposed for dealing drugs such as cocaine, heroin or methamphetamines to youth, or dealing those drugs near a school or an area frequented by youth. There are a couple more drugs, but ostensibly we are dealing with the most serious of drugs. This involves some fairly bad people, those who are selling these drugs and targeting our youth, the vulnerable in our society who often, for whatever reason, are under a fair bit of pressure, maybe a little rebellious but they think it is cool. There are people who take advantage of the weak in our society. That is the approach to take in looking at these things, that for those who prey on the weak in our society, whether they be young people, whether they be seniors, whether they be the disabled, whether they be the mentally challenged, when people in our society take advantage of those who are unable to protect their own interests, we need to deal with it.

We are talking about drug dealers dealing in hard drugs, bad drugs, for criminal purposes. Again it is a two year mandatory minimum prison sentence. Going to jail is a serious issue and two years is not an insignificant amount of time. I think of Brenda Martin

right now who for over two years has been in a Mexican jail simply waiting for a disposition of her case.

Sometimes in the criminal justice system things take a long time. I would think that Canadians would certainly want to look very carefully at and be very supportive of mandatory prison sentences when hard drugs are being peddled to those who are unable to make wise decisions.

There is also a two year mandatory prison sentence being proposed for the offence of running a large marijuana grow operation of at least 500 plants. Most members have familiarized themselves with the problems of grow ops. In my own community of Mississauga, a number of these places have been found. They are not just bad people who are growing marijuana and making lots of money. What they are doing is fronting their operations with people who are desperate for some money. They are fronting it with people who have no idea about the laws, but they are there because they are being taken advantage of. They are put at risk. The real tragedy is that the people who are really behind these operations are getting the money out of these operations and are using that money to finance other illicit operations.

Grow ops are a significant problem in Canadian society. I doubt that there is going to be any disagreement, no matter which party it is in this place, that a two year mandatory prison sentence for those responsible for these large grow houses is appropriate.

There is a further penalty proposed, a maximum penalty for cannabis production. It would increase from seven to fourteen years' imprisonment. I have no doubt that there will be a lot of discussion about marijuana. I remember at the hearings that we had, people were giving us evidence that today's marijuana, compared to when I was in university around 1970, is 10 times stronger, simply because of the growing techniques and the ability to adjust the THC content, the tetrahydrocannabinol content. They can play around with those things.

I doubt this debate will ever cease. There will always be people who simply associate marijuana with a recreational drug: harm reduction, who cares, nobody really gets hurt. Well, I am pretty sure that those people who sell marijuana are also peddling other very dangerous and serious drugs. This takes a lot of looking at and I certainly would like to hear more from members about their views.

● (1555)

Finally, tougher penalties are proposed to be introduced for trafficking GHB and flunitrazepam, commonly known as date rape drugs. Day after day we hear about incidents. Again, we are talking about people who are taking advantage of other human beings for their own selfish purposes and they are breaking the law.

It is not just a cliché to say that we want to be tough on them. We want the justice system to be fair and strong. We want to make absolutely sure Canadians understand that the protection of their rights and freedoms is something that this Parliament will continue to work for. Bill C-26 makes a significant contribution in giving Canadians those assurances.

Government Orders

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, I would like to put on the record a few thoughts that might differ somewhat from those of the previous speaker. I do not necessarily think that simply getting tougher when it comes to these kinds of behaviour and simply providing for minimum mandatory sentences is actually going to do the trick. I do not think that is actually going to respond to what everyone knows is a serious, complicated and difficult challenge confronting us, our communities, our families and people who are trying to live ordinary lives by going to work and looking after themselves.

On this side of the House we are not saying that there is not a problem, but it is a question of how we define that problem and how it is we go about trying to fix it.

We look across the border and into the backyard of our neighbour, the United States, and we see the results of the war on drugs that has been playing out there. There are very mixed results, most of which from what I have read are not as positive and as substantial as one would expect, given the focus that has been on that tact.

Will the approach in Bill C-26 fix this problem? On the one hand, yes, Canada has an underworld, a crime scene that benefits the availability and the trafficking in illicit drugs. On the other hand, we have communities of people who are affected by this and get themselves mixed up in it for a myriad of reasons, not simply because they want to do drugs. There are other approaches that would better respond to some of the very difficult challenges that oftentimes are the forces behind people who find themselves engaged in a behaviour that is not in their best interest or supportive of their health and well-being.

Recently I went to Calgary on a poverty tour. That city is the epitome of the new economy that is growing in this country, an economy that is driven by big oil and big gas. I remember discovering at the bottom of the huge buildings this terrible culture of poor people who cannot find housing.

I spent some hours one evening in one of the big shelters that has been put in place to try in some small part to deal with this problem. In Calgary on any given night, there are some 3,500 to 4,000 people sleeping on the streets, while the city of Calgary, recognizing that it has a problem, is passing laws to make it illegal for them to sleep in places that might be available to them.

In Calgary, there are people who have risen to the challenge and are providing some beds and shelter for folks. They are providing enough shelter for some 1,500, and on a really cold night when parked and idling buses are used, perhaps there is enough shelter for 1,600 or 1,700, but this leaves over 2,000 people still looking for a place to protect themselves from the cold, looking for a place to get a meal so that they have the sustenance to survive the next day.

When I was there I watched one shelter bed down some 1,200 people on gym mats. Many of those people are struggling with addictions. Many of them are struggling with mental health issues.

• (1600)

A significant number of young people went out there because they were attracted by the new economy and jobs about which everybody

had talked. Some found work, but did not find a place to live and sleep. There was no housing.

What I discovered later on in the evening was some of those folks, in their attempt to deal with the very difficult and often frightening situation in which they found themselves, to deal with hunger after a day of snacking on food that was neither sustaining nor nutritious and to deal with some very severe weather, had turned to drugs. I am told that with crack and crystal meth, which is the drug of choice, they would not feel the cold or hunger and they would not be afraid.

Is the answer to this situation to bring in harsher penalties in the criminal court system, or is it to deal with these folks and invest in programs of harm and risk reduction, treatment and counselling? Maybe it is like missing the nose on one's face, but would it not make sense for the government to take some of the energy and effort that it puts into this place and begin to invest in housing, ensuring that people have decent, affordable and safe housing, as suggested by the Federation of Canadian Municipalities? It seems every other week the government brings in yet another tough crime bill to deal with social, societal and community issues and the failures of communities. If people have this housing, they can then cook for themselves. Maybe they can get some training and get into a job. Would that not make more sense? It certainly does to me.

If we are going to try to deal with particularly the real victims of an industry that is out of control at the moment, this is the kind of thing one might want to do. In my community, as the member from London just suggested, we have a number of agencies trying desperately to respond to difficulties, to the needs of citizens, of brothers and sisters and of family members who need some help with all kinds of issues. Those issues ultimately may lead to them to abusing or misusing drugs to survive from one day to the next. It would make more sense to spend money on those issues rather than the way it is spent now.

My staff has told me that Canada is spending 73% of its drug policy budget on enforcement rather than putting money into treatment, where we spend 14%. We spend 7% on research on some of these issues. We spend the least amount on prevention and harm reduction.

From talking to people in my community of Sault Ste. Marie, for example, we have a program run out of the Indian Friendship Centre. Willard Pine, an elder, spends hours and puts in all kinds of effort into working with people who find themselves and their families caught up in addictions of one sort or another. He told me that if he had the resources to bring in more people and to build a better program, he could save more people. He said that he could get more people back on the straight and narrow and into housing and training programs. After that, he could get them into the workplace. They could then look after themselves and contribute in the way that we know they want to. When we sit down and talk with them heart-to-heart, we know they want to do that.

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I am not suggesting for a second that we do not have a big problem and that we do not have challenges in our communities. However, we have ways we could be responding that would be more effective than simply cranking up the criminal justice system, putting in harsher penalties and ensuring that anyone who would come before the courts would find themselves in jail longer, which is what this will do.

• (1605)

There is really no proof that mandatory minimums are effective and appropriate measures to reduce drug use and crimes related to drugs. Most evidence shows the opposite. Bill C-26 does not address the core issue of why people use drugs which is what I was just saying.

Bill C-26 would increase the imbalanced and over-funded enforcement approaches to drug use in Canada without reducing crime rates or drug use. It would abandon successful measures such as harm reduction and grassroots education programs. It would move toward the expense of a failed U.S. style war on drugs, which spends tens of billions a year on enforcement and incarceration while crime rates and drug use soar. It would lead to greater incarceration rates and greater burden on the courts.

I suggest there are other approaches. They may take more creativity and effort on behalf of all of us, but if we put our efforts and our resources behind those kinds of treatment, harm reduction and prevention, I believe we would be further ahead than the result of Bill C-26 will provide to us.

• (1610)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member has spent virtually all his time talking about users and those in possession of drugs. The vast majority of the bill, however, has to do with people who are involved in the production, trafficking, possession for the purpose of trafficking, importing and exporting and possession for the purpose of exporting.

Two debates can go on, and that is the harm reduction and the personal; we have to get drug users the assistance they need. The bill is not about that.

What is the position of the member's party on those who are guilty of serious drug offences, which for the purposes of the bill mean production, trafficking, possession for the purpose of trafficking, importing and exporting and possession for the purpose of exporting? What is the position of the NDP with regard to the penalties on the people who are really the problem with regard to the drug problem in Canada?

Mr. Tony Martin: Mr. Speaker, we already have the laws in place to deal with that. What we need in some instances is more police on the street, which the government does not seem to be interested in providing, and we need to ensure that the courts work.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the member for Sault Ste. Marie made a very important point in this debate. He described the situation in Calgary and what he experienced with homeless people, people who often resort to drugs as a way of dealing with their pain, their destitution and the situation in which they are living. He also described the situation in his community. I have dealt with that in Vancouver East.

It shows a very important point, which is this issue of drug enforcement and how it is used is very much a class issue. Most enforcement is used against people who are on the street. Those are the people who are the easy pickings. Those are the people who it is easy for the police to go after because they are visible, they are on the street.

In fact, drug use in our drug society permeates all levels. Professional people deal with addictions and drug issues, but they rarely get caught because they have the resources to deal with this behind closed doors. Therefore, it does speak to the problem with this bill.

The bill is about introducing minimum mandatory sentences. NDP members are not saying that there should not be enforcement. We support what is called the four pillar approach, which includes enforcement. However, the bill would bring in minimum mandates, which we are told will go after the so-called kingpins and the big dealers. In reality that does not happen. Those people have the ability to distance themselves from where law enforcement is. The street people are the ones who get hit. That is only one of the problems with the bill.

I will ask the same question I asked member for London—Fanshawe. In our local communities we know of organizations that are coping with this issue. They have very limited resources, whether they are needle exchanges, or addition services, or shelters. That is where the resources should be going, into the local communities, and I am sure that is true for the member's riding.

Mr. Tony Martin: That is right, Mr. Speaker. As I said, we have a number of under-resourced programs with well-meaning professionals who are trying to provide the support, advice, treatment and counselling that is necessary, but they are unable to access resources anywhere.

I spoke of Mr. Willard Pine, the aboriginal elder in my community, who is trying to provide support. He said that he could provide all kinds of support if he only had the resources to give the people who came to him what they needed, for example, the kind of housing they so they could get their lives back on track and begin to participate.

To crank up the criminal justice system and to think that minimum mandates will make any kind of dent in the huge challenge of trying to ensure everybody who calls themselves a Canadian citizen has the wherewithal to make a decent life for themselves will not be done with Bill C-26.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

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The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And five or more members having risen:

The Deputy Speaker: Call in the members.

And the bells having rung:

The Deputy Speaker: It has been requested that this vote be deferred until 5:30 p.m. this day.

* * *

• (1615)

CRIMINAL CODE

Hon. David Emerson (for the Minister of Justice) moved that Bill S-3, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions), 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, I am honoured to rise today to participate in the second reading debate of Bill S-3, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions).

Bill S-3 was first introduced last October. The Special Committee on the Anti-terrorism Act reviewed the bill and made three amendments. The bill was passed by the Senate on March 6, 2008.

In order to ensure that all due consideration be given to this bill, it is important that we fully consider the bill, its background and the importance of this bill to Canada's law enforcement agencies. This is what I will be focusing my remarks on.

First, I will provide an overview of the bill. This bill seeks to reinstate two important powers that were created by the Anti-terrorism Act but which sunsetted on March 1, 2007. These powers are known as the investigative hearing and recognizance with conditions.

Briefly and simply put, the investigative hearing is a tool that provides the opportunity to have a peace officer bring a person before a judge to be questioned in relation to a terrorism offence, past or future. Its purpose is to enable law enforcement to investigate terrorism offences that have either been committed or that will be committed. Thus, one of its main purposes, although not its sole purpose, is to prevent the commission of a terrorism offence. All of us in the House recognize that is an extremely important objective.

The recognizance with conditions is a tool that allows a peace officer to bring a person before a judge who, after being presented with the proper evidence, may order the person to enter into a recognizance with certain conditions to prevent the commission of a terrorist activity.

Let me provide the background information that led to these provisions sunsetting in 2007.

As everyone in the House is well aware, the Anti-terrorism Act, or Bill C-36, received royal assent on December 18, 2001. Before the Anti-terrorism Act became law, Parliament heard from many witnesses on a number of issues. One of these issues had to do with the two powers that are now contained in this bill.

Witnesses voiced concern over the creation of these new powers which were previously unknown in Canadian criminal law and which appeared to constitute a threat to individual rights and liberties protected by the Canadian Charter of Rights and Freedoms. In view of those concerns, Parliament agreed to subject these powers to annual reporting requirements and a sunset clause.

In addition, section 145 of the act required that a committee or committees of Parliament begin a comprehensive review of the provisions and operations of the act within three years from the date that the Anti-terrorism Act received royal assent. Consequently, on December 9, 2004, a motion was adopted by the House of Commons authorizing the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness to begin a review of the Anti-terrorism Act. Its Subcommittee on Public Safety and National Security began its review in February 2005. The Senate adopted a similar motion on December 13, 2004 establishing a special committee to undertake a separate review.

In late 2005, Parliament was dissolved and an election was called. The work of the committees was put on hold. When Parliament resumed in early 2006, the special Senate committee was authorized to continue its review. In the House of Commons, a new Subcommittee on the Review of the Anti-terrorism Act of the House of Commons Standing Committee on Public Safety and National Security began its review of the Anti-terrorism Act.

Both committees sought and received extensions to table their final reports on the review of the Anti-terrorism Act. However, in October 2006, the House of Commons subcommittee released an interim report that addressed exclusively the use of the provisions that we are discussing today. It recommended a five year extension of these provisions, subject to a further review. However, it also recommended that the investigative hearing provision be limited to the investigation of imminent terrorist offences, not past ones. In addition, some technical amendments were also proposed.

Although this report was released in October 2006, the work of the special committee in the Senate was still ongoing. The statutory provision allowing for the renewal of these provisions by passage of a resolution through Parliament did not allow for amendments to be made to the provisions. In effect, time was running out.

• (1620)

In the fall of 2006 and the spring of 2007, the government thus moved toward presenting a resolution to have Parliament extend both provisions for a period of three years. On February 27, 2007 the House of Commons voted 159 to 124 against the resolution that was introduced in the House, and as a result, both provisions expired on March 1, 2007.

It is interesting to note that while this was happening, on February 22, 2007, the special Senate committee released its main report on its review of the Anti-terrorism Act. Two of its recommendations related to these provisions.

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First, as was the case for the House of Commons subcommittee, it recommended these provisions be extended for a period of three years, subject to the possibility of a further extension, following resolutions passed by both houses of Parliament. Second, it recommended that the annual reporting requirements also require the Attorney General of Canada to include a clear statement, an explanation, indicating whether or not the provisions remain warranted.

One may wonder why the House voted against the renewal of these provisions when both committees reviewing the Anti-terrorism Act had recommended their extension. There were essentially three reasons given during the House debates.

One, the proposed resolution did not take into consideration the recommendations that had been made by the House of Commons subcommittee, nor the ones made by the Senate special committee.

Two, there were suggestions that these provisions were not necessary, given other powers that existed and the fact that they were rarely used.

Three, the government did not respond in a comprehensive manner to all the recommendations made by both committees that reviewed the Anti-terrorism Act.

As I mentioned, these were the three reasons or excuses why members did not vote in favour of this issue.

The issue of human rights safeguards was also raised. With regard to the first question, as I indicated earlier, in the spring of 2007 there was no time for the government to address the recommendations made by the committees reviewing the Anti-terrorism Act, as the deadline for the renewal of the provisions was too close to allow for a modified version of these powers.

Since that time the government has had time to give full consideration to the particular recommendations in relation to the investigative hearing and recognizance with conditions that were made by the committees, and has had time to implement a large number of them in this legislation.

As for the second argument, allow me, Mr. Speaker, to illustrate why it is important that these provisions be brought back through this piece of legislation.

The current absence of the investigative hearing and recognizance powers has created a serious gap in our law. I wish I could say it were not so, but unfortunately, Canada continues to be exposed to the threat of terrorism and there are no signs that this is about to stop. All of us, being honest with ourselves, know that is indeed the case.

As we all know, since the introduction of the Anti-terrorism Act in 2001, there have been horrific attacks on innocent civilians in Colombia, India, Indonesia, Iraq, Israel, Pakistan, Peru, the Philippines, the Russian Federation, Saudi Arabia, Spain, Tunisia, Turkey and the United Kingdom.

Canada and Canadians have been largely identified by leaders of al-Qaeda as targets for future terrorist attacks. Recently, a criminal trial has begun in the United Kingdom, where several persons have been charged with plotting to blow up planes crossing the Atlantic, including some Air Canada flights.

In its 2006-07 public report, CSIS confirms that terrorism remains a threat to Canada and to Canadians and indicates that the threat of terrorism from extremists posed the most immediate danger to Canada and Canadians in 2006 and 2007.

Given this obvious threat, there is no question that police and prosecutors need the powers to investigate terrorism and to disrupt terrorist activity. Representatives of our law enforcement agencies appeared before the committees reviewing the Anti-terrorism Act and indicated clearly that they needed these tools.

For all these reasons, the government believes that it is necessary to reinstate these provisions.

We must not forget that these tools are unique. There are no other powers in the Criminal Code that do what the investigative hearing and recognizance with conditions do.

Today the efforts of terrorist groups are not abating. Terrorists are displaying increasing sophistication and the ability to use diverse technologies to further their deadly activities.

To combat terrorism, law enforcement must be able to investigate effectively individuals and groups who may pose a threat to the safety and security of Canadians.

● (1625)

For these reasons, I ask all members to give serious consideration to the following notorious facts.

One, terrorism is a very serious and very present threat in Canada. Two, and I think this is something we can all agree on, it is best to prevent terrorist activity and not wait to sift through its aftermath. I am going to repeat that one. It is best to prevent terrorist activity rather than sift through its aftermath. Three, the nature of terrorist activity is such that it must be disrupted at the preparatory stage rather than reacting in its aftermath. Important tools that allow disruption at this stage include the tools we are proposing to reinstate through Bill S-3.

The government is convinced of the necessity to reinstate the provisions that are contained in this bill. Our law enforcement agencies need these tools and we have the responsibility to provide them so that they may be properly equipped to adequately respond to any potential terrorist threat.

Let me also respond to the third argument that has been raised to justify voting down the renewal of these provisions, the fact that the government did not respond in a comprehensive manner to all the recommendations made by both committees that reviewed the Anti-terrorism Act.

First, it was impossible at the time for the government to respond comprehensively to the reports of both committees, since when these provisions expired, the Senate committee had released its main report just a few days before and the House committee had not yet released its final report on its review of the Anti-terrorism Act.

Second, since the expiry of these original powers, the government has been engaged in efforts to respond comprehensively to the reports of both committees that reviewed the Anti-terrorism Act.

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Earlier this year Parliament responded to the Supreme Court decision in Charkaoui by enacting Bill C-3, which creates a special advocate regime in the context of security certificates. The government also published last summer its response to the House of Commons subcommittee's final report on its review of the Anti-terrorism Act.

In short, this bill is part and parcel of an ongoing comprehensive approach to review the Anti-terrorism Act, an approach, I might add, that warrants full support by all members.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, I think the chronology presented by my friend opposite appears to be an appropriate chronology. I may quibble with the details of the rationale that he was addressing, but the chronology is correct.

I think one of the reasons that this House voted overwhelmingly against these provisions was that in fact some of the concerns, that the committees had expressed in the reports that had been provided up to that point, were not taken into account in the simple renewal for three years, the resolution that was presented by the government.

I am pleased that the government now has taken into account several of the recommendations and has made improvements to this legislation. Therefore, although no one takes comfort in necessarily wanting to have these kinds of provisions as law, the fact is that in the kinds of times we are living in, sometimes we have to take difficult decisions to maintain peace in the country.

I believe that these provisions are appropriate, they are required, and they are now improved by the amendments that have been made in the way the legislation has been presented.

We take the issue of safety of Canadians very seriously. We also take the issue of liberty of Canadians very seriously. I believe that this improved legislation attempts to present that balance between those two sometimes competing and contending requirements and needs of any society like Canada.

Before I get into those changes, the member opposite on the government bench did actually provide a reasonable summary of the legislation. I believe that the legislation has been improved, and I will come to some of those changes.

First, any time an individual is to be detained by peace officers on the suspicion, on reasonable grounds, that he or she may be planning a terrorist activity, in order to prevent that, the individual obviously may be apprehended and presented to a judge.

I think one of the improvements that has been made in this legislation is that when we present that individual for detainment or at least released on bail with conditions possibly, the basis on which the detention is to be now ruled upon has been narrowed.

The scope of the grounds for detention by the Senate amendments has been narrowed and, therefore, the general clause on reasonable and just grounds that a judge may be able to detain the individual has been eliminated and the specific grounds that are only reasonable in the circumstances have been retained in this particular legislation.

I believe that improves this legislation and takes a certain degree of arbitrariness out of the hands of the presiding judge.

The second particular improvement that has been made by the amendments or the improvements that have been presented by the government is that in the previous legislation it was implicit and clear that the same judge who may have first heard the matter with respect to possible detention or bail would have to hear the matter.

Now in fact, as the legislation is presented, it makes room for any other judge of the provincial court to be able to hear the matter so that the matter can be dealt with expeditiously, and I believe that is very important.

• (1630)

One of the other amendments that has been made is the ability of any person ordered to attend the investigative hearing to deal with past terrorist activity or future potential terrorist activity. That person may retain counsel prior to the hearing, prior to the commencement of the hearing, or at any stage in the course of the hearing. That right to counsel, one of the fundamental rights that has been guaranteed all Canadians by common law and by charter, is now clearly mentioned and provided to those who may face investigative hearings, or of course the issue of detention.

These are unique and extraordinary remedies. When a person is picked up and asked to attend before a judge for an investigative hearing, it is only reasonable that the police officers involved should have made all reasonable efforts and attempts to actually get at the information they require through other regular means.

That requirement is now clearly placed in this legislation so that when police officers take a particular individual with the crown before a judge for an investigative hearing, either for past activity or potential future activity, one has to satisfy the judge that all of the reasonable efforts that could have been made to obtain that information without the use of this extraordinary remedy have been made.

I believe that actually provides some guarantee to individuals who may be asked to attend investigative hearings that the crown and the police have to make all reasonable efforts to get the evidence otherwise.

The new reporting provisions that are now in this legislation are that every year both the public safety minister and the attorney general, the minister of justice of Canada, have to provide annual reports to Parliament, and therefore to Canadians, indicating whether or not there is a continuing need to retain these provisions in the Criminal Code.

I believe that guarantees a certain degree of transparency and due diligence on the part of the government for Canadians, because Canadians need to know that these are extraordinary remedies and they are not being left on the books unnecessarily, that there is a continuing need. I think that is a very important change.

I believe that before the end of five years, before the sunset clause takes effect, there is now a mandatory provision for a review of both of the clauses in the Criminal Code with respect to bail and investigative hearings by both Houses of Parliament.

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Either committee of either House, I believe, can complete that review. That is very important because this indicates that before we come to a situation as we did in the spring of last year where these decisions were made, where the government made no effort to change anything or take into account any of the recommendations that had been made by that date, that situation would not reoccur.

There is an obligation on the part of the House and the Senate, both or singularly, to actually engage in a mandatory review of these clauses and provide that report to Canadians and to the government.

Based on the four or five annual reports that would have been provided by both of the ministers and the last review before the end of five years, the government then can take those into account and determine whether or not these clauses ought to be renewed in the Criminal Code, and if they ought to be reviewed. Then the government would have all of the ammunition, so to speak, in its hands to be able to persuade the House and persuade Canadians that this is appropriate.

• (1635)

I believe there are several other changes that have been made that are very appropriate. One of the things that was heartening for me was to read the results of the reference that went to the Supreme Court of Canada with respect to one of the clauses that is under discussion, and that is the investigative hearing clause.

I believe the Supreme Court in 2004 in that reference held that the clauses as they were, and they have now been further improved, did not infringe anyone's charter rights and did not violate the charter. They were within the four corners of the charter and they complied with the charter.

That is important for me because the charter is paramount. It is important. It defines and enshrines in our Constitution the rights of all Canadians, ordinary or not. It is important that we are always cognizant and mindful of the importance of the charter. Therefore, I am heartened to be able to read that decision from 2004 and see that all of those provisions, which are now being improved upon, are compliant with the charter.

Another thing I think is worth pointing out is that when the government brought these provisions in, in the first place, after 9/11, the government could have gone the route of invoking the Emergencies Act or the notwithstanding clause of the charter. The government did not do that.

The government wanted to ensure that these provisions were compliant with the charter and they were placed in ordinary legislation in the Criminal Code. I think that is a very important distinction.

That is why my reference to the Supreme Court review of 2004 is all the more important. It is important because when we try and seek extraordinary remedies to ensure the public safety and security of all Canadians, we try and do it within the four corners of the charter and be compliant with the charter.

I believe this bill commends itself to all members of the House. It is important. These are difficult decisions. For someone like me who comes from the background of civil liberties and human rights, it is

very difficult sometimes to look at clauses like this and determine whether or not we need them.

I looked at the debates in the House that went on around the time of the original legislation, the presentations that were made to the committees, both for and against the continuance of these provisions, and in fact the current bill that is before us. Having looked at all of that and deliberated very conscientiously, I have come to the conclusion that these are important provisions, unique though they are, extraordinary as they are, nonetheless, they are absolutely, fundamentally important to maintain the safety and security of Canadians in extraordinary times that we are living in.

Other countries, Australia, U.K., and others, have similar remedies in their legislation. Their remedies are much more stringent and perhaps one might say that to some of us they may not be acceptable because they are so stringent.

Our remedies are stringent, but they are not too stringent and they are compliant with the charter. They are in conformity with our traditions, with the traditions of our charter, and the traditions of those who framed the charter and the common law traditions of liberty, freedom and justice of a country. It is important that we keep all of that in mind when we vote on it.

Having said that, I want to commend the work of the Senate in shepherding this legislation through in a way that was cooperative and collaborative on its part. The Senate ought to be credited with having made some of the changes that makes this bill much better than when it was first introduced in the Senate.

Therefore, I commend this bill to all members of Parliament. I stand in support of it.

• (1640)

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, ensuring balance in the legislation is one of the issues of concern to all of us in the House. Given the work that was done at the Senate, it meets a lot of our benchmarks.

Does my colleague have any concerns about the possible misuse of this legislation? We have not had to use it, thank goodness, and I hope we never need to. Is my colleague confident that there is a balance in the legislation that would protect people from having their constitutional rights abused? I would appreciate it if the hon. member could address that.

• (1645)

Hon. Ujjal Dosanjh: Mr. Speaker, when we are dealing with tough laws, like the Criminal Code, there is absolutely no question that the system is not perfect and that there is always a danger of somebody somewhere doing something erroneous that one should not do.

However, I am comforted by the fact that in the five years that this law has been on the books in the Criminal Code, it has never been used, which means that all of the other tools were sufficient enough to deal with some of the issues that may have arisen. However, that does not mean that we will never have situations that will require the use of these extraordinary remedies, but I hope we never do. I am comfortable with all of the changes that have been made.

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I believe there are enough checks and balances in the legislation so that when a judge is asked for an investigative hearing and the person is presented before a provincial court judge, the judge has no right to refuse any questions the individual might want to ask.

Initially, for an investigative hearing an individual could make an application *ex parte*, which is without notice, but the attorney general of the province had to give consent for that *ex parte* application. If no consent was forthcoming, the application had to be made with notice. Once there was notice, the individual could retain counsel.

It is similar for police officers who pick someone up without a warrant or with a warrant and take them before a provincial court judge and have him or her detained or released on certain conditions. The judge would have wide discretion under the new legislation to actually impose conditions upon release, which tells me that there may be fewer cases where there will be a need to detain an individual. We could actually be releasing individuals on bail with a wide variety of conditions.

The kind of discretion and the kinds of checks and balances that are clearly laid out in the legislation provide very little room for abuse. So far these provisions have not been used, which comforts me because that tells me that police officers and law enforcers are wise enough not to use these remedies in an ordinary fashion.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, I would like to ask the hon. member a question.

Could he give me just one example of a situation where a person should be brought before a judge to sign a recognizance in order to prevent a terrorist act from being committed? Such a thing could be handled better through regular application of the Criminal Code, especially the provisions authorizing a peace officer to arrest without warrant anyone he or she believes is about to commit an indictable offence.

[*English*]

Hon. Ujjal Dosanjh: Mr. Speaker, when we deal with hypotheticals and abstract issues, it becomes rather difficult. Under the ordinary Criminal Code provisions, I believe that the threshold is very high for someone to be arrested. These provisions have, implicit in them, serious terrorist activity, which is not like a regular criminal activity. Sometimes these are conspiracies that may be in the initial stages and we want to, if I might say, nip them in the bud. I believe these powers are extraordinary and that they will be useful under those circumstances.

I think it would be foolish of me to conjure up particular situations where it might or might not be used, but I can guarantee my colleague, who was the attorney general of Quebec when I was the attorney general of British Columbia, so we go back a long way together in these areas, that these are unique and extraordinary powers that may be useful. One never knows what will happen. So far, Canada has been generally blessed with peace. We have had our share of problems but we know Canada is on the hit list of terrorist organizations. I do not want our police officers and our law enforcement agencies to be without the use of these tools.

• (1650)

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, the bill that is before us now is very similar to the one that the House of Commons rejected some time ago. In fact, the changes are technical, and I believe there are three of them. As a result, our arguments for opposing Bill S-3 are essentially the same as those we made for excluding these provisions from the Anti-terrorism Act.

We are here because these provisions were part of a sunset clause, which said that these provisions would disappear if these powers were not renewed within five years. Since the House refused to renew them, the government wants to reintroduce them, this time through the Senate. The bill reproduces almost entirely the provisions that the House refused to renew.

What is more, the House's arguments against the provisions are simple, and we must stand firm. These provisions are completely useless in the fight against terrorism, particularly when we want to arrest someone, bring them before a judge and make them sign a recognizance. But these provisions could be used by a government that would like to discredit political opponents.

They also put the people who are meant to sign the recognizance in a terrible situation. They are arrested or receive a summons and are brought before a judge based on mere suspicions that they might be involved in a terrorist activity. If the judge believes that the suspicions are reasonable, that is, that there is reason to believe that a serious crime would be committed, the judge can force a person to sign a recognizance. He can imprison the individual only if that person refuses to sign the recognizance, which is valid for one year.

I imagine that this would not help with the arrest of a very dangerous terrorist, since he would immediately be released. However, for the danger we want to prevent with these other provisions, the Criminal Code states that a police officer can arrest a person without a warrant if he has reasonable grounds to believe that the individual is about to commit an indictable offence. He can therefore interrupt the crime. The individual is arrested and brought before a judge. The judge can refuse bail if he believes there is a real danger and that this person could commit a serious crime if he were released. In this case, the judge cannot do that. The judge can only ask the individual to sign a recognizance.

However, the person who was arrested, as an accused, can eventually defend himself and say that the police officer did not have reasonable grounds and that the individual had no intention of committing a crime. This person can present a full defence and be acquitted, or perhaps have the charges withdrawn, because the Crown would realize that the person had not committed a crime. This person could continue to participate in society, as he was doing before.

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Let us put ourselves in the shoes of someone in this situation. It is difficult for us because, as parliamentarians, we have reached a certain standing in society. Before, we also had careers that likely put us above these types of suspicions. But let us put ourselves in the shoes of an ordinary citizen, a young union activist who speaks out against injustices. But other people also speak out against these same injustices, but would rather use violence to change society.

• (1655)

The police could think that since this young man keeps company with people who have terrorist objectives, he could be involved in terrorist activities. Accordingly, they could make him appear before a judge and ask him to sign a similar recognizance. This young man could deny everything and swear that his actions are purely democratic, even though he knows those other people. If the judge finds that reasonable, under the law, relative to the severity of the terrorist act that could be committed, the judge can force him to sign a recognizance.

First of all, this individual will of course not go to prison. He will choose to sign the recognizance and be released. However, how will he be able to prove later on that those suspicions were completely unjustified? He will have no way to do so.

Let us consider the consequences of such a decision on that individual for the rest of his life. Does anyone believe he will be allowed entry into the United States if he tries to cross the border, having been the subject of a legal ruling forcing him to sign a recognizance in a context where there were concerns about possible terrorist activity? I am sure that individual would be denied entry. And what if his employer learns that he had to go to court to sign such a recognizance? In any case, these proceedings would likely be public. He would probably lose his job and have a hard time finding another one. Furthermore, I am convinced that he would appear on the no fly list, not only in the United States, but here too. He would have a hard time travelling to any other country.

This person would be stigmatized because a court ordered him to sign a recognizance to swear he will not carry out an act of terrorism. No one here has ever signed such a recognizance. The fact that someone is judicially forced to sign such a recognizance places a stigma on him that he will have to carry his whole life.

If anyone believes that these fears are unjustified, let us consider our past.

We had our own terrorists in the 1970s. They were not as dangerous as those we fear today, but they nevertheless caused the death of one person. Naturally, the killing of a minister horrified the population and also created tremendous fear. More than 500 suspects were jailed in one fell swoop. Five or six years later we had to compensate all of them. They included a popular singer, Pauline Julien, and her husband, Gérald Godin, who later became the minister of immigration and cultural communities and one of the best ever in Quebec. He was also a poet.

With the exception of one or two, all candidates in upcoming municipal elections who were members of FRAP were arrested. The parents, brothers and sisters of these people were detained.

There are times when we lose our reflex to defend a free society by respecting the freedoms of all and we feel obligated to restrict the rights of certain individuals.

I completely understand that the current international terrorist crisis and its consequences are worrisome. Yet I have not heard anyone reconcile the stigma that would be attached to the persons who have to sign these recognizance orders and the effectiveness of the fight against terrorism.

What do we think makes the secret service suspect that an individual is about to commit a terrorist act or will be involved in one? Judge O'Connor gave us a good example in the Maher Arar affair. It was believed that Maher Arar was involved in terrorist movements because he was seen walking in the rain, umbrella in hand, with someone who was also a suspect.

• (1700)

Apparently it is more difficult, even impossible, to record conversations when people are walking around under an umbrella. It has never occurred to me to criticize secret agents for operating on suspicion. Foiling terrorist plots is their job. Since these are secret organizations, these agents try to remain inconspicuous and analyze suspicions. It is normal for them to have suspicions.

However, they do not do surveillance on everyone. They target people of interest. A person of interest can be an individual who lends his car to a suspected terrorist, or people who take part in democratic organizations to denounce such injustices.

I am not criticizing these agents for having suspicions, but those suspicions must not have legal consequences. Those consequences happen because of suspicions; that is the criterion.

I want to say a few words about what the member before me said. He compared the degree of certainty we must have to arrest someone who is about to commit an indictable offence with the degree of certainty of our suspicions—can suspicions really be certain?—or rather the degree of knowledge or fear that pushes someone to make an individual appear before a judge to sign such a recognizance. In order to arrest someone without warrant because he is about to commit a crime, one must have reasonable grounds. It is true that this requires a little more than reasonable suspicion.

How do the police come up with their suspicions? By watching the people the individual spends time with. It is inevitable that some of the people who spend time with a person under police surveillance have nothing to do with terrorism. Therefore, it is also inevitable that people who have nothing to do with terrorism will be under suspicion.

I understand that surveillance of those people will continue. I understand, for example, that there may have been a good reason to keep Maher Arar under surveillance. The mistake made in the Maher Arar case is that he was clearly designated as a person of interest. A person of interest is not someone believed to be involved in the terrorist movement, but a person who has been observed among the entourage of those who are suspected, to be more precise, of being part of terrorist movements. That is the difference.

Government Orders

Now, instead of reasonable grounds, reasonable suspicion is enough. It is true that it is a small detail. However, I hope everyone grasps the potential stigma that could result from such a ruling by a court that orders someone, under the threat of imprisonment, to promise to comply with a number of conditions, including to stop participating in terrorist plots, of course.

When the police suspect someone is about to take action, to the point that they would make that person sign the recognizance, it is usually after wiretapping or something more substantial than just a suspicion. That being the case, the police probably have proof of a plot or the beginnings of a plot. And the plot, as well as its preparations, are considered criminal offences.

If it is important to intervene to prevent these plots from being carried out or ensure that the preparations are not completed, to the point that the individual is arrested and taken before a judge, it must mean that we have enough evidence to lay charges.

Yet laying charges allows the individual to go through the legal system and be acquitted, if that person is innocent. In the current situation, that person will carry the stigma of having been closely linked to terrorism and for the rest of his life will face all the major problems this could entail, given international travel these days.

• (1705)

I wanted to talk about something, but I have forgotten what it was. I will probably talk about it another time. I have been getting ready to give this speech since Monday, but it has been postponed repeatedly. About 15 minutes ago, I was told that I would be speaking now, but I do not have my notes.

Another thing that strikes me is how reluctant the rest of Canada is to look at what we are doing in Quebec. I am saying this to many nationalists whom I respect and who are not yet sovereignists. I was not born a sovereignist, I became one, as many others have done. I still understand that many Quebec nationalists in this House often look on Canada as an ideal. With two different cultures—we have two different languages and therefore different backgrounds—two sources of inspiration, two sources of reasoning, we could have a wonderful society built on the two languages that have played such an important role in the civilization we enjoy today. I understand those people. But I would have thought that both parties would benefit as a result. One party, inspired by the successes of the other, could take a page from the other's book, and the other party could learn from mistakes that were made and avoid repeating those mistakes. However, for many years now, it seems that successful initiatives in Quebec that could serve as a model for federal legislation have been systematically and completely ignored.

A good example of this was given here when a bill was introduced to amend the Young Offenders Act. The youth crime rate in Canada was 50% higher than in Quebec. Quebec had taken very seriously the old law, which was concerned with rehabilitating young offenders. In fact, the chief justice of the youth court in Quebec had summarized in a few choice words the Quebec courts' approach to young offenders: the right measure at the right time. Today, when he talks to me about the new law, he says that we used to judge a young person who had committed an offence; today, we judge an offence that was committed by a young person.

I know that in the west, for all sorts of reasons, people were terribly afraid of young offenders. People said that all they get is a slap on the wrist. The government decided to make a change and create a completely objective system that, in my opinion, does not produce the results Quebec had gotten.

Here, we have yet another example. We experienced terrorism and the reaction it elicits from those in power. Once again, we are unable to learn from those who lived through it.

I was a young lawyer at the time. In the 1970s—you can imagine that I was much younger than today—we had legal assistance. The difference between legal assistance and legal aid is that we were not paid. The young members of the Bar defended people. I defended many people accused of terrorism.

I learned a thing or two and I am realizing that these provisions could very well be used when the government panics. It has not done so in the past five years and that is a good thing. However, when such provisions are put into the Criminal Code, someone will find a way of using them eventually. In turbulent times, it could become a weapon used by a government to discredit its adversaries.

I believe that I have proven that not only is this bill futile, it is also dangerous. The risks of this bill outweigh by far its supposed advantages.

• (1710)

[*English*]

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I want to say for the member across the way that I was 23 years old in 1970 and had yet to become a member of the New Democratic Party. In 1970 the New Democratic Party stood up against the War Measures Act because it was invasive of the rights of Quebecers and those of the rest of Canadians. In my opinion, it was an affront to democracy as we know it.

I want to speak a little more about what the member was saying with regard to what I would refer to as natural law: the fact that people have a right to know what they are accused of and the right to know the evidence against them. We have seen the move by the government to prevent that. It was drawn to mind with what occurred yesterday with the so-called Toronto 18 when a number of them had the charges against them stayed. That is just an example of a system that took some time but did work.

However, in my opinion, these provisions are terrible and take away that sense of natural justice in Canada. Would you agree with that?

The Acting Speaker (Mr. Andrew Scheer): I remind the hon. member for Hamilton East—Stoney Creek to address his questions through the Chair.

[*Translation*]

The hon. member for Marc-Aurèle-Fortin.

Government Orders

Mr. Serge Ménard: Mr. Speaker, I am very pleased to speak to this issue. I do not think I used the words “natural law”. Indeed, what I had in mind was the natural tendencies of humans, who need limits.

There is a minority in Canada that clearly understood. We are very similar to the NDP, except for our views on the sovereignty of Quebec and, generally speaking, the usefulness of the current Constitution. Otherwise, we are very similar. One must have lived through that time, however, to have felt the strength of the popular movements that called for punishment and were ready to dispense with all the principles of law to which we were accustomed.

It is to the credit of the member who asked the question, and to those around him, to be aware of that and have the courage to stand firm before an opinion, which I feel sometimes verges on hysteria.

[*English*]

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, I am rising today to speak against Bill S-3, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions). I think I will be making some of the points that have been made by my colleague who spoke just before me.

I am proud that the NDP is once again taking a stand against the Conservative government for going too far. It is not being proud to take a stand against the government, but I will take a stand against a government that I think has gone too far in pursuing its national security agenda. We all believe it is important, but it is being done at the expense of civil liberties.

Ensuring public safety is essentially about protecting Canadians' quality of life. Quality of life can be defined in many ways. If we talk to our family members or next door neighbours, they would define quality of life in a variety of ways, perhaps by where they live, where they work, by their environment, whatever that might be.

In deeper conversation, though, I think two things would come out. There is the importance of finding a balance between security and freedom.

Security means feeling safe, feeling that our country and our communities are safe, feeling that we can safely go out on the street, and feeling that the federal government, our country, is protecting us. As well, Canadians want to see that security balanced with freedoms, because freedoms are something that Canadians hold dear as a principle of being Canadian.

There are the freedoms to which we are entitled, the freedoms which people have fought for and the freedoms which we enjoy on a daily basis and often do not even take the time to perhaps think about or make a list of or talk to people about. Although if we turn on the television most evenings, we would certainly be able to see countries in which many or most of those freedoms are not available to people.

For some reason, the Conservative government is either unwilling or unable to find that balance, as it has proven by introducing Bill S-3 and by the security certificate legislation that we debated in this House in January, which has some similarity to this legislation.

With both of these pieces of legislation, the Conservatives are taking the wrong approach, or an unbalanced approach, to fighting terrorism in Canada. Do we need to fight terrorism in Canada? Of course we do, but there are many tools at our disposal currently in

the Criminal Code that could be used as opposed to introducing yet another set or piece of legislation.

Our country already has many appropriate mechanisms in place for charging people, for trying people and for punishing those suspected of participating in terrorist activities. These mechanisms are contained in the Criminal Code of Canada, a very significant piece of legislation which ensures that our country is protected, as I said earlier, from those who seek to do harm to others while ensuring fundamental rights are protected.

The NDP always has opposed and always will oppose any attempt to undermine those fundamental rights and freedoms upon which our judicial system was founded. Our system was founded on responsibility and freedom, which go hand in hand.

• (1715)

That is why we oppose the security certificate legislation. That is why we are opposed to Bill S-3. I do not think we are alone in this at all.

Many Liberals, and even some Conservatives, may privately admit that Bill S-3 is a seriously flawed piece of legislation. Certainly we saw many Liberals saying that over Bill C-3. However, knowing that this bill is fundamentally flawed and fundamentally wrong-headed did not stop the Conservatives from introducing Bill S-3 through the other door in the Senate, so to speak, the back door in the Senate, and it will not stop the Liberals, I expect, from allowing the legislation to pass.

Once again, the NDP—and I believe the Bloc, as I have just heard some of the comments—is left as the voice of reason, fighting to protect Canadian values that some other parties only pay lip service to.

Let us look at one key component of Bill S-3: the establishment of investigative hearings. These hearings would force an individual we suspect—we do not know anything, we just suspect—might have information about terrorist activity that has happened, or may happen, to testify before a judge. It forces individuals against whom we have no charge to testify before a judge.

This marks a major shift in Canadian law, which is based on a right to remain silent.

If the individual refuses to speak, he or she will be arrested and sent to prison for as long as a year, on no charge except that he or she might, we think, based on something somebody else said, know something. I am not sure whether most Canadians would consider that to be a balance between freedom and security.

Government Orders

As I say, the individual might go to prison for as long as a year. To some people this may not seem unreasonable at first glance. Certainly the NDP believes that anyone with knowledge of terrorist activity should be investigated and questioned. We would not deny that at all. However, we already have provisions in place under the Criminal Code of Canada for questioning those involved in criminal activity. Otherwise, we would have nobody brought before a judge and nobody arrested.

We do have the means within the Criminal Code to question people involved in criminal activity. If people think someone is involved in a terrorist activity or that something might happen or they might know that something is criminal activity, I would suggest that we have within our system a way to deal with that.

We do not need a special provision for interrogating witnesses that has a one year prison sentence as a consequence for appearing uncooperative. An individual goes before a judge. He or she may not have any information whatsoever or may wish to remain silent. Let us say that somebody says the individual appears to be or is uncooperative. We then have the right to send him or her to jail for up to a year.

• (1720)

That is outrageous. That is not acceptable. It is indeed acceptable to question under the Criminal Code people suspected of terrorist activity. It is not acceptable for people to be placed in jail for a year with no charge whatsoever because they appear to be uncooperative.

This undermines our current judicial system, which ensures that those who have knowledge of crimes but refuse to divulge that information face criminal charges themselves. That is what our criminal system says. Those who have knowledge of crimes and refuse to divulge it will face criminal charges.

Investigative hearings would grant new powers outside of what is normally allowed under the Criminal Code. It is an extraordinary tool that is subject to dangerous misuse. We can all stand in this House and say that it would never be misused. I do not know how often we have stood in this House or in other places of government or in our communities and said, "That is not how we meant it to be used". It is there and there is the possibility for misuse.

Denis Barrette of the International Civil Liberties Monitoring Group appeared before the Senate committee examining Bill S-3 and spoke of the possible dangers involved in investigative hearings. He pointed out that investigative hearings allow for the compelled testimony of individuals involved in protest or dissidence entirely unrelated to our everyday understanding of terrorism. It may not be the intention, but it allows for that.

Mr. Barrette is right. Bill S-3 exposes many law-abiding Canadians to frivolous harassment and possibly even incarceration. It is a very slippery slope and one which the NDP will not condone.

This is not the only problem with investigative hearings. When the Supreme Court of Canada studied investigative hearings in 2004, it was clear that testimony gathered during the proceedings must not be used against the witness. I need to repeat this. Testimony gathered during the proceedings must not be used against the witness.

Bill S-3 does not follow the Supreme Court's direction. The legislation currently before us states that information gathered in an investigative hearing cannot be used in a criminal hearing, but the Supreme Court was clear that information gathered through an investigative hearing cannot be used against the individual in any kind of proceeding, criminal, extradition, or otherwise.

It is unclear, given this obvious disregard for what the Supreme Court of Canada has said on this matter, whether Bill S-3 would survive a challenge, as we have said about Bill C-3, but whether or not Bill S-3 is constitutional is not the issue being debated today. I call on my colleagues in this House to join with the NDP and defeat this legislation so that a Supreme Court challenge is never required. That is part one of Bill S-3.

The second part is recognizance with conditions. This is a very controversial part of Bill S-3, recognizance with conditions, or what is called preventive detention.

• (1725)

I am extremely disappointed to see preventive detention included in this legislation because it violates a basic tenet of our justice system, as I said earlier, that a person must be proven to be guilty of doing something or plotting something in order to be detained. That is not the case in Bill S-3.

Recognizance with conditions would allow law enforcement officials to arrest and hold people with no evidence against them. Furthermore, upon release, these individuals would be subject to conditions similar to a peace bond, but unlike a peace bond, the individuals released with conditions may have done nothing wrong. The purpose of this provision, we are told, is to allow law enforcement—

• (1730)

The Acting Speaker (Mr. Andrew Scheer): Order. I hate to have to interrupt the hon. member, but she will have about four minutes left when this bill comes back before the House.

* * *

CRIMINAL CODE

The House resumed from April 15 consideration of the motion, and of the amendment.

The Acting Speaker (Mr. Andrew Scheer): It being 5:30 p.m. the House will now proceed to the taking of the deferred recorded division on the amendment to the motion to concur in the Senate amendments to Bill C-13.

Call in the members.

• (1755)

[*Translation*]

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

Government Orders

(Division No. 90)

YEAS

Members

Alghabra	André
Bachand	Bagnell
Bains	Barnes
Bélangier	Bell (North Vancouver)
Bellavance	Bevilacqua
Bigras	Bonin
Boshcoff	Bourgeois
Brown (Oakville)	Brunelle
Byrne	Cannis
Cardin	Chan
Crête	Cullen (Etobicoke North)
Cuzner	D'Amours
Demers	Deschamps
Dhaliwal	Dhalla
Dion	Dosanjh
Dryden	Easter
Eyking	Faille
Freeman	Fry
Gaudet	Godfrey
Goodale	Gravel
Guarnieri	Hall Findlay
Holland	Ignatieff
Jennings	Keeper
Laforest	Laframboise
Lalonde	Lavallée
Lemay	Lessard
Lussier	Malhi
Malo	Maloney
Martin (LaSalle—Émard)	McCallum
McGuinty	McGuire
McKay (Scarborough—Guildwood)	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Minna
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Murray	Nadeau
Neville	Ouellet
Pacetti	Paquette
Patry	Pearson
Picard	Plamondon
Proulx	Rae
Redman	Regan
Rodriguez	Rota
Roy	Scarpaleggia
Scott	Sgro
Silva	Simard
St. Amand	St. Denis
Steckle	Szabo
Temelkovski	Thi Lac
Thibault (West Nova)	Tonks
Turner	Valley
Vincent	Volpe
Wappel	Wilson
Wrzesnewskyj	Zed— 104

NAYS

Members

Abbott	Ablonczy
Albrecht	Allen
Ambrose	Anders
Angus	Atamanenko
Baird	Bell (Vancouver Island North)
Benoit	Bernier
Bevington	Bezan
Black	Blackburn
Blaney	Boucher
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Cannan (Kelowna—Lake Country)
Cannon (Pontiac)	Carrie
Casson	Charlton
Chong	Chow
Clarke	Clement
Comartin	Comuzzi
Crowder	Cummins
Davidson	Davies
Day	Del Mastro
Devolin	Dewar
Dykstra	Emerson

Epp	Fast
Finley	Fitzpatrick
Flaherty	Fletcher
Galipeau	Gallant
Godin	Goldring
Goodyear	Gourde
Grewal	Hanger
Harper	Harris
Harvey	Hawn
Hearn	Hiebert
Hill	Jaffer
Jean	Julian
Kenney (Calgary Southeast)	Khan
Lake	Lauzon
Layton	Lebel
Lemieux	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mark
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathyssen	Mayer
Menzies	Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Mulcair	Nicholson
Norlock	O'Connor
Obhrai	Oda
Paradis	Petit
Poilievre	Prentice
Preston	Priddy
Rajotte	Reid
Richardson	Ritz
Savoie	Scheer
Schellenberger	Shiplay
Siksay	Skelton
Smith	Solberg
Sorenson	Stanton
Storseth	Strahl
Sweet	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Tilson
Toews	Trost
Tweed	Van Kesteren
Van Loan	Vellacott
Verner	Wallace
Warawa	Warkentin
Wasylycia-Leis	Watson
Williams	Yelich— 134

PAIRED

Members

Allison	Anderson
Asselin	Barbot
Batters	Blais
Bonsant	Bouchard
Breitkreuz	Calkins
Carrier	DeBellefeuille
Doyle	Duceppe
Gagnon	Guay
Guergis	Guimond
Hinton	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Komarnicki
Kramp (Prince Edward—Hastings)	Lévesque
Manning	Miller
Mills	Mourani
Pallister	Perron
St-Cyr	St-Hilaire— 32

The Deputy Speaker: I declare the amendment lost.

Routine Proceedings

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

HUMAN RESOURCES, SOCIAL DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

The House resumed from April 9 consideration of the motion.

The Deputy Speaker: The House will now proceed to the taking of the deferred recorded division on the motion to concur in the fifth report of the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities concerning the extension of time to consider Bill C-362.

Hon. Jay Hill: Mr. Speaker, I think if you seek it 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 in favour.

• (1800)

The Deputy Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

Hon. Karen Redman: Mr. Speaker, Liberals will be voting in favour of this motion but I would like to point out to the House that the member for Notre-Dame-de-Grâce—Lachine has left the chamber and should not be counted in this vote.

[*Translation*]

Ms. Pauline Picard: Mr. Speaker, the members of the Bloc Québécois will vote in favour of this motion.

Mr. Yvon Godin: Mr. Speaker, the members of the NDP will vote in favour of this motion.

[*English*]

Mr. Blair Wilson: Mr. Speaker, I vote in favour of the motion.

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

(*Division No. 91*)

YEAS

Members

Abbott	Ablonczy
Albrecht	Alghabra
Allen	Ambrose
Anders	André
Angus	Atamanenko
Bachand	Bagnell
Bains	Baird
Barnes	Bélangier
Bell (Vancouver Island North)	Bell (North Vancouver)
Bellavance	Benoit
Bernier	Bevilacqua
Bevington	Bezan
Bigras	Black
Blackburn	Blaney
Bonin	Boshcoff
Boucher	Bourgeois
Brown (Oakville)	Brown (Leeds—Grenville)
Brown (Barrie)	Bruinooge

Brunelle	Byrne
Cannan (Kelowna—Lake Country)	Cannis
Cannon (Pontiac)	Cardin
Carrie	Casson
Chan	Charlton
Chong	Chow
Clarke	Clement
Comartin	Comuzzi
Crête	Crowder
Cullen (Etobicoke North)	Cummins
Cuzner	D'Amours
Davidson	Davies
Day	Del Mastro
Demers	Deschamps
Devolin	Dewar
Dhaliwal	Dhalla
Dion	Dosanjh
Dryden	Dykstra
Easter	Emerson
Epp	Eyking
Faille	Fast
Finley	Fitzpatrick
Flaherty	Fletcher
Freeman	Fry
Galipeau	Gallant
Gaudet	Godfrey
Godin	Goldring
Goodale	Goodyear
Gourde	Gravel
Grewal	Guarnieri
Hall Findlay	Hanger
Harper	Harris
Harvey	Hawn
Hearn	Hiebert
Hill	Holland
Ignatieff	Jaffer
Jean	Julian
Keeper	Kenney (Calgary Southeast)
Khan	Laforest
Laframboise	Lake
Lalonde	Lauzon
Lavallée	Layton
Lebel	Lemay
Lemieux	Lessard
Lukiwski	Lunney
Lussier	MacKay (Central Nova)
MacKenzie	Malhi
Malo	Maloney
Mark	Marston
Martin (Winnipeg Centre)	Martin (LaSalle—Émard)
Martin (Sault Ste. Marie)	Masse
Mathysen	Mayes
McCallum	McGuinty
McGuire	McKay (Scarborough—Guildwood)
Ménard (Hochelaga)	Ménard (Marc-Aurèle-Fortin)
Menzies	Merrifield
Minna	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Mulcair
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Murray	Nadeau
Neville	Nicholson
Norlock	O'Connor
Obhrai	Oda
Ouellet	Pacetti
Paquette	Paradis
Patry	Pearson
Petit	Picard
Plamondon	Poillievre
Prentice	Preston
Priddy	Proulx
Rae	Rajotte
Redman	Regan
Reid	Richardson
Ritz	Rodriguez
Rota	Roy
Savoie	Scarpaleggia
Scheer	Schellenberger
Scott	Sgro
Shipley	Siksay
Silva	Simard
Skelton	Smith
Solberg	Sorenson
St. Amand	St. Denis
Stanton	Steckle

Government Orders

Storseth
Sweet
Temelkovski
Thibault (West Nova)
Thompson (Wild Rose)
Toews
Trost
Tweed
Van Kesteren
Vellacott
Vincent
Wallace
Warawa
Wasylycia-Leis
Williams
Wrzesniewski
Zed— 237

Strahl
Szabo
Thi Lac
Thompson (New Brunswick Southwest)
Tilson
Tonks
Turner
Valley
Van Loan
Verner
Volpe
Wappel
Warkentin
Watson
Wilson
Yelich

NAYS

Nil

PAIRED

Members

Allison	Anderson
Asselin	Barbot
Batters	Blais
Bonsant	Bouchard
Breitkreuz	Calkins
Carrier	DeBellefeuille
Doyle	Duceppe
Gagnon	Guay
Guergis	Guimond
Hinton	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Komarnicki
Kramp (Prince Edward—Hastings)	Lévesque
Manning	Miller
Mills	Mourani
Pallister	Perron
St-Cyr	St-Hilaire— 32

The Deputy Speaker: I declare the motion carried.

GOVERNMENT ORDERS[*Translation*]**CONTROLLED DRUGS AND SUBSTANCES ACT**

The House resumed consideration of the motion 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.

The Deputy Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading of Bill C-26.

The Secretary of State and Chief Government Whip now has the floor.

[*English*]

Hon. Jay Hill: Mr. Speaker, once again, if you were to seek it I think you would find unanimous consent to apply the result of the vote just taken to the motion presently before the House, with Conservative members present this evening voting yes.

[*Translation*]

The Deputy Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

[*English*]

Hon. Karen Redman: Mr. Speaker, Liberals will be voting in favour of the motion.

[*Translation*]

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, the members of the Bloc Québécois will vote in favour of this motion.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the members of the NDP will vote against this motion.

[*English*]

Mr. Blair Wilson: Mr. Speaker, I vote in favour of the motion.

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

(Division No. 92)

YEAS

Members

Abbott	Ablonczy
Albrecht	Alghabra
Allen	Ambrose
Anders	André
Bachand	Bagnell
Bains	Baird
Barnes	Bélangier
Bell (North Vancouver)	Bellavance
Benoit	Bernier
Bevilacqua	Bezan
Bigras	Blackburn
Blaney	Bonin
Boshcoff	Boucher
Bourgeois	Brown (Oakville)
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinoogee	Brunelle
Byrne	Cannan (Kelowna—Lake Country)
Cannis	Cannon (Pontiac)
Cardin	Carrie
Casson	Chan
Chong	Clarke
Clement	Comuzzi
Crête	Cullen (Etobicoke North)
Cummins	Cuzner
D'Amours	Davidson
Day	Del Mastro
Demers	Deschamps
Devolin	Dhaliwal
Dhalla	Dion
Dosanjh	Dryden
Dykstra	Easter
Emerson	Epp
Eyking	Faille
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Freeman
Fry	Galipeau
Gallant	Gaudet
Godfrey	Goldring
Goodale	Goodyear
Gourde	Gravel
Grewal	Guarnieri
Hall Findlay	Hanger
Harper	Harris
Harvey	Hawn
Hearn	Hiebert
Hill	Holland
Ignatieff	Jaffer
Jean	Keeper
Kenney (Calgary Southeast)	Khan
Laforest	Laframboise
Lake	Lalonde
Lauzon	Lavallée
Lebel	Lemay
Lemieux	Lessard
Lukiwski	Lunney
Lussier	MacKay (Central Nova)

Private Members' Business

MacKenzie	Malhi
Malo	Maloney
Mark	Martin (LaSalle—Émard)
Mayes	McCallum
McGuinty	McGuire
McKay (Scarborough—Guildwood)	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Menzies
Merrifield	Minna
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Murray	Nadeau
Neville	Nicholson
Norlock	O'Connor
Obhrai	Oda
Ouellet	Pacetti
Paquette	Paradis
Patry	Pearson
Petit	Picard
Plamondon	Poilievre
Prentice	Preston
Proulx	Rae
Rajotte	Redman
Regan	Reid
Richardson	Ritz
Rodriguez	Rota
Roy	Scarpaleggia
Scheer	Schellenberger
Scott	Sgro
Shipley	Silva
Simard	Skelton
Smith	Solberg
Sorenson	St. Amand
St. Denis	Stanton
Steckle	Storseth
Strahl	Sweet
Szabo	Temelkovski
Thi Lac	Thibault (West Nova)
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Tonks	Trost
Turner	Tweed
Valley	Van Kesteren
Van Loan	Vellacott
Verner	Vincent
Volpe	Wallace
Wappel	Warawa
Warkentin	Watson
Williams	Wilson
Wrzesnewskyj	Yelich
Zed— 213	

Kramp (Prince Edward—Hastings)	Lévesque
Manning	Miller
Mills	Mourani
Pallister	Perron
St-Cyr	St-Hilaire— 32

The Deputy Speaker: I declare the motion carried. The bill stands referred to the Standing Committee on Justice and Human Rights.

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

The Deputy Speaker: It being 6:04 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

• (1805)

[Translation]

CRIMINAL CODE

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ) moved that Bill C-384, An Act to amend the Criminal Code (mischief against educational or other institution) be read the second time and referred to a committee.

She said: Mr. Speaker, it is with great pleasure that I will be speaking today about my private member's bill C-384 at second reading. This is my first ever private member's bill in the House, and I am very proud of what it contains and its message. I am sure that my distinguished colleagues will understand the importance and scope of this bill and that, ultimately, they will support it.

Bill C-384 amends the Criminal Code to create a new offence to prohibit hate-motivated acts of mischief against an identifiable group at an educational institution. The term “educational institution” would cover a range of institutions or community places, such as a school, daycare centre, college, university, community centre, playground, sports centre and many others.

There are two fundamental elements we must take note of. The first is the fight against hate crimes. The second is the protection of places recognized as belonging to identifiable groups. In my opinion, these are two very laudable goals that will benefit all of our communities both on the social and cultural level.

I want to start off by saying that we live in a society known for its openness to the other and to difference. Our tolerance is the envy of the world. It is reflected in the social harmony underpinning all of our communities. However, there will always be people or groups seeking to disturb that social harmony, to spread base, degrading intolerance.

In general, they carry out their plans using the vilest, most reactionary ideas and actions imaginable. Studies have looked at hate crime activity nationally. One of these, the Department of Justice's 1995 study, showed that 61% of 1,000 hate crimes reported to police were perpetrated against racial minorities. That same proportion showed up again in another study conducted in 2002.

Offenders' second favourite target is religious communities, and these crimes are typically committed by anti-Semitic groups.

NAYS

Members

Angus	Atamanenko
Bell (Vancouver Island North)	Bevington
Black	Charlton
Chow	Comartin
Crowder	Davies
Dewar	Godin
Julian	Layton
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	Mulcair
Priddy	Savoie
Siksay	Wasylcia-Leis— 24

PAIRED

Members

Allison	Anderson
Asselin	Barbot
Batters	Blais
Bonsant	Bouchard
Breitkreuz	Calkins
Carrier	DeBellefeuille
Doyle	Duceppe
Gagnon	Guay
Guergis	Guimond
Hinton	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Komarnicki

Private Members' Business

The third and fourth most common motives for hate crimes were sexual orientation and ethnic origin. According to several studies, individuals' reasons for committing hate crimes are varied.

I am more concerned about some of these reasons because they can easily result in mischief against educational institutions. Many people consider minorities to be scapegoats for ills that befall people and society. Others express their resentment of a minority's economic success. Some have inherited hatred and animosity from previous generations. Sadly, mischief-makers think that they have their society's tacit consent.

Nevertheless, we already have some legislative provisions to counter this kind of harmful behaviour. Initially, the definition of hate crime could be found in the sections in the Criminal Code on hate propaganda, sections 318 and 319, to be precise, which address advocating genocide, inciting hatred and wilfully promoting hatred against any identifiable group. The definition of "identifiable group" includes any section of the public distinguished by colour, race, religion, ethnic origin or sexual orientation.

In 1996, section 718.2 was amended to allow the courts to increase a sentence where an offence was "motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor". Thanks to this amendment, the courts can now consider hate an aggravating circumstance.

Section 430(1) of the Criminal Code pertains to the general offence of mischief and prohibits damage to property. Section 430 (4.1) covers a subcategory of the offence of mischief: mischief relating to religious property such as churches, mosques and synagogues. But is this enough to protect identifiable groups?

Some might be tempted to believe that hate crimes against educational or cultural institutions are infrequent or are committed by only a handful of individuals in a specific area.

• (1810)

But when we read the headlines, we see that more and more acts of violence are targeting schools and community centres.

I would like to share three recent examples with my colleagues.

On August 28, 2007, the Euclide-Lanthier elementary school in Aylmer was the target of a hate crime when one or more vandals covered one wall of the school with two anti-francophone and homophobic messages. The parents were shocked and disappointed that people would write such things on their school. They rightly believe that their children do not need to read such crude language.

On July 18, 2007, the third fire in two weeks broke out at a Jewish summer camp in Val-David, adding to the group's concern. One or more suspects broke into five homes in this community and tried to set them on fire. They succeeded in completely destroying one and damaging at least two others.

On September 3, 2006, a Molotov cocktail was thrown into a Jewish school in the Outremont area of Montreal. For the second time in less than two years, a Jewish school in Montreal was the scene of a criminal act. In April 2004, a youth had targeted the

library of the United Talmed Torahs elementary school in the Ville Saint-Laurent area of Montreal.

My colleagues will notice that I am using examples from Quebec to show that even a society as multicultural as ours, which has a low crime rate compared to the rest of North America, is no exception to the rule. Thus the need to create an additional offence specifically to address mischief against certain categories of buildings used or occupied by an identifiable group of persons.

Citing all the incidents that have occurred across Canada could have been a speech in and of itself, but that is not the purpose of my speech. I want people to understand the need to create this new offence against the educational institutions of identifiable groups. In my opinion, this would add another building block to tolerance and respect for our differences.

Second, the relevance of my bill is not just based on facts alone. It comes from a specific request from a number of organizations that defend identifiable groups. I am referring in particular to the Canadian Jewish Congress, which has been calling for this change to the Criminal Code for five years.

The need for this change has resulted in widespread support for my bill from groups and agencies from all walks of life. Promoting hatred against people is denying them a certain value as human beings and denying them the respect and dignity they deserve.

I want to acknowledge the support I have received from the Canadian Jewish Congress, whose director of intergovernmental relations, Éric Vernon, told me that more than 1,000 acts of anti-Semitism were committed in 2007 alone; Laurent McCutcheon, president of Gai écoute, who indicated that the gay community is still the target of aggressive behaviour and vicious comments; the president of Médias Maghreb, Lamine Foura, who pointed out that the Muslim community is a regular target of violence by certain individuals, as evidenced by the deplorable acts of vandalism committed in January 2007 against a Muslim school in Montreal; Dan Philip, president of the Black Coalition, who would like stronger legislation to allow all minority groups to live in peace without fear of threats and violent actions committed to intimidate them; and finally, Algonquin Chief Stephen McGregor, who told me about a sad incident involving an aboriginal cultural centre in Maniwaki, which was the target of racist graffiti.

But apart from organizations that defend the rights of identifiable groups, I am pleased to have received the support of two members who are well known for their fine contributions to the work of Parliament, the hon. member for Notre-Dame-de-Grâce—Lachine and the hon. member for Windsor—Tecumseh. I greatly appreciate their support, which demonstrates the solidarity that parliamentarians can enjoy when a cause deserves to be moved forward.

Private Members' Business

This strong support surrounding the need to amend the Criminal Code to combat hate crimes more effectively says a lot. It shows us that we need to act as quickly as possible so that the Criminal Code can reflect the needs of our communities as much as possible. I would remind the House that, basically, hate crimes cause disproportionate harm to the individual and the entire group he or she identifies with. Let us imagine for a moment all the psychological harm caused by the destruction of a community space linked to one's identity.

• (1815)

This largely demonstrates why crimes motivated by hate are often more violent than crimes committed with other motives.

Most importantly, hate crimes invariably cause collateral damage to our communities. That is perhaps the most devastating consequence, because it leads to division within our communities.

As I was saying earlier, in a society like ours, we expect all groups to live together in harmony and equality. From that perspective, hate crimes are an abomination that literally deny all the fundamental values we espouse.

I will close by reiterating that Bill C-384, by creating a new offence involving mischief against educational or other institutions, will send a clear message that our society does not tolerate acts of violence against places that are occupied by or used by identifiable groups. That goes for all groups, without exception, including homosexuals, Muslims, Jews or any other group.

In short, we will send a message that we, as parliamentarians, will not tolerate violent acts motivated by the hatred of one group or community. This new offence will allow us to punish not only the material damage to the building, but above all the morally unacceptable nature of the feeling of hatred that motivated such action towards an identifiable group.

Moreover, Bill C-384 provides a perfect opportunity for the Conservative government to turn words into action. Recently, I was reading some of the Minister of Public Safety's news releases. Every time he visited an institution which was the target of a hate crime, he expressed his indignation and his sympathy for the affected community. Unfortunately, his government has not yet done anything to curb this kind of mischief.

The time is now. He should take this opportunity to act on his ideas. My bill addresses the problem he himself has condemned. All I am asking for is his government's strong support in order to move this bill through the legislative process quickly.

Communities whose educational institutions have been affected by malicious people will always be able to count on the Bloc Québécois and its members to understand their concerns and fight for them.

I would therefore invite all of my colleagues and all parties to wholeheartedly support my bill. This is a step in the right direction. It supports our sense of openness and confirms loud and clear that we believe in the benefits of harmonious social integration.

[*English*]

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, I am pleased this evening to speak to Bill C-384, An Act to amend the

Criminal Code (mischief against educational or other institution), a private member's bill introduced by the member for Châteauguay—Saint-Constant.

Bill C-384 proposes to add a new offence to the mischief portion of the Criminal Code. Specifically, it would propose to add the existing mischief provision to make it a specific offence, with increased penalties, when the mischief is committed against an educational or recreational institution that is used exclusively or principally by an identifiable group.

This new provision would apply if it could be established that the perpetrator's mischievous act was motivated by bias, prejudice or hatred.

This new provision would apply if the mischief occurred in relation to the property, that is, the building, that is used exclusively or principally by that group and as included, this would apply to an educational institute, including a school, a day care, a college or a university; a community centre; a playground, an arena or a sports centre; or any other institution with an administrative, social, cultural, educational or recreational function; or in relation to an object associated with an institution; or on the grounds of that institution.

In 2001 an offence of religious mischief was added to the mischief provision of the Criminal Code. Subsection 430(4.1) was enacted to respond to vandalism and threats against religious property, mostly Muslim, that followed the terrorist events of September 11, 2001.

That 2001 offence, subsection 430(4.1), made it a specific crime to commit mischief in relation to property, that is, a building or structure, or part thereof, primarily used for religious worship, including a church, a mosque or a synagogue, or a cemetery, where the commission of the mischief is motivated by bias, prejudice or hate based on religion, race, colour, nationality or ethnic origin.

The new offence proposed by Bill C-384, like the 2001 offence of mischief against religious property, calls for an increased penalty over and above what exists in the current legislation. The proposed amendment would increase from 6 to 18 months the maximum penalty on summary convictions for mischief against the property listed in the bill.

Additionally, it would increase the maximum penalty, when prosecuted by indictment, from a maximum term not exceeding 2 years to a maximum of 10 years for property that is under the value of \$5,000.

The objective of the bill would seem to send a message to all Canadians that we do not tolerate acts that are directed toward institutions in Canada that are used by what is defined in subsection 318(4) of the Criminal Code as an identifiable group.

There are of course other initiatives under way that work toward promoting diversity. One of them is Canada's action plan against racism. This initiative is a concerted and coordinated effort by federal departments and agencies to combat racism. The action plan is designated and designed to contribute to the long term goals of strength in communities and the realization of economic potential for all Canadians.

The action plan includes new and expanded initiatives to be undertaken by a number of departments, including Canadian Heritage, Justice Canada, Citizenship and Immigration, Public Safety and Emergency Preparedness, and Human Resources and Social Development.

The Minister of Canadian Heritage has a lead on Canada's action plan against racism and is responsible for reporting to all Canadians through the annual report on the operation of the Canadian Multiculturalism Act. Activities undertaken under the action plan support the values and principles embodied in the Canadian Multiculturalism Act.

Canada's action plan is an example of work that the federal government is doing to promote equality before the law, and equality and respect for the people who make up our rich and diverse nation.

In Canada, we do not tolerate acts that are motivated by bias, prejudice or hatred, and we should continue to work together to ensure that all of our laws fully respect this fundamental value.

• (1820)

[Translation]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, it is an honour for me to participate in this debate. I would like to congratulate my colleague for Châteauguay—Saint-Constant for her valiant effort in bringing this bill before the House. The objective of the bill is praiseworthy and necessary, particularly as we approach the fourth anniversary of the bombing of the United Talmud Torah elementary school in Montreal. Hate attacks against cultural communities in Canada continue. Allow me to provide an overview of certain recent incidents.

In September 2006, the Skver-Toldos Orthodox Jewish school for boys in Outremont was firebombed a few hours after the end of the school day.

In January 2007, the Jeunes Musulmans Canadiens (JMC) school in the Saint-Laurent—Cartierville borough was vandalized. Twenty windows were broken and a school bus damaged. That was not the first time the school had been vandalized.

In June 2007, the Kitigan Zibi cultural centre was vandalized and damaged. White supremacist symbols and slogans were painted on the walls of this Algonquin cultural centre.

In March 2008, vandals covered the door to the gay lounge at Ryerson University with homophobic graffiti, including the slogan "Gays must be exterminated". The incident occurred one month after a gay student was attacked on campus.

I will not read out quotes to the House on the hate crimes reported in Canada, since I think my colleague from Châteauguay—Saint-Constant painted a good picture.

Private Members' Business

I would, however, like to bring up a point about these statistics and data. Usually the Canadian Centre for Justice Statistics collects data on hate crimes. Unfortunately, since the 1999 study, there have been no national data on hate crimes. The centre has not collected any data on the subject, so we have only partial data. We get information from police forces or cities that collect data on hate crimes. I think it is very important to update our data on hate crimes.

In its 1999 report, the Canadian Centre for Justice Statistics established the important link between data collection on hate crimes and the fight against hate crimes. To be successful, we need to have reliable data on the people in question, the facts of the situation, the circumstances, the location of the crimes, the frequency of the crimes, the number of victims and the perpetrators of the crimes. The data will define the problem, the target and the causes, and will help ensure the law is obeyed. Answers to these questions are important to evaluate the needs of victims and communities and to determine what action the police should take.

The 1999 study came to three major conclusions. First, hate crime victims are less satisfied with the actions taken by the police than those who were victims of other types of crimes. Whereas 29% of victims of other types of crimes were dissatisfied with police responses, the proportion jumped to 47% for victims of hate crimes.

• (1825)

Second, young people are the main targets of hate crimes. Persons between the ages of 15 and 24 had experienced hate crimes the most, with a rate twice that of the next highest age group.

Third, 30% of incidents targeted public institutions, often educational institutions.

[English]

Legislation is required to address these issues, to increase the consequences of hate motivated crimes, to deter potential criminals from targeting our cultural communities.

• (1830)

We need to demonstrate that there are serious consequences for hate driven acts of mischief, and Bill C-384 accomplishes just that.

Racist, xenophobic or homophobic acts of vandalism represent more than simple mischief. They are traumatic assaults not only on the victims of crime, but on society at large. Thus, by increasing penalties for hate motivated mischief, Bill C-384 represents an important step in bringing justice to those who violate not only the laws of the land but also the values of pluralism and tolerance that all Canadians hold dear.

Bill C-384 would make it an offence to commit an act of mischief against an identifiable group of persons at an educational institution, including a school, day care centre, college or university, or at a community centre, playground, arena, or sports centre.

It expands upon legislation which, as my colleague from the government side mentioned, was passed in 2001, which made it an indictable offence punishable by a maximum of 10 years in prison.

Private Members' Business

Currently those convicted of mischief or vandalism against educational institutions can face sentences of only up to two years. This bill, by grouping these vicious attacks in the same category as attacks against religious buildings or cemeteries, would increase the maximum sentence from two years to ten years.

In its present form, the bill only addresses acts of mischief rooted in ethnocultural, sexual, racial and religious prejudices. It might be appropriate to amend the proposed legislation so as to include hate targeting linguistic minority communities. Amending the bill to include discrimination based on language would send a strong message of support to our linguistic minority communities across Canada.

The relevance of including our official languages linguistic minority communities is that this very week the Regional Association of West Quebecers received an email from a group which threatened to put, and I quote, "lead in their heads", in French, "du plomb dans la tête".

In addition to increasing punishment for acts of mischief against identifiable groups, there is also a need to help vulnerable groups protect themselves against attacks. This would require the government to offset the increased security costs incurred by vulnerable communities in guarding their institutions against hate crimes.

The current government has created a pilot project which is financed with some \$3 million. This is good. It is a step in the right direction, but it is a small step.

In 2004 Canada's principal Jewish organizations estimated that it would take approximately \$8 million to undertake minimum investments to upgrade the security of their infrastructures, schools and community centres.

Officials from the Taldos Yakov Yosef school, which was attacked in September 2006, had to launch an appeal to raise \$150,000 for repairs and security enhancements to that private Orthodox Jewish school.

It was precisely because of my concern with these increased costs incurred by victims of crime, who through no fault of their own were having to fork the bill to ensure the security of their institutions, that in 2004 I wrote a letter to the then prime minister, to the then deputy prime minister, and to the then minister of justice recommending the creation of a national fund for security infrastructure and training for communities with a high risk of victimization by hate crimes and terrorist attacks.

I am proud that last week the Leader of the Opposition, on behalf of the Liberal Party of Canada, announced that a Liberal government would invest \$75 million in a fund designed to protect at risk communities. That announcement represents the culmination of vigorous study and consultation by the Liberal Party's task force on cultural communities at risk, which was chaired by my colleague from Thornhill. The task force consulted with the communities that are most at risk at being victimized by hate crimes.

In conclusion, I support Bill C-384.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Hochelaga on a point of order.

Mr. Réal Ménard: Mr. Speaker, without taking too much of the time of the House, might I ask a question, with the unanimous consent of the House, on a point of order?

I do not understand the government's position on the bill we are debating. Could the member for Peace River simply state, yes or no, if he intends to support the measure before the House?

The Acting Speaker (Mr. Royal Galipeau): At this time we are in the period of debate. Questions may only be directed to the member moving the motion.

I know that the hon. member for Hochelaga is quite diligent. There will be other presentations by other members of the front benches. I hope that at that point he will have a better understanding of the government's position.

In the meantime, the hon. member for Outremont has the floor.

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, I am pleased to speak on behalf of the NDP about Bill C-384, put forward by my colleague from Châteauguay—Saint-Constant.

The purpose of this bill is to improve and update existing provisions of the Criminal Code. These provisions already state that if an act is committed against a place of worship, the penalty can be increased. This was in response to a number of tragic events throughout Canada, and particularly in Quebec.

What we are doing here is broadening the scope. It would apply not only to places of worship, but also, for example, schools or possibly sports centres. It could even include libraries or other places patronized by members of a group specifically referred to in existing regulations, also known as identifiable groups.

I am going to pick up the pass from the Bloc member who asked a question. We had the opportunity to hear from the person who tabled the bill, the member for Châteauguay—Saint-Constant, supported by the NDP and the official opposition. They made their points clearly.

Even though, as you stated, Mr. Speaker, we are not allowed to ask questions or make comments at this stage to a government member, I can still say that I am not very far away from the member in question. I spoke to the member for Peace River after his presentation, because I too did not understand whether or not the Conservatives were going to support the bill. He replied, with a little smile, "You will see." So, I was not the only one, nor was the Bloc member who just spoke the only one who was unsure whether or not the Conservatives were going to support the bill.

I can say that we will be watching the Conservatives very closely. All things being equal, the support of the official opposition, the Bloc and the NDP should be more than enough to win the vote. But recent events concerning sexual orientation have made us very wary of the Conservatives' attitude.

I held a press conference with a gay man from Malaysia who was facing possible deportation. According to Amnesty International, which is helping us with his case, the penal code in Malaysia orders up to 20 years in prison and in some cases even lashings for one's sexual orientation. Despite that, the Conservatives proceeded with his deportation, even though he had been in Montreal for years. He was not a risk to anyone, he contributed to society and could have been an excellent citizen.

Then there were the clearly homophobic remarks uttered by a Conservative member. The response was: "That was a long time ago. He has since changed his mind. He said he was sorry." True, but the fact remains that that is part of a bigger picture.

● (1835)

[*English*]

Mr. Joe Preston: Mr. Speaker, I rise on a point of order. The member for Outremont, being a member in good standing, certainly cannot stand here and say that homophobic remarks were made by a member of the Conservative Party. I was in the House that day. I heard no homophobic remarks. I did see the member for Outremont go a little wild and climb over desks, but I did not hear any homophobic remarks and I do not believe that is parliamentary language in any sense.

The Acting Speaker (Mr. Royal Galipeau): I am standing so that means the hon. member for Outremont sits. I doubt that the hon. member for Elgin—Middlesex—London is rising on a point of order. It is more a point of debate. We will go back to the hon. member for Outremont, who I am sure is going to steer back to the debate at hand.

[*Translation*]

Mr. Thomas Mulcair: Mr. Speaker, I was referring to the remarks made by one of his colleagues that made the headlines last week. And I am not talking about the remarks made by his colleague when he interrupted me in the House, but the clearly homophobic remarks that his other colleague made several years ago. He apologized, but they are nevertheless part of the issue we are debating here this evening. Indeed, we are discussing a legislative amendment aimed at protecting groups that are identifiable because of their minority status. The bill aims to increase sentences not only in the case of places of worship, but also for example in the case of a school or sports centre, or anywhere identifiable groups get together.

I was simply summarizing recent events here. The member in question, who just rose in error, as was so rightly pointed out, alluded to the fact that when I was defending the rights of that gay man who was to be deported to Malaysia, I was constantly interrupted by shouts from the Conservatives, which is another indication of what they really think about this.

Back to what I was saying. Hatred is already considered an aggravating factor in sentencing, and places of worship are already protected. The New Democratic Party supports the member for Châteauguay—Saint-Constant's proposal because it broadens that protection. What remains to be seen is whether the Conservative Party, which is currently Canada's minority government, will vote in favour of or against this bill.

The only answer I was able to get from the member for Peace River was, "We will see". That is not very reassuring. What we have

Private Members' Business

seen up to now is not very reassuring for identifiable groups. Therefore, we will wait, because he told us we would see, but we will be keeping a very close eye on the Conservatives.

They say that one is judged not by one's words, but by one's actions. It is one thing to say that homophobic statements made years ago by a sitting member of Parliament no longer represent that member's thoughts, and that he is sorry. It is one thing to say that we have a neutral immigration policy when people are being deported to countries where they will be in real danger because in those countries, it is illegal to be homosexual. That is what the Conservative government is really doing, and I highly doubt it is mere coincidence.

Sometimes people ask me how things work here. I often tell them that the only thing I see that they do not see when they watch the debates on television is the behaviour of the members in the House. When the Conservatives have an opportunity to amend a long-standing Canadian policy in order to request clemency for Canadians sentenced to death in other countries, I watch their reactions in the House. They are handling these files in a way that will keep their political base happy. They know exactly what they are doing. The member for Peace River's sardonic smile says a lot about the Conservatives' real attitude.

All I am asking is that the Conservatives prove me wrong by voting. I hope that they will support Bill C-384, which, as I said, has the support of three of the four parties here. Today would be a very good day if we could agree on this. As the member said, we will see.

● (1840)

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, it is a pleasure for me to congratulate my colleague for Châteauguay—Saint-Constant who is introducing her first bill. You know that I am very much in favour of private members' bills. I wish we had two hours of debate each day. When we introduce a private member's bill, we do so because of our personal convictions or, of course,—and often for both reasons—the interests that we wish to promote for our citizens.

I doubly congratulate the member for Châteauguay—Saint-Constant, who is making an important contribution that is cause for celebration to all those in this House—and there are many—interested in human rights.

I also appreciated the speech by my colleague for Outremont. It reminded me of when I was in this House, in 1996, and my colleague Svend Robinson, member for Burnaby at the time, introduced a bill that the Conservatives did not support. The Conservatives were the official opposition then.

My colleague Svend Robinson introduced a bill, referred to as the hate crimes bill, to amend s. 718 of the Criminal Code, which sets out the aggravating circumstances enabling a judge to impose a harsher sentence for individuals who engage in reprehensible conduct. At the time, sexual orientation was to be added. In major Canadian cities, including Montreal and Ottawa, gays had been beaten up just because they had a different sexual orientation.

Private Members' Business

Section 430, of course, and section 434.1 which covers places of worship, were added. We were at the juncture of two phenomena. The first was the protection of religious freedom guaranteed by the Quebec Charter and the Canadian Charter. The Supreme Court supported a subjective view of religious freedom. This means that it is not necessary to worship by adopting the practices of the religion to which one belongs; it is enough to profess a sincere and genuine expression of faith.

Today, the member for Châteauguay—Saint-Constant is taking it one step further not only by protecting religious freedom but also by protecting places of significance to identifiable communities. I will come back to that.

These places of special significance are, of course, educational institutions, daycare centres, colleges, universities, community centres, playgrounds, arenas and sports centres. The member was wise to broaden the protection, because these are all potential gathering places for various identifiable communities.

Even though Canada and Quebec have a long tradition of peace, respect and tolerance for all sorts of social, sociological and historical reasons, the fact is that, year after year, certain groups are singled out. Certain cultural communities are more likely to be targeted than others. In Montreal and other cities, synagogues have been set on fire. Certain cemeteries have been desecrated.

When a bill is as important as this one, all partisan considerations should be set aside. That is why I am concerned, shocked and disappointed that this government has not found a way to state clearly, during this first hour of debate, that it will support the bill. My colleague from Notre-Dame-de-Grâce—Lachine has suggested an amendment, and we are open to that. It does her credit that she is trying to improve the bill.

● (1845)

Under certain circumstances in Parliament, our opinion may not be final. We may want to hear witnesses and steer the debate in one direction or another. Personally, I feel it is extremely sensible to suggest that we also consider linguistic groups that may be targets of abuse or mischief.

I find it troubling that, on a human rights issue, a government, a group that is responsible for running the country, is not able to stand up in this House and state clearly that it will or will not support the bill for a given reason.

I cannot help noting that I have been a member of this House since 1993 and that there have been nine separate votes involving the homosexual community. With a very few exceptions, the Conservative members have voted against the rights of this community on nine separate occasions. I therefore cannot understand why they are keeping quiet and are unable to say whether or not they will support this measure, which recognizes that people are targets of abuse and mischief in public institutions and says that, as a society, we condemn that.

We do not accept that people should be mistreated because of their race, sexual orientation or identifiable characteristic. In my opinion, this bill should not cause any controversy and we should be unanimously in favour of it. In my opinion, there are very few arguments that could convince us that this bill is not legally sound,

since it is a bill that addresses human dignity. All hon. members who believe in human dignity and certain inalienable rights must stand up in this House and support this bill.

I repeat: I find it extremely embarrassing that the government has not found an opportunity to make a firm statement on this. I do not know if we have enough time left to hear from another speaker from the government side, but I hope this situation will be remedied.

I cannot help but note that this government has a mixed record on human rights. My colleague from Abitibi mentioned to us that this government refused to support the United Nations Declaration on the Rights of Indigenous Peoples. It is rather troubling that, despite the Erasmus-Dussault commission, and despite a number of extremely important bills on aboriginal rights, in major international forums like the United Nations, this government has not found a way to take a clear position.

I also want to commend the hon. member for seeking to increase the sentences and ensure that we take into account that, whether prosecution is summary or by indictment, the sentences will be increased, which will contribute to sending an even clearer message that hate-driven motivation and behaviour are not acceptable.

I see that I have only a minute left and I do not want to stop heaping praise upon the hon. member for Châteauguay—Saint-Constant, who wants to add this building block to the edifice of human rights. The Bloc Québécois has always been an extremely enterprising architect when it comes to human rights. I cannot imagine any hon. member in this House who believes in human dignity and equality not supporting this bill. I could not look government members in the eye if, at the end of this debate, any of them do not support this bill. I dare not imagine such a situation. This is a chance for them to show that they believe in human rights. I hope they will take the opportunity being extended to them by the hon. member for Châteauguay—Saint-Constant.

● (1850)

I wish my colleague all the best.

[English]

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, I am pleased to have the opportunity to rise today on private member's Bill C-384, introduced by the member for Châteauguay—Saint-Constant.

Bill C-384 proposes to amend the Criminal Code by adding a new offence to the existing mischief provisions.

The Criminal Code mischief provisions state:

Every one commits mischief who wilfully

(a) destroys or damages property;

(b) renders it dangerous, inoperative, or ineffective;

(c) obstructs, interrupts, or interferes with the lawful use, enjoyment or operation of property; or

(d) obstructs, interrupts or interferes with any person in the lawful use, enjoyment or operation of property.

[*Translation*]

The amendment would make it a specific offence, with increased penalties, when the mischief is committed against an educational or recreational institution, or any related object, that is used exclusively or principally by a group identifiable by its colour, race, religion, ethnic origin or sexual orientation.

[*English*]

The bill, specifically in lines 12 to 15 about sentencing, states: “being motivated by bias, prejudice or hate based on religion, race, colour”. When I read that, I know that some of the existing provisions in the Criminal Code about mischief allow action to be taken by the judge.

● (1855)

[*Translation*]

The new provision would apply when it could be proven that the act of mischief was motivated by prejudice or hate based on religion, race, colour, national or ethnic origin or sexual orientation.

[*English*]

I understand the rationale behind the proposal. It seeks to send a clear message to Canadians that we do not tolerate acts motivated by bias, prejudice or hatred. I noted the examples pointed out by my hon. colleague from the Bloc, who talked about the schools and the things that were done in Outremont to the Jewish school and the library.

In particular, it seems that the intention of the bill is to send a message to potential hatemongers that we do not tolerate acts that are directed toward institutions in Canada that are used by what is defined in subsection 318(4) of the Criminal Code as an “identifiable group”, or in other words, a group identified by colour, race, religion, ethnic origin or sexual orientation.

My question when I read the bill is about motivation and whether in existing law this is not covered. Does the judge not have the ability to define that aggravating factor when they look at the sentencing provisions?

As we heard in our throne speech last year:

Canada is built on a common heritage of values, which Canadians have fought and died to defend. It is a country that continues to attract newcomers seeking refuge and opportunity, who see Canada as a place where they can work hard, raise families and live in freedom.

We are a diverse nation and our laws recognize and protect that diversity.

[*Translation*]

The report tabled by Statistics Canada earlier this month also reflects this diversity. The results of the 2006 census shows that the ethnocultural diversity of our population is growing and will continue to increase. In fact the census indicates that there are more than 200 different ethnic origins.

The 32 million people living in Canada make up a cultural, ethnic and linguistic mosaic that is found nowhere else in the world.

Private Members' Business

[*English*]

Canada welcomes many immigrants a year from all parts of the globe, who continue to choose Canada drawn by the quality of life and its reputation as an open, peaceful and caring society that welcomes newcomers and values diversity.

Canadians need to continue to respect and value one another regardless of their colour, race, religion or ethnic origin. As the member pointed out, unfortunately when there are differences among people, there is the possibility of conflict between them.

[*Translation*]

And when conflict leads to criminal behaviour, the criminal justice system must be able to respond appropriately.

As a nation, we will not tolerate hate-motivated acts that are based on a person's colour, race, religion, ethnic origin or sexual orientation. We are making great efforts to be a nation where peace reigns. Canada was founded on the principles of peace, order and good government.

[*English*]

Canadians value this and a place where they can feel safe. Today, rightly, they worry about their safety and security. There is no greater responsibility for the government than to protect this right to safety and security.

Canadians can be proud of their country and its achievements. Working together, we have built a nation that is prosperous and safe, a place where people from around the world live in harmony.

I personally had some reservations about the wording and how effective the bill may be when under its provisions crimes are brought before the court. Will it really be effective, especially given that we all see in our ridings at all times the tremendous amount of general mischief against public buildings, private buildings and public and personal property today?

Having said that, I am sure that all members of the House will commit to continuing to work together to ensure that all Canadians have a justice system that reflects our values as a nation, including standing up for vulnerable communities.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): Resuming debate, the hon. member for Shefford for 10 minutes. However, he will have only five minutes this evening. He would be wise to save his good arguments for the next time.

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, I am pleased to speak to Bill C-384, which was introduced by my colleague from Châteauguay—Saint-Constant. This bill is innovative. Before this bill, it was a matter of only two locations: places of worship and cemeteries. With the passage of this bill, it will henceforth be prohibited to attack a school. Why? Because that is just as important.

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When children go to school in the morning and see their school covered with hateful graffiti, that enters into their subconscious minds and stays with them. It is all well and good to tell these youngsters that people should not do such things, but it can be psychologically disturbing for them.

Even teachers are shocked by this when they arrive for work in the morning or when they see this near a day care centre. They must also take their children to the day care centre and see graffiti on the way. Their children will ask them questions, wondering why there are hate messages and why someone would write that on a school, or anywhere for that matter. These questions will be asked.

I want to share a story. At one point in my life, I was a union representative. A worker once came to me to say that he would like to be able to finish high school. He had worked hard and completed three years of high school in the evenings. Having a job and going to school is very hard work, but it is something that someone who wants to succeed must really make an effort to do.

One Friday, this person went to his supervisor to ask for an afternoon off because he had to take two exams to finish high school, and the diploma would help him move to a new position or a new job. In fact, all companies require a diploma. His supervisor asked him why he wanted to get his high school diploma and if he did not like his current job. The employee replied that he would like to improve his life and earn a decent income to raise his family. The supervisor pointed out that he was black, and that blacks were meant to work in factories and not to hold senior positions, such as supervisors. He did not grant permission, and the worker had to find another way to take his exams and get his high school diploma. The supervisor did not think it was worthwhile to get the diploma because a black person was not meant to hold a senior position.

A grievance was filed against this supervisor, and I do think the employee won.

This bill also includes colleges, universities, community centres and playgrounds. Is it not bad enough that, in the summer, when children go to the playground they go to every day, they see graffiti saying that society should get rid of all blacks—or any community—that nobody should see them and that children should not play with them? That is not what we want to teach our children. We teach them that they have to be kind to one another, that every person is different, and that we have to accept those differences.

What message is graffiti like that sending to children? It might bother them and, as they grow up, they will begin to think that there is a colour difference, a difference they can exploit. I do not see why we should tolerate such things.

My colleague from Châteauguay—Saint-Constant is on the right track. This is perfect timing for this bill. All parties in the House of Commons, the NDP and the Liberals, agree. Recently, the champions of law and order proposed a new bill to curb auto theft. What is more important, auto theft or hate crimes against people? People are much more important.

I see that my time is up, but I know I will be able to continue next time.

● (1900)

The Acting Speaker (Mr. Royal Galipeau): The time provided for the consideration of private members' business has now expired, and Bill C-384 is dropped to the bottom of the order of precedence on the order paper.

When we return to the study of this bill, the member for Shefford will have five minutes to complete his remarks.

ADJOURNMENT PROCEEDINGS

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

[*English*]

IRAN

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, over the course of world history, many different political systems have emerged. Like all human developments, none are perfect, but there is little question that for those who have benefited from it, democracy is truly the most equitable and responsible of all systems of government.

The reality is the world is full of nations that put on a show of democracy, but in actuality those democratic outcomes have been predetermined by a ruling group intent on maintaining its power through oppression if necessary. Nowhere is this more evident than in Iran.

While the supreme authorities of Iran have gone through the democratic motions once every four years, the reality is all candidates have all been hand selected by an unelected and unaccountable group of clerics. Simply put, Iran is a theocratic state shrouded behind a mask of democracy.

The egregious natures of the Iranian government's human rights abuses include a broad swath of violations, all intended to reinforce the domination by the leadership over every aspect of Iranian life and to ensure that all social interactions are controlled by the government.

The Iranian government has time and again arrested union leaders and responded to peaceful strikes with deadly violence. The right to withhold one's labour is an important one. People must be able to advocate for better working conditions, otherwise the reality for working people would be unbearable.

The arrest of Mansour Osanloo, as well as hundreds of other labour organizers, is an affront to human rights, and this kind of behaviour must stop. Canadians can be proud of labour organizations, like Teamsters Canada, that are working to keep this issue on the forefront.

Similarly the treatment of religious minorities in Iran, including Zoroastrians, Christians, Jews, Baha'is and many others, is abysmal. These groups are regularly targeted for rioting, mass arrest, terror and intimidation. They are used as scapegoats to vent the fears and frustrations of the population and their rights, while technically guaranteed, are constantly trampled by the Iranian authorities.

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The violations of that government, however, are not limited to minorities. The oppression of women under Iranian law is extensive. Everything from schoolrooms to ski slopes to public buses is strictly segregated.

In the first year after the revolution, females who did not cover all parts of their bodies, except their hands and faces, were subject to severe punishment. This suppression of half of Iran's society is further evidence of this disregard for human rights.

The Iranian government even violated the few human rights agreements that it does sign. The public execution of Mahmoud Asgari, a 16-year-old gay youth, not only violated his right to enter into a private relationship, but was also a contravention of a United Nations Declaration of the Rights of the Child, which states that no person under the age of 18 will be executed.

All those violations of human rights are designed to keep the population subjugated and impose the government's will on even the most basic of social interactions. These Orwellian tactics continue to be used as a mechanism for Iranian rulers to maintain their power.

Canada has historically been a leader at the United Nations on the issue of human rights. The previous Liberal minister of foreign affairs was responsible for introducing a number of United Nations resolutions condemning the violation of human rights in Iran and demanding that Iran comply with international law. It is vital that Canada finds a way to ensure that the United Nations becomes a more vocal force for human rights in all nations across the world.

What is the government doing to address human rights violations by the Iranian government?

• (1905)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs and to the Minister of International Cooperation, CPC): Mr. Speaker, at the outset, I agree with most of the hon. member's comments. Tonight allows me to explain the position of the Government of Canada toward the serious human rights situation in Iran.

First, I remind all of those present that the Government of Canada remains very concerned with Iran's deteriorating human rights situation. Mr. Mahmoud Salehi was arrested by Iranian authorities in April 2007 and Mr. Mansour Osanloo has been in Iranian custody since July 2007.

In December 2007 Canada and the European Union, in a joint demarche in Tehran, called upon Iran to release human right defenders, Mr. Mansour Osanloo and Mr. Mahmoud Salehi and reminded Iran of its international human rights obligations.

Canada's commitment to human rights in Iran has long shaped the nature of our bilateral relations with Iran. Since 1996, Canadian relations with Iran have been governed by the tightened controlled engagement policy, which limits official bilateral dialogue to the following four topics: the case of the murdered Canadian-Iranian, Zahra Kazemi; Iran's human rights performance; Iran's nuclear program, and Iran's role in the region. This policy reflects in part the importance that Canada attaches to human rights, as well as our ongoing concerns about the Iranian government's opposition to the

Middle East peace process, its support of terrorism and its pursuit of weapons of mass destruction.

In addition to our concerns over the detained labour workers, Canada remains gravely concerned with Iran's blatant disregard for its commitments and obligations under both international and domestic law. The new penal code being drafted in Iran, particularly a section that imposes the death penalty for apostasy, witchcraft and heresy, targets religious minorities and clearly violates Iran's commitments under the international human rights conventions to which Iran is a party.

The death penalty has been carried out in Iran for apostasy under Sharia law but never before set in criminal law. Executions of minors and others, including through suspension-strangulation, continue to be carried out.

The persecution of religious and ethnic minorities, such as the Baha'is, continues with no end in sight. For example, attacks against Baha'i children and youth occur on a daily basis and include even the expulsion of Baha'i children from primary school and kindergarten.

Freedom of expression, including that of the media, is limited and women's rights are severely restricted.

These deplorable actions compel the Government of Canada to continue to work with the international community to pressure Iran to change its law and behaviour.

For five consecutive years, Canada has worked with more than 40 co-sponsors and successfully led a resolution on the situation on human rights in Iran at the UN General Assembly. The fall 2007 resolution calls on the government of Iran to fully respect its human rights obligations and implement previous resolutions. The adoption of the Canada-led resolution sends a strong signal that the international community is deeply concerned about Iran's serious human rights violations.

With regard to labour organizers, the resolution expressed serious concerns at the continuing harassment, intimidation and persecution of union members and labour organizers, including through undue restrictions on the freedoms of peaceful assembly, conscience, opinion and expression, the threat and use of arbitrary arrest and prolonged detention, targeted at both individuals and their family members and restrictions on the activities of unions and other non-governmental organizations.

I can assure members that Canada will continue to monitor the human rights situation in Iran very closely, and to express concerns about human rights in Iran through appropriate multilateral or bilateral fora.

In conclusion, we call upon the government of Iran to release Mr. Osanloo and Mr. Salehi from custody—

• (1910)

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Davenport.

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Mr. Mario Silva: Mr. Speaker, many Canadians have been at the forefront of advocating for human rights in Iran. Among the most prominent is Teamsters Canada. Alongside Amnesty International and Human Rights Watch they have taken an extremely active role in promoting human rights in Iran. Their work to free labour activists Mansour Osanloo and Mahmoud Salehi has significantly amplified the debate surrounding Iranian human rights violations. Their efforts have been recognized across the world, and earlier this month Mr. Salehi was released from prison.

With labour groups such as Teamsters Canada managing such effective campaigns for human rights in Iran, the government would be well advised to follow their lead. What is the government doing to ensure the release now of Mr. Mansour Osanloo?

Mr. Deepak Obhrai: Mr. Speaker, as I said Canada, remains very concerned about the treatment of the two union members and labour organizers in Iran. I am very happy to see that one of them has been released. Nevertheless, it does not change the situation of labour organizers in that country. It requires a tremendous amount of attention.

We call upon the government of Iran to release Mr. Mansour Osanloo as quickly as possible, and remind Iran of its international human rights obligations.

AUTOMOTIVE INDUSTRY

Mr. John Maloney (Welland, Lib.): Mr. Speaker, tonight's adjournment proceedings arise from a question I asked on February 27, 2008, regarding a crisis facing the Canadian auto industry. The question I asked relates to an automotive plant located in the riding of the Minister of Justice, and the response I received from the minister was insufficient.

Edscha is an automotive parts supplier located in the riding of Niagara Falls. The company employs approximately 150 people and it recently celebrated its 20th anniversary. In late 2007, one of the companies to which Edscha supplies auto parts provided notice that it was withdrawing from its contract. This particular company decided it would instead pursue a contract with a Korean supplier.

The loss of this contract is very worrisome for Edscha and its employees. The company will experience a major loss of income with the possibility that many workers may lose their jobs. This particular case is also representative of a larger problem facing the auto industry throughout Canada.

Employees at Edscha as well as other auto workers in Niagara are afraid that this is an example of the growing trend of Canadian jobs being outsourced to cheaper overseas competitors, especially since the Conservative government is on the brink of signing a Canada-Korea free trade agreement. They fear the situation will only get worse.

Over 100 auto employees across the Niagara region have written to the Minister of Justice expressing their concerns over the current negotiations to create a free trade agreement with Korea. Many are concerned that should Canada sign a free trade agreement, it may lead to further job cuts within the Canadian auto industry, especially at Edscha. Many fear that such a free trade agreement would not necessarily ensure fair trade.

The response of the Minister of Justice, an influential member of the Conservative cabinet, has been nothing short of appalling. He has turned his back on his own constituents and has left them feeling frustrated and humiliated by his lack of concern. These constituents have reached out for assistance from their member of Parliament and he has ignored them. He has offered them no reassurance that their jobs would be protected, simply nothing. These employees deserve more. These employees demand more.

The Minister of Justice indicated in his response to my question that he was quite influential in getting the federal government to invest \$2 million in Edscha. However, the sum of which the minister speaks was in fact a loan. What is incredible is that this loan was paid back 16 years ago. Can you believe it, Mr. Speaker? Suggesting that he is there for this company and its employees in the current crisis is shameful.

The minister has done nothing to date to assist the workers at Edscha. His claim that a free trade agreement with Korea will also be fair for Canadians cannot be guaranteed, certainly not for Edscha workers.

• (1915)

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the Minister of Justice is always eager to respond to the concerns of his constituents to ensure they are well informed on all aspects of this government's support for the automotive industry.

In this particular case, the minister had received a number of letters from employees of Edscha Canada which had no individual return addresses included. Therefore, the minister responded with a letter addressed directly to the president of Canadian Auto Workers Local 199 in St. Catharines, which was the only return address included in the mailing.

In his reply, the minister stated that he had appreciated the opportunity to visit Edscha for its 20th anniversary celebration and valued the positive comments he had received with respect to his assistance in securing an investment from the federal government in the amount of \$2 million.

Some of the letters he had received had reference to a free trade agreement between Canada and Korea which, as all of us in this House well know, does not exist at this time.

The member can rest assured that the Government of Canada will continue to take the necessary time to ensure that we are working toward fair trade agreements, ones that are in the best interest of Canadians.

The manufacturing sector is vital for our economy. Our government continues to support a climate of success for manufacturers by investing in critical infrastructure across Canada and improving access to a skilled and talented workforce.

A healthy automotive sector is also vital to our economy. That is why earlier this week the minister introduced Bill C-53, which proposes to amend the Criminal Code.

Adjournment Proceedings

Auto theft impacts more individual Canadians and businesses than any other with an estimated cost of more than \$1 billion each year. This dollar figure takes into account the cost of the theft of non-insured vehicles, policing, health care, legal and out of pocket costs, such as deductibles. While Canadians suffer the financial and emotional impacts of this crime, organized crime profits.

Our government has also moved to protect Canadians from the very serious crime of identity theft. This is under the leadership of the Minister of Justice.

In closing, I would like to mention that this week is National Victims of Crime Awareness Week. People in communities all across this country will be getting out the message about what crime does to victims and what all of us can do to help.

Our government and the Minister of Justice are committed to helping victims of crime, including the many victims of auto theft. We will, of course, ensure that Canada's citizens are safe and our industries prosperous.

Mr. John Maloney: Mr. Speaker, the parliamentary secretary certainly mentions the loan to Edscha. As I pointed out, this was 16 years ago. What has the minister done today to assist these workers?

Thousands of jobs are at stake with the anticipated Canada-Korea free trade deal and the Conservative government has done nothing to protect these workers. This particular case demonstrates just how out of touch the government is with the needs of average Canadians.

The government is well aware of the problems with the proposed Canada-Korea free trade agreement, yet it has taken no action to ensure that Canadian industry is protected.

Canadians deserve a better deal. Will the government stand up for Canadians and assure free and fair trade with Korea? When will the government protect the auto industry and the livelihoods of thousands of hard-working Canadians, especially those in the auto sector in Niagara?

When will the Minister of Justice show some accountability and address the needs of his own constituents?

• (1920)

Mr. Rob Moore: Mr. Speaker, the Minister of Justice needs to take no lessons from the member on standing up for his constituents and in fact, on standing up for all Canadians. We are all tremendously proud on this side of the House of the steps the Minister of Justice has taken to protect Canadians from coast to coast to coast.

I should add that I am a little alarmed at the member's issue here where the Minister of Justice responded to his constituents to the only return address that was included in the mailing. I suppose the hon. member when he receives mail without a return address somehow can magically respond to that directly, but for the rest of us, we can only respond when someone has provided a return address for us to respond to.

The Minister of Justice did this in this case and I appreciate the, "What have you done for me lately" comment from the member, but in my books the securing of a federal investment of \$2 million is significant and the Minister of Justice—

The Acting Speaker (Mr. Royal Galipeau): Order. It is with regret that I must interrupt the hon. parliamentary secretary. The hon. member for Moncton—Riverview—Dieppe has the floor.

ETHICS

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, on Monday, March 3, I asked the parliamentary secretary whether he and his party were trying to twist Chuck Cadman's words or deviate from the fact that offers were made to the Cadman family to ensure that Mr. Cadman would place a crucial vote in their favour.

The reason I ask this question is that it appears that the Conservatives are thriving on a system of double talk and half truths. In the past few weeks, it has become apparent that the Conservative Party is willing to use whatever means it can and any means it can think of to get what it wants, including bypassing the election laws for which we now see the RCMP, regretfully, has had to become involved.

It has become obvious to all Canadians that the Conservatives have a policy of saying and doing one thing behind closed doors and on tape and then vehemently denying, some 150 times we are told, or apologizing in a cursory manner for their words and, most important, for their actions.

The problem is that none of their public denials, apologies or announcements ring true, which is why I am hoping that the parliamentary secretary will be motivated by some source of inspiration and be clear this time, on the 151st time perhaps, that the Cadman family already knows and has told the Canadian public regarding offers made to them by the Conservatives. The parliamentary secretary knows that no members of my party, including the former prime minister, made any offers to Mr. Cadman.

What he has not answered directly is whether he and the members of his party, including the Prime Minister, knew of the financial offers that had been made to Chuck Cadman, as corroborated by his wife and the Conservative candidate in that riding. Why will the parliamentary secretary not elicit from his notes and his conversations with the Prime Minister or why will he not even listen to the tape of the Prime Minister and come up with some better answer on the 151st time?

He blames the opposition for asking the question 150 times but if we keep getting a denial 150 times, we will keep asking the question.

I will help the parliamentary secretary out in finding his way here. His answer should include some reference to the fact that the current Prime Minister had been taped saying to the author of the Cadman book, Mr. Zytaruk, that he was aware of financial considerations, namely, the payment of an insurance policy, being made to Mr. Cadman. What are financial considerations in this context? Why will the Prime Minister not rise to the questions from the member for York Centre? Why will the Prime Minister not answer the question?

We now have the parliamentary secretary who must be very fatigued giving the same answer 150 times.

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I will also help out the parliamentary secretary to ensure he does not deviate on a tangent of half truths by saying that the Conservative Party was only trying to help Chuck Cadman out, that it was not at all concerned about its electoral concerns or whether it became the government. Oh, no, it was all about Chuck Cadman.

We are not talking about just help here. We are talking about financial inducements, financial considerations. The Prime Minister of this country is on tape. At first the parliamentary secretary and others said that they had not heard the whole tape. It was Nixonian. They should have learned the lessons from the last time a right wing government got in deep trouble.

I would ask the parliamentary secretary to come clean, to have his conscience serve the Canadian public and, finally, on the 151st time, tell us what the financial considerations were. Would he?

• (1925)

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, I congratulate my colleague from Moncton—Riverview—Dieppe on his performance rather than his speech.

While I was watching him, I counted over 30 sheets of paper that he went through during his speech. Did he have one phrase per page? How exactly is that complying with the Liberal dogma on the environment?

However, in answer to his question, the Liberals' allegation is that the Conservative Party offered Chuck Cadman a \$1 million life insurance policy in order to change his vote on the budget. The allegation is, in fact, false.

Mr. Brian Murphy: Mr. Speaker, these papers are very important to the work I do and they will be archived. Also, I do not think it is fair for him, the young, spritely fellow that he is, to make fun of an ocular deviation that I have and I cannot see as well.

I would ask my friend for, I think, the 153rd time now and counting, to at least address the question. What does he think financial considerations meant? These are the Prime Minister's

words. I know he was very careful to say on air, in the public domain and in the Commons so many times that they had not heard the whole context of the tape and that the context was important.

The fact is that the term "financial considerations" was used by the Prime Minister, the leader of the governing party in the House, the government to which Canadians look up to.

I would ask the parliamentary secretary to come clean. What were the financial considerations if they were not financial security for his vote in favour of the Conservative—

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

Mr. James Moore: Mr. Speaker, the offer to Chuck Cadman was made by Doug Finley and Tom Flanagan on May 19, 2005. The offer had three components: that Chuck would rejoin the Conservative Party; that he would then present himself as a candidate; and that we would help him get re-elected in the subsequent campaign. If he needed support with fundraising and financing, we would help him in that regard, complying, of course, with all the laws that are mandated by Elections Canada. That was the only offer made to Chuck Cadman.

My colleague told me that I should just come clean. I would not be speaking to this issue if I were not entirely certain that I was standing on firm ground, and I know I am. I know that no wrongdoing has been done here.

However, I would close by saying that I am sorry. I did not mean to poke fun at the number of sheets my colleague was using. I did not realize it had to do with his vision, but I wish him well.

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

[*Translation*]

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

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

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