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OFFICIAL REPORT
(HANSARD)

Thursday, October 4, 2012

—

Speaker: The Honourable Andrew Scheer

CONTENTS

(Table of Contents appears at back of this issue.)

CORRIGENDUM

The October 3, 2012 issue of *Hansard* should be amended as follows:

Page 10785, in Division No. 471, Mr. Rob Anders should be recorded as voting yea.

HOUSE OF COMMONS

Thursday, October 4, 2012

The House met at 10 a.m.

Prayers

•(1000)

[English]

PRIVACY COMMISSIONER

The Speaker: I have the honour to lay upon the table the report of the Privacy Commissioner concerning the Privacy Act for the fiscal year ended March 31, 2012. Pursuant to Standing Order 108(3)(h), this document is deemed to have been permanently referred to the Standing Committee on Access to Information, Privacy and Ethics.

ROUTINE PROCEEDINGS

[English]

INTERPARLIAMENTARY DELEGATIONS

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present, in both official languages, the report of the Canadian delegation of the Commonwealth Parliamentary Association respecting its participation in a bilateral visit to South Africa.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present, in both official languages, the report on the Canadian NATO Parliamentary Association respecting its participation at the Economics and Security Committee's consultation with the Organisation for Economic Co-operation and Development, the OECD, held in Paris, France, February 10 and 11, 2012, and the joint meeting of the Defence and Security, Economics and Security and Political Committees held in Brussels, Belgium, February 12 to 14, 2012.

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COMMITTEES OF THE HOUSE

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Environment and Sustainable Development.

In accordance with its order of reference of Wednesday, September 19, 2012, your committee has considered Bill C-370,

An act to amend the Canada National Parks Act (St. Lawrence Islands National Park of Canada) and agreed on Wednesday, October 3, 2012, to report it without amendment.

* * *

CRIMINAL CODE

Mr. Craig Scott (Toronto—Danforth, NDP) moved for leave to introduce Bill C-448, An Act to amend the Criminal Code (consent).

He said: Mr. Speaker, I rise with pride to introduce this private member's bill, and I thank the hon. member for Vancouver East for seconding. I would note that the hon. member is the health critic, which is actually very relevant to this motion to introduce the bill.

The bill would repeal an outdated provision of the Criminal Code that unconstitutionally discriminates against members of the LGBTQ community. Essentially the goal is to repeal section 159 of the Criminal Code, which discriminates against the gay community with regard to sexual activity and the age of consent.

As far back as 1995 with the Ontario Court of Appeal and 1998 with the Quebec Court of Appeal, this provision had been deemed unconstitutional. For that reason, this is essentially a constitutional cleanup, something that should have happened under successive Liberal and Conservative governments. It has not happened. It is the fourth time that an NDP member has risen to table a bill to repeal this provision.

I would like to end by reading a short quote from Jeremy Dias of JersVision, who says:

During the Senate debate of Bill 22 some years ago, JersVision.org requested equalization of ages of consent for gay sex. The current legislation creates a double standard for gay youth, not only discriminating, but also leading to other challenges. One we are seeing is that safer gay sex is not talked about in schools. The existing legislation is not reflective or effective of the realities of youth, and Mr. Scott's bill is urgently need to empower youth, and support them in making healthier and safer decisions in their live.

Government Orders

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

* * *

•(1005)

PETITIONS

THE ENVIRONMENT

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, I am very pleased to present a petition today from various Canadians, including Canadians from Vancouver Island, who have petitioned to establish a permanent ban of crude oil tankers on the west coast to protect B.C. fisheries, tourism, coastal communities and natural ecosystems forever.

[*Translation*]

DEVELOPMENT AND PEACE

Mr. Claude Patry (Jonquière—Alma, NDP): Mr. Speaker, I am pleased to present a petition today on behalf of my constituents in Jonquière—Alma regarding the organization Development and Peace.

Parliament has terminated certain projects recently. The petitioners are calling on the government to restore funding in order to help people in communities around the world.

[*English*]

41ST GENERAL ELECTION

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to present three petitions.

The first petition calls upon the government, the Prime Minister and cabinet to create a special inquiry to ensure that we get to the bottom of who was behind the attempts at electoral fraud in the 2011 election. This comes from residents of Halifax as well as from Vancouver and other parts of British Columbia.

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the next petition calls for a legislated tanker ban for the coastal waters of British Columbia from residents of the Vancouver area.

This is a critical need as we have had an unlegislated moratorium since 1972.

AGRI-FOOD

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, my last petition is from residents of the Victoria area, supporting private member's Bill C-322, to ensure that under the Health of Animals Act and the Meat Inspection Act we prohibit the importation and use of horses for slaughter for human consumption.

CANADIAN COAST GUARD

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I rise to present a number of petitions, all to the same effect, asking that the Government of Canada reverse its decision to close the Canadian Coast Guard's maritime rescue sub-centre in St. John's, Newfoundland and Labrador, reinstate its staff and restore its full services.

The petitioners are from St. John's and other parts in and around my riding. However, it is noteworthy that there are also a number of signatories from other provinces of Canada including British

Columbia, Nova Scotia, Prince Edward Island, Manitoba, and from Prince George, B.C., and Ottawa, calling upon the government to reverse its decision and noting that this rescue base in the Newfoundland and Labrador region has the highest portion of distress instances in Canada and that 600 lives per year have been saved. Each year, 18 lives are lost on average. This is extremely important to these petitioners.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

•(1010)

[*English*]

FASTER REMOVAL OF FOREIGN CRIMINALS ACT

The House resumed from October 3 consideration of the motion that Bill C-43, An Act to amend the Immigration and Refugee Protection Act, be read the second time and referred to a committee.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I am pleased to rise today to speak to Bill C-43.

In a democracy, due process is the very life blood of our freedoms and the protection of citizens' rights. Political power as such must rest with this Parliament and not with any given minister. Any move that is seen as usurping the power of Parliament has to be, at the very least, questioned in this place.

Bill C-43, I would suggest, is coming on the heels of some very heated criticism of the Conservative government and its proposed refugee reform in Bill C-31. It also cuts at health care, as we hear spoken of in this place. It would seem to us that perhaps the government is trying to change the channel with Bill C-43.

The Conservatives' mantra for the last six years has been pretty much "tough on crime". To some extent, they have extended that past the point of reality and into a great deal of spin.

When government members speak about the need for Bill C-43, they use some pretty extreme examples of foreign nationals abusing the immigration appeal process, to blow smoke over the fact that this bill is designed to effectively remove checks and balances that permit some flexibility within our system for extraordinary circumstances.

I am a believer in due process and the need for the right to an appeal. Not everybody's story is the same. There is a variety of things that can happen, and I will touch on those as I move forward.

Government Orders

However, I also support the ability for humanitarian and compassionate consideration for those people who, in some terms, might be inadmissible on various grounds: security, humanitarian, international rights violations or organized criminality. There are exceptions to every rule. Many times the whole story needs to be truly evaluated regarding a removal order.

We have had situations in Hamilton. For instance, at least one woman I am aware of, who had a number of children born in Canada, received a removal order. The order was suspended, but had there not been some reconsideration of the facts of that case, a pause for a second look, she and her children would have been forced out of this country. They may, in due course, still be forced to leave, but at least they will have had the benefit of due process and a real evaluation of their situation.

I want to stress that New Democrats do recognize the need for efficient and responsive judicial apparatus for the removal of serious criminals from Canada. Having said that, we do not support closing the door on an appeal process. There has to be balance.

None of us is perfect, nor are the ministers of the government. The reality is that sometimes in some places innocent people, even those not totally innocent, may have been inappropriately moved out of this country too quickly if they did not have the option of appeal.

In my opening remarks I talked about the supremacy of Parliament. We do not support granting the minister the power to unilaterally prohibit a foreign national from becoming a temporary citizen for up to 36 months based on public policy considerations. This is simply too vague and I would suggest unnecessarily too broad an application of ministerial discretion.

We have respect for the ministers of the government, and we understand that in most instances they are doing their due diligence as they see it. However, granting extraordinary powers is not going to be in the best interest of Canada and the rights of Canadians.

New Democrats stand with newcomers who want the government to focus on making the immigration system faster and fairer for the vast majority who have not committed any crimes and who have followed the rules.

• (1015)

Practically every member in this place has stories of people, good souls, who waited in line, filled out the forms and did all of the things that were required of them to gain access to Canada and eventually become a citizen, only to be waiting in suspended animation for years.

We want to be sure that whatever changes are made are fair. When the minister talks about this particular bill, he talks about tough but fair measures and repeatedly emphasizes that it is easy for a non-citizen to avoid deportation. The reality is that one should not commit crimes. That is understandable. That is something we support.

However, Bill C-43 redefines serious criminality for the purpose of access to appeal. I keep coming back to that area of appeal, that area of a last chance. Once a conclusion is made on a final deportation order, Canadians expect us to be absolutely sure of the importance and necessity of removing that person.

I would suggest that this change merits further committee study. We in the NDP will support sending the bill to committee. We understand there is an issue. This is not a circumstance where we are on this side of the House saying that we are just going to oppose blindly. We are going to offer positive suggestions for changes to the bill at committee. We will extend our hand to the government to ensure that whatever bill is put forward will accomplish the job at hand, but protect people's rights in the course of that effort.

The narrowing of circumstances under which humanitarian and compassionate considerations can be taken into account makes the system less flexible. This has already raised concerns from groups advocating for people with mental illnesses, for example, who may not have been in control of themselves at the time a crime was committed. There has to be some consideration for that circumstance.

I have had family members over the years who had various stages of depression or various stages of mental illness. In one case a close relative was medicated for all of her life and was hospitalized for 10 years for a serious situation. At that time she was not in control of who she was. That person by the way was my own mother.

The broader discretionary powers in Bill C-43 would grant the minister the power to issue or revoke a declaration that would prohibit a foreign national from becoming a temporary citizen for up to 36 months. Many people in the community feel that this would go too far, and that is something for the committee to consider.

It is troubling to note that the Conservatives have marketed the bill almost exclusively on its design to speed up the deportation of serious multiple offenders. Could that be to draw attention away from the fact that Bill C-43 would remove an appeal process and would bestow these new and extraordinary discretionary powers to the minister?

This is not a case where decisions should be made by one person. Very serious decisions take place relative to removing someone from our country. These decisions have an impact on a person's life and family. There are occasions where it is absolutely necessary to remove someone, but we want to be sure that on those occasions the person has had due process and an appeal process. When we reach the conclusion that the person must leave, we can do that in clear conscience, knowing the facts and not relying solely on the judgment of the minister.

I am going to skip through part of my speech because I think my time is just about up.

In 1999, the Australian immigration system underwent a reordering with striking similarities to what is before us today. It is often worthwhile to look at another country, particularly a democracy similar to our own. The mistakes that were made in the Australian case were clear and well documented, and for some reason our minister thinks that Canada ought to repeat them.

Previous to 1999, people were protected against deportation if they had been residents of Australia for 10 years or more. However new amendments gave the minister new powers to dismiss appeals without judicial review. Many of those people had arrived in Australia as infants.

Government Orders

That kind of excessive power is what the NDP is concerned about. We are concerned that the appeal process would be shoved aside and these extraordinary powers would be granted to the minister. That would have a terrible effect on people in the community and their view of what life is like in a free country.

• (1020)

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, I congratulate my NDP colleague for his excellent speech, which provided a great opening to today's debate on a subject that is so fundamental to our Canadian values of humanitarianism, solidarity and compassion.

I would like to come back to the fact that, once again, the Conservative government is showing its nasty tendency to give its ministers additional discretionary powers. I find it worrisome that the Conservatives always seem to head in this direction. These additional powers will be used to prevent people from entering Canada, to deny them entry and to impose periods of ineligibility in which people cannot apply for temporary residence. I find it particularly worrisome that the government wants to put even more power in the hands of a single minister who can block entry into Canada, especially since the bill also removes the minister's obligation to assess and review humanitarian grounds.

For instance, if someone had fought a dictatorship like Pinochet's in Chile because of the importance of fighting oppression, why should the minister be free of the obligation to take into account the context and circumstances surrounding that individual's application for temporary residence?

[*English*]

Mr. Wayne Marston: Mr. Speaker, I want to thank the member for taking the time to take a good, solid look at the bill because protecting Parliament's rights and the power that is vested in Parliament is very concerning. A minister is granted the ability to exercise parliamentary power via bills like this, but if we get to the point where all of the power is vested in the government ministers, our very democracy becomes at risk.

I am not saying that there are not good people sitting on the government benches who would do the best they can, but that will not always necessarily be the case. There are going to be times when we will have people with less good judgment dealing with cases such as this, or a person could get elected who has an ideology that does not match the real feelings of Canadians. In those instances, if the power is vested with the minister to the degree that there is no appeal process, no going back to get that second view or to have the opportunity to give consideration to an extenuating circumstance that might not have been known before, that does a disservice to Canadians.

[*Translation*]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I would like to thank my colleague for his speech.

[*English*]

I know that my colleague is really involved, interested and passionate about human rights. He sits on the committee and I thank

him for all the work he has been doing on the committee. He also sits on the finance committee, so he has a lot of talents.

In terms of the issue of refugees and human rights in Canada, we are a democracy where we have open arms and we try to get people to be part of the country and be part of what we can bring forward in terms of democracy. Could my colleague explain to us how we treat refugees whose human rights are under attack in their own countries and the impact the bill would have on those people?

Mr. Wayne Marston: Mr. Speaker, as you know, in many instances people on the street in Canada really do not have an understanding of the immigration process. There are roughly 250,000 immigrants in Canada who are no burden on Canadians at all. They do not cost the government a single penny. They came to this country with sponsors, some assets and moneys of their own, yet they are portrayed as somehow being a burden on Canada.

We get 8,000 to 15,000 refugees a year through the United Nations. Many of these people live in refugee camps before they come here. They do not even know what a light switch is. When they come to this country they face a high level of change. There are a lot of stressors, such as having difficulty finding employment because they do not have the educational background. There is a variety of things that happen. Our job has been, in our relationship with the United Nations, to protect people of that nature.

The impact of this is, again, that if we vest the power in the minister, we are at risk of making serious mistakes and that would be terrible.

• (1025)

[*Translation*]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Mr. Speaker, I am pleased to rise in the House today to speak about Bill C-43 to amend the Immigration and Refugee Protection Act. This bill does have some potential, but it also contains some disturbing elements that, in my opinion, should be more thoroughly examined in committee.

In many ways, these amendments to our Immigration and Refugee Protection Act could lead to abuse of the system and abuse of power. Let us start with the clause that gives the minister more discretionary power. This clause gives the minister—not judges or the courts—the authority to rule on the admissibility of temporary residence applicants. In fact, this amendment allows the immigration minister to arbitrarily decide what risk a refugee represents, “if the Minister is of the opinion that it is justified by public policy considerations”.

Let us now move on to the clause that allows the minister to avoid the responsibility of examining humanitarian grounds in the case of a foreign national who is deemed to be inadmissible. My colleague just spoke about it. In Canada, the government wants to give the immigration minister the opportunity to review people's files to assess whether or not they should be deemed admissible. This would allow the immigration minister to be inflexible with regard to the extraordinary circumstances in which asylum seekers sometimes find themselves.

Government Orders

Let us add to that the clause that amends the definition of “serious criminality”, a clause that uses extreme cases to defend Conservative measures to combat crime. In Bill C-43, the Conservative government is once again introducing the doctrines of its crime agenda by applying them to immigration. Whether we are talking about Bill C-31 or Bill C-43, it is always the same thing with the Conservatives.

This bill penalizes all refugees who arrive in Canada. Instead of defining and setting out a framework for the legal treatment of serious crimes committed by non-citizens, Bill C-43, in its present form, punishes legitimate refugees, as well as the civil society organizations, lawyers and other people who are trying to help them.

Michael Bossin, a refugee lawyer in Ottawa, is of the opinion that the amendments to the new law could result in Canada exporting its social problems rather than dealing with the root causes of crime.

The minister said that he wants more power to intervene in order to deport criminals. In my opinion, he should spend less time organizing press conferences that paint a negative picture of newcomers, as in the announcements we saw recently, and instead provide police with the resources they need to protect us from criminals from all walks of life.

Instead of giving far too much vague power to the Minister of Immigration, why do the Conservatives not concentrate on improving the fairness and speed of the immigration system?

There are many immigrants in my riding. They represent almost one-third of the population of Notre-Dame-de-Grâce—Lachine. I meet some of them every week when I return to my riding. In fact, I work on many immigration cases. I have one employee who works full-time on these cases because there are so many of them. The applications are straightforward and move along well. At the meetings, the applicants are given all the certificates, are told that they have been accepted and that they must forward their medical certificates. They wait for the certificates, but it takes months and months to get an answer. All the changes at embassies have made things worse.

There are many people who are good citizens and who have every right to come to Canada in the near future. There are problems with family reunification. There are people who want to come here to start businesses. Others want to come here to work and to live in a free country like Canada. But they sometimes have to wait up to 36 months before getting an answer, even if everything is in order. Even if a young 26-year-old man is moving here to be with his 25-year-old wife, even if these people will better Canadian society, even if they are going to work, are educated, are in perfect health and would make model Canadian citizens, they have to wait 36 months.

In my opinion, this type of bill should really address the problems we are currently having: the red tape involved and the slowness of the process. That is not what I am seeing. None of the bills introduced by our Minister of Immigration will solve the problem.

●(1030)

We have seen cuts to the embassies and more restrictions imposed on people who want to come here. The government is accusing immigrants and refugees of being criminals, but it is not coming up with anything to make things better. There is nothing in the bill about

people who are here legitimately or about plans to help make the process smoother, because often it is an unpleasant and lengthy process. People anxiously await documents. The family in Canada is anxious as well. I think it would be better to include something to address that.

Hon. members will agree that most people whose application is rejected did not commit a very serious crime. Often the minister will nitpick about minor things and minor technicalities in order to have fewer people come here to Canada.

Most newcomers to Canada would like to be treated fairly and, more often than not, be reunited with their family members.

Bill C-43, as introduced in the House, gives far too much discretionary power to the Minister of Immigration and gives far too little importance to human rights. Nonetheless, as I have already said, it shows that the Conservatives have taken a slight step forward. The bill clarifies that entry to Canada as a result of criminal activities is not enough in and of itself to warrant a determination of inadmissibility. This measure protects the victims who are implicated in serious criminal activity.

The NDP supports measures to help victims of trafficking and the provisions that show respect for and openness toward the victims of trafficking. What is more, the NDP urges the government to support an efficient judicial apparatus that respects human rights.

The new legislation limits the right of a permanent or temporary resident to appeal to the Immigration Appeal Division of the Immigration and Refugee Board of Canada, including in cases of extenuating circumstances for those who are sentenced to more than six months in prison and cases of appeals related to humanitarian considerations for those deemed inadmissible on grounds of security, violating human or international rights, or organized criminality.

Mario Bellissimo, a Toronto lawyer and a member of the executive of the immigration section of the Canadian Bar Association, said that it is misleading to designate permanent residents as foreigners, that they are casting the net too wide. If people make one mistake—even if it is a non-violent crime—they will be removed.

Mr. Bellissimo believes that Bill C-43 reflects the government's lack of confidence in the immigration tribunal and the Canadian judiciary.

Why should such important cases have to suffer because of the Conservative government's lack of political will?

These changes to the Immigration and Refugee Protection Act require more careful examination. That is why we will send the bill to committee. As I said at the beginning, we think this is a good start and the bill has potential. There are still some immigration issues to resolve, but we must examine them carefully and determine how we will resolve them.

Government Orders

It can be sad when I meet with my constituents. The people who come to my office have often been turned down as refugees. They were asked for proof. I recall one young woman. I will not give her name or say where she is from, but she sought asylum because she had problems with the police in her community. But she was asked to prove that the police were not on her side. These are the kinds of situations that I would like to resolve, because when a person has problems with the police, it is hard to get a certificate saying that the police are causing the problems.

I think that very serious problems should be studied to see how they can be resolved.

In conclusion, the NDP believes that we can prevent non-citizens who commit serious crimes from abusing our appeal process without violating their rights. Let us remember our Canadian values and work together to build a stronger, fairer Canada. Let us show refugees, temporary residents, permanent residents and immigrants that Canada is a welcoming country, as it has always been.

• (1035)

[English]

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, I, too, came as an immigrant to this wonderful country 32 years ago. I came under the family reunification provisions of the Immigration Act.

Over the past number of years, we have seen a dismantling of the family reunification provision, which, historically, has been an important component of getting immigrants into this country. Many constituents in my riding of Surrey North have had difficulties and have had to wait a long time to reunite with their loved ones.

Has the member had this experience in her riding?

[Translation]

Ms. Isabelle Morin: Mr. Speaker, I would like to thank my hon. colleague for his excellent question and for sharing his story. All parties in the House have members who came to Canada through the family reunification process.

In my riding, I often meet men who came here four or five years ago, ahead of their families, to work and send money back home. They are working here and have been trying for five years to bring their wives and children to Canada. In some cases, they have two-year-old children they have never met.

I am fortunate, because my family is together. I knew my parents when I was young. I may not remember it, but I knew my parents when I was a month old, a year old, two years old. I have known my brothers and sisters since I was born. I would like to be able to recreate that here in Canada. These people who come here to work do very well in our society. They are skilled, they make a financial contribution and they pay taxes. They simply want to bring their spouses and children—some they have never seen—to Canada, but it is a long process.

In my riding, it is usually fathers who come to see me. Some have told me that they have a two-year-old child they have never met. I find that so sad.

We are told that this bill will solve the problem and facilitate family reunification. There are many such cases in my riding. That is

why I hope to see this bill examined in committee so that we can improve and strengthen the family reunification process.

[English]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am troubled by this bill. It has a great public relations title but it goes well beyond the faster removal of criminals. It would create broad, unfettered discretion for the minister to decide whether to allow someone to become a temporary resident.

I would refer my colleague to section 8 of the bill, which amends section 22 of the primary legislation. It reads:

The Minister may, on the Minister's own initiative, declare that a foreign national, other than a foreign national referred to in section 19, may not become a temporary resident if the Minister is of the opinion that it is justified by public policy considerations.

Further, it is discretionary, sweeping and without any objective criteria. I would like my friend's comments on whether she is also concerned that the minister, and not just the present minister but all future ministers, is being given the ability to rule by fiat.

• (1040)

[Translation]

Ms. Isabelle Morin: Mr. Speaker, I want to thank the hon. member for her question.

I have touched on the issue of the discretionary power being given to the minister. Let us be frank: I am concerned that so much power is being given to a minister. I am not talking about this minister in particular. As my colleague said earlier, we do not know who the future ministers will be. This legislation will be around for a long time. At some point, a minister might have poorer judgment or have difficulty making decisions.

This scares me a little. There is no denying that some groups of immigrants are more partisan than others. I find it hard to believe that this type of discretionary power will not be used for partisan purposes. Some groups of immigrants are more progressive, while others are more conservative.

I wonder about all this. I am worried that this minister or a future minister will use his discretionary power for partisan purposes, to accept applications from some groups of immigrants and not from other groups. I am worried. I find it troubling to see such broad discretionary power being given to ministers. I think it is up to the courts and not the minister to make this type of decision.

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I would like to congratulate my colleague on her speech. A number of my colleagues have many people in their riding who immigrated to Canada and who think integration is a very important matter.

With regard to Bill C-43, An Act to amend the Immigration and Refugee Protection Act, or the Faster Removal of Foreign Criminals Act, we are in agreement that our legal system must be efficient and must deport serious criminals who are not Canadian citizens. All parties agree on this public safety issue. However, we are worried about the scope of the bill. It must give some weight to fairness, to the human element and to justice. From this point of view, Bill C-43 poses a problem. The main problem is that it concentrates even more power in the hands of the minister by giving him the authority to rule on the eligibility of a temporary residence applicant.

Government Orders

Questions must be asked about the actions of the current minister. The government's policy is oriented less and less toward immigrant integration, and family reunification is being ignored. This affects me personally. Although I was born in Canada, my parents are of Vietnamese origin. They immigrated to Canada, and a number of people in the Vietnamese community are refugees.

When we look at the direction the government is taking, we realize that they believe integration and reunification are not very important. The government would rather see temporary workers come to Canada. We give them a job, we give them a salary that is lower than what Canadians are entitled to, we say thank you and then we send them back to their home country without really thinking about what they have contributed to Canada.

The bill gives the minister discretionary authority to determine the admissibility of a temporary residence applicant. This is disturbing, as we do not know where the government is going with this. At this point in time, the government does not give priority to people who are asking to come to Canada. We think this is a problem.

There is another major problem: the department will no longer be responsible for reviewing humanitarian considerations. I just mentioned that my parents came from a country where many refugees have come from. Before this bill, the minister had an obligation, at a foreign national's request, to look into the humanitarian circumstances surrounding the situation of a foreign national who was found to be inadmissible on grounds of security, violating human or international rights or organized criminality. There are people who live in Vietnam and who are under pressure from the government.

• (1045)

[*English*]

I will read a quote from the report entitled, "Violations of Human Rights in Vietnam" from the Vietnamese Canadian Confederation. It says, "The government is restricting legitimate speech of journalists and bloggers who are advocating the rights through the usage of the Internet, newspaper and radio. There are some prison sentences for broadcasters and people like that".

If we were to take out the right of the minister to actually look at how we can help them come here, even though they are being attacked in their own country, we would be moving Canada away from what we used to be, which was a country that was really open and that believed in human rights. The fact that we are taking out the fact that the minister can actually look at that is an issue of serious concern.

[*Translation*]

We have also noted another problem. This one has to do with the discretionary authority that is given to the minister with regard to the exemption for members of a family of a foreign national found to be inadmissible. The minister may ignore the inadmissibility of a member of the family of somebody who is inadmissible on grounds of security if the minister believes this is not detrimental to the national interest.

Here again, we are talking about powers that are placed in the hands of the minister. Here is what we are saying: if it is only one

person who decides, if it is only the minister who has to make the decision, in a rather arbitrary way even though the national interest is at stake, if it is the minister who decides about policies and measures and has full authority, whether it is the current minister or the minister in a future government, there is a problem. We are seeing this more and more often under this Conservative government. There really is a trend toward more and more discretionary power, not only in immigration matters, but also on an economic level. More and more frequently, the government is giving power and discretionary authority to one person. This is what is dangerous. They are walking a path that is less and less democratic, less and less transparent, and they are relying more and more on decisions made by one single person. For the NDP, this is worrisome.

I reiterate that it is important to deport foreign criminals. We understand this aspect of the bill. We understand that this is what must happen if we want to protect Canada and ensure that the people who come here deserve to come here. A number of my colleagues opposite and we in the NDP are well aware that in our respective ridings the people who come here are usually good people who contribute to Canada's growth and help make Canada a better country. However, when you isolate them and cast them all as criminals, as this bill does, that is going too far. This is why we want the committee to look at the bill, discuss it and try to find good solutions. We really want to promote integration and have fewer discretionary powers. We have to minimize the stigmas attached to certain immigrant groups.

With regard to fairness and time frames, we know there is a problem. Why does the government not focus on the fact that families are not being reunited? This has come up in many riding offices, including my own, because I represent a riding with a high number of immigrants who are trying to bring their families here, or bring some family members here for a wedding, and this means waiting for a number of months. Nowadays, visas are being denied more and more often. The government is moving in a certain direction: rather than integrating and accepting immigrants, it puts them off and tries to send them back. Apparently, the door is open only for temporary workers who can be sent back home after they have been used for cheap labour, as I mentioned earlier.

• (1050)

[*English*]

The New Democrats know that Canada must have an effective judiciary to deport non-citizen individuals who are serious criminals but there are problems with the immigration system that should be addressed, which I just mentioned. We have serious concerns with the amount of power that would be placed in the hands of the minister.

I have something that came from a group that talks about the problems we have in terms the government not doing enough or basically taking away the right of appeal. That is also a big issue for us in terms of this bill.

Government Orders

[Translation]

The bill grants discretionary power, but more importantly, it takes away the right of appeal. It is very worrying that an individual can be refused access to an appeal process. It is a problem when more rights are being given to the Minister, but the right to appeal is being eliminated.

[English]

I will quote Andras Schreck, vice-president of the Ontario Criminal Lawyers' Association, who said that the bill raised constitutional issues under Canada's Charter of Rights and Freedoms. He stated, "I am concerned that there is no right of appeal for those being deported. This is serious injustice in that case and should be heard on their own merit".

[Translation]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I would first like to commend my colleague on his speech.

He reminded us of the importance of focusing on improving the immigration system to make it faster and more efficient with regard to family reunification, foreign credential recognition, and the situation of temporary foreign workers.

This bill redefines the notion of permanent resident in a fairly specific manner. In my opinion, we need to pay close attention to these profound changes. There has already been Bill C-31, and now there is Bill C-43. I think that the fact that the minister could potentially be given even more discretionary power is clearly a danger that we really need to pay close attention to.

Some stakeholders have pointed out something important about first-time offenders: that they could be deported even though they are not at all familiar with their country of origin.

What can my colleague tell us about this?

Mr. Hoang Mai: Mr. Speaker, I would like to thank the hon. member for Saint-Lambert for her question. As the NDP deputy critic for citizenship and immigration, she is well aware of all those issues. I know that she is actively travelling across Canada to meet with people. She knows that the changes made to the immigration system by the current government will have a negative and direct impact on people. So I would like to thank the hon. member for her work and for her question.

Yes, changing the definition of "serious criminality" for the purpose of access to an appeal of a determination of inadmissibility will create problems and will have a negative impact on young immigrants. Those young immigrants came here when they were very young and they do not really know their country of origin.

Once again, this government has a tendency to send people back to their country once they have been "used". I mentioned the case of temporary workers who are brought here, put to work and then removed. In those cases as well, we are talking about young people who have contributed to our country, who have made Canada a better country and who are members of our society. But instead of rehabilitating them and giving them an opportunity to be part of the Canada we want and continue to promote, we reject them and send them back to a country they know nothing about.

• (1055)

[English]

Mr. Kyle Seeback (Brampton West, CPC): Mr. Speaker, I listened to my colleague's speech with a certain degree of interest.

What I find particularly disturbing in the comments raised by the people on that side of the House are the wild accusations that somehow we are moving away from a society that cares about refugees and the people who come to this country. Nothing could be further from the truth as proven by our record on many occasions. We have increased the number of resettled refugees by 20%. We will be inviting more than 14,000 additional refugees to settle in Canada, which will give us the highest refugee resettlement rate in the world. Therefore, I would caution my colleague on making careless comments like that.

I agree that the legislation would give the minister certain powers. One example is with respect to people who want to come into this country and spread hatred. We had a situation like that last year and people in Canada were saying that we should not be allowing these types of people into the country. This legislation would give the minister the power to say that those people are inadmissible to Canada.

Why will the member not support the minister keeping people who would spread hatred out of the country?

[Translation]

Mr. Hoang Mai: Mr. Speaker, I would like to thank the hon. member for his question.

Let me remind him that, today, we are talking about what we are seeing on the ground. The change being made by the government directly affects people, and we are seeing that now.

I encourage the hon. member to visit communities and to meet with people. In my riding of Brossard—La Prairie, many people from various communities are experiencing this problem.

We do not have a problem with the removal of those who commit serious crimes. What we have a problem with is placing too much power in the hands of a minister who can arbitrarily decide who can enter this country and who cannot. Therein lies the problem.

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, thank you for giving me the privilege of speaking in the House about the Faster Removal of Foreign Criminals Act.

I believe it is very important to be able to discuss with all my colleagues in the House the problems related to the criminality of foreign nationals in Canada. We would be happy to work with the government on the problems related to the appeal process. We are not denying that there may be problems, but we want to work together to establish the facts and find solutions.

But the government has introduced Bill C-43. It is a starting point, but we have some legitimate concerns that some of my colleagues have taken the time to explain in a very clear and concise manner and that give rise to some very valid questions. We must not forget that we are talking about implementing a legal process. The legal process in Canada is based on a long-standing tradition. This tradition and the principles behind the process date back thousands of years.

Government Orders

One of the basic principles, which is not difficult to understand, is that no one can be detained arbitrarily, without reasonable cause. It is a very simple and basic principle. Over centuries it has resulted in a series of definitions that limit the arbitrary decisions of the Crown in order to prevent abuses and to prevent innocent people from becoming victims, even without a conviction, of the judicial system or the police.

One of the measures in Bill C-43 would redefine serious criminality of foreign nationals in order to determine whether or not they have access to the appeal process. The current law establishes the criterion for serious criminality as a sentence of two or more years, a criterion applied in federal and provincial penitentiary systems and also to certain types of crimes and the corresponding sentences.

In changing the prison term to six months or more, Bill C-43 greatly increases the number of people who could be excluded from the appeal process for categories of crimes that—I am not downplaying these crimes or excusing offenders—could be given some latitude so the offenders have options to rehabilitate and re-enter society.

When criminals are sentenced for a crime, we must never forget that they will eventually re-enter society, unless they are sentenced for life or are not successful in the traditional parole process. These cases are very rare, since most people re-enter society. They have lives after serving their sentences. I am not only talking about prison sentences, but also conditional sentences that can last years. With these conditional sentences, if an individual offends again, he could receive a harsher prison sentence or be forced to serve a sentence he did not serve as a result of the conditional sentence.

This entire system applies to all Canadian citizens and is in line with international tradition and consensus, which we must respect.

●(1100)

I will talk about another very important point that has not come up much in this debate. It has to do with Canada's place in the world, which I would define as being a good citizen in the community of nations.

One of the principles of international relations is that a sovereign state is not subject to other states. In other words, all states are treated equally and they have full sovereignty and jurisdiction over their own territory.

Given the consequences of the measures proposed in Bill C-43, we have to wonder if a policy to export more criminals—even our petty criminals—elsewhere in the world would turn us into a bad global citizen. It is very important to take that into account.

I can understand that the government wants to make sure criminals coming from outside Canada are not able to settle in Canada with impunity, and too easily. However, we must also not forget that the bill will affect people who have lived in Canada for a very long time, people who in many cases came here to live when they were very young, at a time when they were entirely dependent on their parents. Those people have grown up in Canada, and because of unfortunate life circumstances, they may have committed a crime and become targeted by this law because they unfortunately do not have Canadian citizenship.

In addition to potentially hurting those people, this two-tier system can also harm a country elsewhere in the world. That country could find itself with a person who was born in the country in question and has committed crimes in Canada, but has never committed a crime in their country of origin. What legitimate basis is there for Canada to offload that burden onto people elsewhere in the world? That is one of the questions we have to ask ourselves.

Most importantly, we must not forget that in Canada, we have very extensive protection, thanks to the privilege we have of living in a very wealthy country, with a justice system, a political system and a social and economic fabric that are highly developed. That creates a safe country that gives all of its citizens the opportunity to find their place and succeed. That is truly not the case elsewhere in the world.

I remember something one of my colleagues said to me. She had had the chance to travel in Latin America. In response to the measures that the Canadian government had taken or was considering, elected representatives there asked her what we thought we were doing by sending people back to them like that, people who had committed crimes in Canada. Did she think they would be able to deal with these people? These are people who might set up much more extensive criminal networks in those countries. If we kept them in Canada, we would have the resources to combat their criminal activities. After getting a slap on the wrist and a sentence, young petty criminals might even see the error of their ways and embark on a process to become good, honest citizens.

We may very well be condemning petty criminals to a life of serious criminality by denying them any chance of having hope in the future.

That is one of the aspects of Bill C-43 we will have to look at.

I very much want to make sure that Canada does not become the equivalent of the 19th century Wild West, when a town was allowed to tar and feather a criminal to export the problem to somewhere else, which did not necessarily solve the problem.

●(1105)

I will be pleased to be able to continue the debate and discussion with my colleagues and see how we can improve Bill C-43.

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, I was listening to my colleague from Beauport—Limoilou speak, and I thought to myself that this really is a Conservative government that is overreaching itself, that is going a little too far beyond the powers it should have. We see it granting itself discretionary powers in Bills C-31 and C-43, and now in Bill C-44. I know there are a lot of immigrants in my distinguished colleague's riding, especially in the Beauport area. I am also thinking of them today.

In light of what we can see and what my colleague and his whole team can see on the ground in Beauport—the requests they get from those people—I would like him to tell us a little about how the people caught in red tape see things.

Mr. Raymond Côté: Mr. Speaker, I thank my colleague from Québec, who handles a lot of immigration cases herself and will undoubtedly understand very well what I am going to say.

Government Orders

We must not pretend otherwise: people who come to Canada come here to improve their lives, for one thing, but also because they have complete faith in the system of government, in Canadian institutions. In our offices, we handle cases of people who have permanent resident status or who have not yet acquired that status, who are waiting, who want to bring their spouse or children to Canada. They come in the hope of getting a fair and equitable resolution. Our role as elected representatives, obviously, is to be fair and equitable and not to influence the system unduly.

But at the same time, through our actions and our explanations, we have to be able to confirm to these people, who have come to Canada with high hopes, that they were entirely right to have faith in our institutions and our system.

My colleague has drawn our attention to a particularly fundamental point: what faith will people around the world have in Canada, ultimately, if we become unfair and inequitable?

• (1110)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would like to try to simplify what the government is proposing to do here.

At the end of the day, when the Conservatives talk about foreign criminals, what they are really talking about are 1.5 million people who reside in Canada and call it their home. They are talking about permanent residents. What they are saying for example is that if someone is caught with six marijuana plants, he or she would be deported, with no appeal because the minimum sentence would be a six-month jail term. Therefore, for having six marijuana plants in their home, someone who might have been living in Canada for 15 or 20 years and who could be a parent with three children would be deported, and their spouse and children could stay.

I wonder if the member could tell me whether or not that is fair in terms of Canadian justice.

[*Translation*]

Mr. Raymond Côté: Mr. Speaker, I thank my colleague from Winnipeg North for pointing out one of the potential pitfalls in Bill C-43 and in the particular approach to crime that my Conservative colleagues unfortunately take.

I have the privilege of serving on the Standing Committee on Justice and Human Rights. Obviously, and I will not try to hide the fact, we have had some very tough and sometimes even acrimonious debates, for example concerning minimum sentences for certain crimes, the toughening of certain laws and denying the opportunity for rehabilitation so we can provide alternatives for petty criminals.

I am going to offer my colleague the example of a wonderful organization in Quebec City, L'autre avenue, which helps offenders, adolescents, who have committed minor crimes to stay out of the justice system. In fact, it offers the police an alternative to laying charges, and at the same time this makes it possible to create a system of restorative justice that allows victims to draw comfort from the knowledge that the offender is aware of his wrongdoing and is mending his ways.

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, Canada has a reputation for being a welcoming country,

but unfortunately, under this government, problems with our immigration system keep piling up. Instead of dealing with the cumbersome bureaucracy, the Conservative government has instead introduced another bill, on the heels of Bills C-4 and C-31, that will not do much and, in fact, will cause more problems of injustice.

Bill C-43 seeks to deal with crime and speed up the deportation of immigrants who commit crimes in Canada, but also of permanent residents who have become Canadian citizens.

My colleagues in the official opposition and I, along with colleagues from the other opposition parties, all agree that it is important to have a reliable and fair judicial apparatus. People who commit serious crimes and who are not Canadian citizens should indeed be punished, but let us not be deceived by this bill. The fight against crime is just a smokescreen. The real purpose of Bill C-43 is to give the minister more discretionary power and to remove all flexibility from the justice system and all independence from judges. This will only further politicize our immigration system instead of making it fairer and more efficient.

The bill will make a number of changes to the Immigration and Refugee Protection Act. I will name a few.

It will change the appeal process in certain cases, which goes against a fundamental right; permanent residents, refugees and illegal immigrants who receive a prison sentence of six months or more in Canada can no longer appeal their deportation; the bill will also allow authorities to hold at the border individuals who pose a risk to Canadians; it will require Federal Court judges to impose certain detention conditions on a person deemed inadmissible; it will put more powers in the hands of the minister—he could decide to deny temporary resident status if doing so is justified by public policy considerations interest, but unfortunately, the bill does not define “public policy considerations”; in fact, the bill gives the minister the power to define “public policy considerations” himself —; and the bill removes the right to appeal if the prison sentence was six months or more.

The first problem with this bill is that it does not differentiate between a minor offence and a serious crime, which is what the hon. Liberal member pointed out. An immigrant who receives a six-month sentence would automatically be deported. The right to appeal is revoked. In addition, the bill redefines “serious criminality” and includes minor offences. With no right to appeal and with such a broad definition, we can expect to see court challenges. This approach is not at all consistent with Canadian law.

The other problem, which is even more serious, has to do with the discretionary power the minister wants to give himself. He is the one who decides whether to issue a visa or not, but he is no longer required to consider the humanitarian circumstances of the situation. That is a double standard. In fact, we get the impression that the minister is targeting immigrants and refugees, forgetting that the vast majority of them are not criminals.

Government Orders

There is no question that this bill will end up eliminating the safeguards that allow our justice and immigration systems to deal with particular circumstances. Immigration officers and judges no longer have the power to examine the cases before them. That is quite serious. Judges have the power to judge, but they no longer have the power to do so properly. Way to go. The minister is imposing a standard model on the system. Abuse of power is a very real possibility. If the government makes mistakes, how will the people affected be able to defend their rights? They have no recourse, and that is serious.

The goal of the bill is commendable, but all those aspects give us reason to fear that there is a breakdown in our Canadian justice and immigration systems.

The fundamental question is this: do we want major decisions in criminal law to be made by a minister? In a state governed by the rule of law, such as Canada, the principle of balance between the judicial, governmental and legislative powers is essential.

Why is the whole process being so politicized? What is the justification for this discretionary power? The Minister of Immigration answered this recently by saying that he did not have the time, and added that it was important to act when foreign nationals were at an airport. It does not always happen like that, and things are not always so simple. In fact, it is always more complicated.

• (1115)

Too much haste could produce the opposite effect and create a system plagued by abuses of power, as we heard earlier. It could trigger legal challenges and lapses with regard to our international obligations. The bill's intention is good, but the text really needs to be improved, to ensure that it respects our basic rules of law. The entire immigration system needs to be reformed, but certainly not with the radical measures proposed by the Conservative government.

Our system is marred by bureaucratic problems and arbitrary decisions. Since the Conservatives came to power, there has been a backlog of over 1.5 million immigration applications. Parents and grandparents who want to be reunited with their children and loved ones wait, on average, for seven years before receiving a decision. Skilled workers have to wait an average of four years. Some spouses and children who were supposed to be given priority wait three years—and these are the priority cases.

Instead of accelerating the processing of claims, the government is cutting programs for refugees. The planned cuts to the interim federal health program will deprive some people of health care services. The Conservatives are proud of that. They claim to be champions of the economy, but in reality, they are failing miserably. Many immigrants are still waiting for their foreign degrees and experience to be recognized. The federal government could create tools to recognize foreign credentials and allow these skilled workers to contribute to our economic growth.

The Conference Board of Canada estimates the financial loss created by the failure to recognize foreign credentials to be \$4 billion a year. And what about the partisan appointments to the Immigration and Refugee Board? Applicants' cases are not all treated the same way, and the criteria are not always applied consistently. Why does the government tolerate such an arbitrary and unfair process? This

partisanship does not reflect well on Canada and denies immigrants access to a fair and equitable system.

This government treats immigrants like disposable objects. For example, it increased the number of temporary workers by 200% while allowing employers to decrease these workers' earnings by 15% as compared to the earnings of Canadian workers. Rather than encouraging the long-term integration of immigrants, the government is treating them like second-class citizens.

As the daughter of a refugee, I can say that the contribution of women and men, immigrants, refugees, people who come to start a life here is incredible. On average, newcomers are better educated and have a well-developed business sense. The rate of entrepreneurship among newcomers is very high, and they create jobs and participate in the local economy. We cannot assume that all immigrants are potential criminals. That is managing through fear. Foreign nationals can contribute to Canada both economically and culturally.

Let us also not forget that this country was built by people who came from all four corners of the earth and who chose Canada as their homeland. Why not improve our system to give skilled workers the opportunity to come and work in areas where there is a labour shortage? Instead, the government is cancelling the applications of 280,000 skilled workers, freezing sponsorship applications for parents and grandparents, and continuing to deny visas without reasonable grounds and without the possibility of appeal, thereby preventing families from being reunited for the weddings or funerals of their loved ones.

As New Democrats, we are in favour of a justice and immigration system that condemns violence, criminality and fraud. It is vital that we protect our country against criminals, while treating them fairly. We are prepared to work with the government on bills such as this one, but it must be improved and amended to make it acceptable from a legal standpoint. We believe that some aspects of the bill are constructive, but the traffickers at fault must be punished, not the victims.

Why do the Conservatives not put aside their ideology and make it possible for all of us to work on the bill in committee to make it better? It is possible for Canada to welcome newcomers and fight crime at the same time.

• (1120)

It is possible to do all that at the same time.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I want to continue with some of our concerns about Bill C-43.

Another concern deals with the power grab by the minister. The minister has demonstrated in other pieces of legislation that he feels he should take it upon himself to make fairly profound decisions, such as determining which countries in the world are safe countries, or what grouping of two or more people who come to Canada should be listed as irregulars. Now, in this particular bill, he wants to have sole authority to ban someone from coming to Canada.

Government Orders

Does the member recognize the value of putting checks in place to protect people who might want to apply to visit Canada and thereby prevent any given minister from going on a power trip because he does not like a region of the world or has a bias against some beliefs that some people might hold? Does she believe there needs to be a check put into place to prevent the minister from taking actions that would not necessarily conform to what Canadians would want to see?

• (1125)

[*Translation*]

Ms. Anne Minh-Thu Quach: Mr. Speaker, I thank my colleague from Winnipeg North.

I agree completely with what he just said. Giving the minister discretionary powers over legal matters is completely illogical and inappropriate. It creates different levels of decision-making that can be partisan, which is not at all the mandate of the justice system. The process should be fair, equitable and completely devoid of partisanship.

We need a framework and clear rules that cannot be changed at the whim of any minister in any case. We must ensure that there is a transparent, fair and equitable base for all in every situation and a framework in which judges are free to make decisions in their area of expertise in order to have flexibility in certain specific cases.

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I would like to hear my colleague's thoughts on the abusive language, the fancy title, the clichés and the extreme cases that people used in drafting this thing.

I grew up in another time, when a majority of Canadians probably regarded immigrants and refugees as a threat and a nuisance. Fortunately, this came to an end around the time the hon. member's parents arrived here as immigrants. Most Canadians now believe that immigrants have important cultural and economic contributions to make to our society.

When I see these fancy titles that never end, like “protecting widows and orphans” and so on, I get the feeling that someone is trying to create hysteria in the community to provoke negative feelings about refugees and immigrants.

What are my colleague's thoughts on this?

Ms. Anne Minh-Thu Quach: Mr. Speaker, I thank my hon. colleague from Laurentides—Labelle for the question, which is also very pertinent.

The Conservatives have a habit of reigning with fear. Instead of tackling problems and trying to solve them, trying to come up with solutions and options, they are creating more problems. Instead of creating a level playing field, the Conservatives are taking away people's rights. They are talking away the right to appeal. They are making sure that refugees are regarded as illegal groups when they arrive by boat or by any other means. Yet most refugees who come here do so in good faith, in order to work and make economic and cultural contributions.

For instance, when my parents arrived here, they had nothing. They both became nurses and started a business. They hired other

people, thereby helping to keep the economy moving, while ensuring that we integrated into Canadian and Quebec society.

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I am pleased to rise on behalf of the Bloc Québécois to speak to Bill C-43, the Faster Removal of Foreign Criminals Act.

It seems as though the Conservatives have hired a publicity specialist since they took power, since bill titles are worded in such a way that no one could be opposed to the bill. It is a bit like sugar pie. However, as legislators, we must obviously read the bill and get familiar with the details, the ins and outs, before making a decision about it. We cannot make our decision based on the title; we must base our decision on all of the elements of the bill.

A quick read of Bill C-43 exposes a lot of flaws, gaps and vagueness. There are indeed some measures to be adopted to deport criminals who are permanent residents but abuse the system and the procedures to remain in Canada or Quebec.

I think that all members of the House agree on that. After listening to my colleagues who spoke earlier and after reading some other speeches made since the bill was introduced, I see that we are unanimous on that. However, does Bill C-43 solve all of those problems? No. Does it create others? Unfortunately, I believe so. That is what I will speak about for the next few minutes.

An ideology is behind all of this. This was brought up by the two members who just spoke during questions and comments. The Conservatives are using a lot of prejudices and clichés to promote what I like to call a “tonight we will scare people” ideology.

The notions of criminality and immigration are often confused, as is the case in this bill, which talks about criminality in relation to immigration. So, whether in reference to criminality or immigration, the Conservatives are trying to prove to certain people that there is a danger. Some refugees arrive by boat and, suddenly, we are led to believe that we are being invaded by a host of refugees arriving from all over. And they are not just refugees—that is not how they are referred to—they are criminals. That is what the government wants people to believe. This makes it easier for the government to tell Canadians not to worry because it will send the criminals back.

On weekends, when we go out and meet the people in our ridings, we realize that they are not aware of all the details of these situations, and they do not know exactly what happened. However, they saw the Minister of Immigration at a press conference talking about some extreme examples that obviously do not happen every day. Those examples should be used to address the flaws in legislation. We agree with that. But we should not generalize and make people believe that all cases are like that. I think we need to settle down, take a deep breath and correct the real problems. We should not play politics at the expense of the most disadvantaged—immigrants and people grappling with certain other problems.

Government Orders

The Bloc Québécois obviously understands that reasons for protecting society have to be included in immigration laws. Of course, a society will naturally want to receive law-abiding immigrants who have a real desire to integrate. As well, a society will naturally not want to become a safe haven for criminals who want to flee their own countries. But some of them manage to sneak in. It is absolutely normal for the minister to speak out against it, and that is what everyone else does too. It is also normal to try to improve processes so that proceedings for the deportation of criminals do not drag on.

I talked about abuse just now. We talk about abuse when people come to Canada and continue to do what they did in their country of origin. For instance, they may be street gang members. Sometimes, street gang members from a country get together and organize themselves in another country. A street gang in a country can have roots in other countries. That can also happen to us. If the first thing those people do when they come to Canada is to join a street gang instead of integrating into society, we will obviously not want to keep those types of immigrants here.

People may be shocked by the examples of people who abuse the processes available to immigrants in order to further delay their deportation. But the minister uses those examples to make us believe that everyone is like that, which is not the case.

However, those measures have to be well targeted; they have to prevent criminals from entering, not stop innocent people at the border.

• (1130)

These measures also have to be proportionate. The government must propose effective measures that respect fundamental rights. We must not adopt a measure that is akin to using a bazooka to kill a fly.

Although the purpose of Bill C-43 is commendable, the bill has not achieved the necessary balance to fill the gaps in the current legislation. My colleagues talked about proposing some amendments to the bill in committee. This would allow us to study the bill, which is the right thing to do.

The current legislation includes a right to appeal to the Immigration Appeal Division for immigrants who feel wronged by the first level decision. Some restrictions already exist. Under the current legislation, a permanent resident or a foreign national who is inadmissible on the grounds of security, violating human or international rights, or organized criminality does not have access to the Immigration Appeal Division.

Currently, serious crime is defined as the commission of an offence punishable by a maximum of 10 years that resulted in a prison sentence of two years. Bill C-43 further limits the right to appeal by reducing the imprisonment criterion for serious criminality to six months only.

I heard my colleagues talk about this and I agree with them. What is serious criminality? We would not want to keep someone who lands here and becomes a thief and a highway robber, who commits sexual assault, who repeatedly commits crimes that are punishable by lengthy prison sentences. There is a big difference between someone who commits a serious crime and someone who is found guilty of or charged with possession of drugs—marijuana for

example—possession of stolen property under \$5,000, or public mischief. I do not have many examples, but I believe a person can be charged with public mischief for urinating on the street or in a parking lot. There is a big difference between that type of public mischief and a more serious crime. I am not saying that people should not be punished for mischief; they should. I am just wondering whether that is reason enough to deport someone. There is a big difference between belonging to a street gang and committing public mischief or being in possession of some marijuana.

The Bloc Québécois is also concerned about the cumulative effect of the Conservative measures. For example, under Bill C-43, a sentence of only six months qualifies as serious criminality. It is important to see the connection with the many minimum sentences that the Conservatives are incorporating into their bills. They have just added a bunch of sentences so that less serious crimes can be used as a pretext to deport people who could contribute to Quebec and Canadian society after they have made amends. The Conservatives are imposing more and more minimum sentences of one to two years in prison, without any regard for how serious the offence actually is and without taking into account the extenuating circumstances.

We have often fought here in the House against the imposition of minimum sentences for anything and everything. This has been the Conservatives' pet project since they came to power in 2006. Regardless of what happened—for example, if the person was only the driver during a crime—and regardless of any extenuating circumstances, what counts is that the person was there at the time of the crime, and he must serve a minimum sentence like the others. The Conservatives are tying judges' hands because there are no gradations in the sentences that they can impose. This breeds inequity.

As a result, an increasing number of people will be labelled as having committed a serious crime. I am thinking of offences related to the possession of narcotics in particular.

I will end my remarks here. Members have talked a lot about the minister's discretionary power. That is another weakness of this bill. We are being told that this process will be guided by regulations, but we do not yet know what these regulations will be. I hope that this will be clarified in committee and that changes will be made to this bill so that we can be safe and so that we are not deporting people who do not deserve to be deported.

• (1135)

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, I would like to congratulate the member for Richmond—Arthabaska on his speech and on the vivid imagery he used, in particular using a bazooka to kill a fly.

This reminded me of the speech by the member for Beauport—Limoulu and his rather grim imagery of a Wild West movie in which the criminal is tarred and feathered and run out of town.

Everything the member said gives me real cause for concern about our international reputation and how we want to manage this society. I would like to hear what he thinks about that.

Government Orders

Mr. André Bellavance: Mr. Speaker, I thank my colleague for his question.

He is absolutely right. I do not want to hurt his feelings, but our reputation has been tarnished since this government took power, because of its propensity—and specifically the propensity of the Minister of Citizenship, Immigration and Multiculturalism—to make choices about the kind of immigrants who are welcome in Canada. It is fine if you have money or if you are a member of certain communities, but as soon as we start talking about refugees, things start to get more difficult.

The government wants to quickly remove people who commit certain crimes, but it is talking about crimes that are less and less serious. So obviously, we no longer have a reputation as a welcoming country.

I am thinking about a real case I heard of. In fact I spoke to people who were close to this woman. She is an elderly woman of French origin and has been in Quebec for a very long time. Her only family is in Quebec and her daughter takes care of her. This elderly woman has mental health problems and is now a kleptomaniac. She shoplifts from time to time. Under the current law, the government wants to send her back to France. Her home is in Quebec with her daughter. But they want to send her back to France.

This woman needs help and compassion. She does not need to be sent to France, where she has not lived in years and where her problem will not be resolved.

• (1140)

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, one issue is the inadmissibility of family members based on the fact the individual might belong to an organized gang, for example, and there are many gangs in Canada.

I used an example, from one of the briefings I was provided, of Nelson Mandela's wife. The person pointed out that technically Nelson Mandela's wife had committed some crimes, so she would not have qualified for a visiting visa. Then I used the example of Mahatma Gandhi and the fact that his wife would be unable to apply for a visiting visa.

Why are we saying no to the ability of individuals to visit Canada if they might have a family member who has had some issues? A specific example would be if an individual has two children, one in Canada and one in country X and the one in country X has some problems with some local gang issues. That individual would be unable to visit his or her child in Canada because of that. This is a very real situation today.

Maybe the member could provide comment as to why that is not fair.

[Translation]

Mr. André Bellavance: Mr. Speaker, I appreciate the comments made by my colleague from Winnipeg North. I know there are cases like this in his own riding and that he is the immigration critic for his party. He therefore has a great deal of experience with these kinds of issues.

He just gave us an eloquent example. He mentioned of course some well-known individuals, but for everyone, section 42 of the current legislation stipulates that if the person accompanying you, for instance, your husband or wife, has a criminal record in the country of origin, you will be denied entry to Canada. Now Bill C-43 is making penalties even tougher. Indeed, even if the individual does not accompany you, but if they have committed any offences whatsoever, then quite simply, you will automatically be denied entry.

The member gave the example of visitor visas. This is even worse. I have been a member of this House since 2004 and have experienced other governments, including his party's government. I have never seen such a serious erosion of our immigration system and Canada's ability to welcome people. That is one major problem. Canada is refusing more and more visas, not only for the reasons the member mentioned, but for all kinds of reasons.

Sometimes even sports teams cannot enter Canada to take part in tournaments for all kinds of reasons. In my riding, I knew someone from Haiti. He was told that he could attend his mother's funeral in Haiti if he wanted to, but there was no guarantee that he would be allowed to come back. Bill C-43 will only make these situations worse.

[English]

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, it is a privilege to rise in the House and speak about the important issue of immigration law, procedure and policy in this country.

Before I do, I want to point out the fantastic work done by my colleague from Surrey, British Columbia, the hon. member for Newton—North Delta. She has done an outstanding job in showing Canadians a different and better way of making immigration policy in Canada, one that would streamline our system and make our immigration system more effective and efficient, but would retain the kind of compassion and respect for law and procedure that all Canadians cherish and have learned to recognize as a hallmark of our system.

The government of course controls the House agenda, particularly a government with a majority like the Conservatives currently enjoy. It gets to choose to bring forward whatever legislation it wants.

I had the privilege of being our party's immigration critic for a year. I represent the riding of Vancouver Kingsway, where the number of new Canadians is among the highest in the country. Well over 70% of the people in my riding represent first, second or third generation Canadians. My office deals with thousands of immigration cases every year. Accordingly, I have a representative sample of what the major issues and problems are in the immigration system.

It strikes me as interesting and fundamentally disappointing that of all the issues in the immigration system the government could be dealing with right now, it has chosen to focus on the deportation of certain permanent residents. I will be getting to what I think should be more important and pressing priorities in a moment.

The bill basically focuses on the important but relatively narrow issue of the procedures to be invoked in deporting people who may have committed crimes in this country or otherwise misrepresented themselves.

Government Orders

The NDP recognizes and supports the need for an effective and responsive judicial apparatus for removing serious criminals who are not citizens. All citizens of this country would agree with that statement. We understand the need to monitor and modernize our occasionally slow system and support efforts to do so.

Nonetheless, this bill contains a mixture of good and troubling things. It would concentrate more power in the hands of the minister by giving him new discretionary authority over the admissibility of temporary residents. The bill would relieve the minister of the responsibility of examining humanitarian circumstances in certain cases. It would give the minister new discretionary authority to provide an exception to the family member of a foreign national who is declared inadmissible. Bill C-43 would change what constitutes the definition of serious criminality for the purpose of access to an appeal of a determination of inadmissibility. It would increase the penalty for misrepresentation and would clarify that entering the country with the assistance of organized criminal activity does not on its own lead to inadmissibility.

Members can see that there is a mixture of some positive steps and some regressive and negative steps in the bill. It is a common feature of the government and the current Minister of Immigration in particular to constantly want to concentrate discretionary power in the sole hands of the minister. The government seems to want to continue to try to tighten and reduce and restrict the ability of judicial oversight or access to appeal of decisions often made by single people who are not accountable and who are often political appointees.

These are very troubling components of the Conservative government's approach to the legal system. It is not limited to immigration; we see this in the Conservatives' approach to crime in general.

Where the NDP parts ways with the Conservatives is that we believe that we can build and improve our immigration system without trampling on people's rights, without concentrating dangerous discretion and power in the sole hands of the Minister of Immigration, while preserving mechanisms that ensure effective review by courts and democratically elected representatives in Parliament and which build up sufficient flexibility to ensure that due consideration is always given to the unique circumstances of every case.

Canadians are rightly proud of our fair and compassionate system and they oppose the government's move toward a cold, meanspirited, ideological, inflexible and extreme position on immigration.

● (1145)

We have seen serious questions of constitutionality raised in the government's agenda. We know that the Justice Department gives advice to government ministers that they are likely pursuing ideologically based legislation that is unconstitutional, and the government says it does not care.

There have been three cases in the last four months where courts have struck down as unconstitutional violations of Canadians' charter rights, which have resulted from the government's blind ideological zeal to pass legislation that makes it look tough but is not

backed up by evidence or respect for the courts or the constitution of this land.

An example of the government's meanspirited attitude, and I think one of the reasons this bill is before us today, is to change the channel on Canadians' abhorrence and widespread opposition to the government's taking away of the health care rights of refugee claimants in this country. Whenever the government gets in trouble, which it does quite often, it tries to put forward some tough on crime measure and tries to switch Canadians' attention to important but relatively minor issues in the grand scheme of things.

Here are the real problems with the immigration system that the government should be addressing in legislation before the House. There are huge waiting lists for every single type of immigration application, across the board with no exceptions. The fastest immigration application possible is generally when someone sponsors a spouse. When a Canadian marries someone who is not a Canadian citizen or a permanent resident and quite rightly wants to have their spouse with them, that process takes one to two years.

The current waiting list for someone to sponsor their parents is 10 to 13 years long. The government was so inept and incompetent in dealing with this issue, the only way it could handle it was to impose an absolute two-year freeze on any applications by any Canadian or permanent resident to sponsor their parents, period. That remains in force.

The employers of this country who want to bring skilled workers here routinely complain that it takes six months, one year, two years, three years, five years or seven years. Most of the time it takes so long to get a skilled worker here to satisfy their business needs that by the time they actually get the application approved it is too late.

The question of granting visitor visas is so important. The visitor visa system is absolutely and fundamentally broken in this country. The system is unjust and arbitrary, with no right of appeal. In my neck of the woods, where I have an extensive South Asian population, the refusal rate of visitor visas applications at one of the two visa offices in Chandigarh, India, is 53%. More than half of the applications in Chandigarh are rejected by that office.

What are these applications for? They are for people who want to come to Canada to attend weddings of their family members, births, anniversaries, graduations and visits so that brothers and sisters who have not seen each other for decades can reunite. These applications are for the very important events that Canadians cherish and want to share with their families. The government sits idly by while tens of thousands of visa applications are rejected every single year for no reason whatsoever.

Every member in the House knows that people come to their offices and tell them that they do not understand why their visa applications have been rejected by some faraway, anonymous person working in a consulate, with the applicant having no right of appeal and no way of accessing that person.

These are the kinds of issues the government should be tackling in the current immigration system. These are the broad, general, widespread issues and problems that Canadians face on a day-to-day basis.

Government Orders

I call on the government and the minister to quit playing politics with the immigration system and trying to look like they are tough on crime and actually solve the real problems of the immigration system and produce a modern immigration system that can quickly, efficiently and fairly process every application. There is no reason that any application across the board should not be processed from start to finish within 24 months, and why we should not have a fully computerized system where Canadians could have accountability from the bureaucrats making decisions.

That is the kind of legislation this side of the House would support. We call on the government to table such legislation in the House to make our immigration system modern and helpful, because it is so important to Canadians' futures and the economy of our country.

• (1150)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I want to pick up on the name of Bill C-43, which in part states "foreign criminals act".

I pose this question because I know that the member is fairly knowledgeable about other legislation passed by this particular minister. In my opinion, it really sends a very negative message about Canada being a tolerant society and so forth.

What we are really talking about is permanent residents, the 1.5 million permanent residents. Here, it was interesting that the member referred to the issue of priorities. One of the areas that we really need to look at in this regard is the processing of citizenships. What happens nowadays is that we have permanent residents who apply for citizenship and are waiting longer than two years before being granted their citizenship.

Could the member comment on that aspect? I ask because it is related to permanent residents. On the one hand, the government seems to want to punish permanent residents and on the other hand it is completely ignoring the need to speed up the processing so that permanent resident can in fact become citizens.

• (1155)

Mr. Don Davies: Mr. Speaker, I thank the hon. member for Winnipeg North for his hard work in this area. I have had the privilege and pleasure of sitting on committee with him for a period of time.

He raises an excellent issue. Let us look at citizenship. Obviously this bill deals with the removal of permanent residents. There is a further level of protection that people get once they obtain citizenship.

Let us isolate this one factor of how long it takes to get citizenship. The government finds it acceptable and believes there is no need to table legislation to speed up or provide administrative improvements to a process where it takes two years to get citizenship.

Let us imagine this were the private sector and someone went to a business to purchase a good or service and was told, yes, they would be provided with it but to come back in two years. Ten storey apartment buildings are built in two years, whereas this is simply about getting a piece of paper.

The government sits back with this kind of incompetent administrative inefficiency in place and is fooling no one. Canadians deserve better than this. If someone wants to be a Canadian citizen, we should be expediting and facilitating that process. There is no reason it should not be granted promptly, like it once was in this country.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP): Mr. Speaker, I greatly appreciate my colleague's comments, because I know that he is quite well versed in immigration issues.

I am sure the member would agree with me that there is no one in the House who is not supportive of the criminal aspect. We certainly need to make sure that we have proper laws and legislation in place. However, when looking at this type of legislation the government has put forward, it is obvious to us that the government is speaking out of both sides of its mouth.

I would also note here that the member is absolutely right about the judicial process and that providing arbitrary powers to the minister is the wrong way to go.

Maybe the member would like to comment on the Conrad Black issue, where the minister claimed that he wanted the matter dealt with independently. On the one hand the minister wants more power to intervene to deport criminals, but on the other hand he is saying that we need to have an independent process.

Mr. Don Davies: Mr. Speaker, the hon. member raises a number of very important points. I will just deal with one of them.

Canadians witness the spectre of gross hypocrisy when the government tries to be tough on crime, talking about deporting permanent residents who do not have Canadian citizenship. In some cases it is denying them a right of appeal if they have been convicted of a sentence of more than six months.

However, we watched Conrad Black, who is not a Canadian citizen because he renounced his citizenship, come back to this country after serving a four-year sentence for fraud. I find it interesting that the minister said that on hearing about Conrad Black's application, he immediately contacted immigration officials and advised them that they should be handling that at arm's length. Why was there a need to make that phone call? Would we not expect that to be the case?

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I will begin by handing out compliments to my colleagues from Newton—North Delta and Saint-Lambert, who are doing absolutely remarkable work on issues that are not always easy. I will continue in the same vein as my colleague from Vancouver Kingsway and talk about certain aspects of this bill. Speaking of compliments, we said that we will vote in favour of this bill at second reading—let the members opposite take note of this—because we want to study it further in committee.

I must say that, based on everything I have been hearing for the past few days, studying this in committee will be a daunting task. After a quick glance at this bill, it is easy to see that it is flawed. Imagine all the work an in-depth study will entail.

Government Orders

As an aside, the hon. member for Vancouver Kingsway has many newcomers in his riding. My riding of Gatineau does not. It is a typical Quebec riding made up of 93% or 94% francophones, whites and young families. One might think that Gatineau does not have any problems regarding immigration or refugees, but my riding assistant might beg to differ. I tip my hat to her. Being so busy, I do not see much of her. Aline Séguin does absolutely incredible work on files that are not easy. When we get the chance to sit down together and talk, you would be surprised at the things that I learn. In my riding made up of 93% or 94% francophones, whites and young families, the majority of our files have to do with immigration, refugees, visas, etc. I hear terms that I am not necessarily familiar with and it is positively dizzying.

Over the years—and I already have quite a few under my belt—whether I was working in radio or television, I learned how easy it is to get people up in arms, to take extremely serious and human subjects and to completely and totally dehumanize them. It is easy to give certain impressions and to play on people's worries and fears.

The hon. member for Winnipeg North seems to be offended by the bill's short title. I am too. I always say that, when it comes to the members opposite, reality is in the details. The full title of the bill is An Act to amend the Immigration and Refugee Protection Act. I would like to emphasize the “refugee protection” part of the title because, when we look at the bill, the short title says something different. When I was studying law, I was taught that the short title was a way to shorten titles that were sometimes too long. In law, that is what the short title is. Yet, here, the short title often shows us the intention behind what the members opposite are constantly trying to achieve with their bills. In this case, it is informative because the short title really jumps off the page.

We are talking about An Act to amend the Immigration and Refugee Protection Act. One could wonder how a title like that could be shortened since it is already quite clear and concise. But, the Conservatives shortened the title to the Faster Removal of Foreign Criminals Act. When I saw that, I said to myself, “Wow! There are going to be plenty of problems with this.” What struck me, when I looked into the subject a little, was that it is difficult to determine how many cases this bill will affect. Why? The reason is that, when we are dealing with the members opposite, we are never able to access any information. It is like going to the dentist and trying to have a tooth extracted every time. And yet, this seems to be an extremely important and valid issue.

I always tell myself that, when we are in this impressive and imposing chamber, we have a role to play. I start thinking about how I am going to go back to the law faculty at the University of Ottawa just to tell them to forget this other principle of law that is taught, that it is not true and that the legislator speaks for the sake of speaking. In fact, I find that, often in this magnificent chamber, people speak for the sake of speaking. Laws are being created that leave me wondering what problem they address.

● (1200)

The government invents problems in order to draft bills that it can show off to people on the 6 o'clock and 11 o'clock news. It is really sad, because this perpetuates prejudices that are so easy to transmit.

When I was a little girl, my parents told me Canada was a beautiful country. They infused me with pride in Canada from my youngest days. Our parents were Franco-Ontarian, but we, the children, were born in Quebec. We took full advantage of our beautiful Canadian federation. My father often told us that the beauty of Canada lay in its three founding peoples. Of course he meant the first nations, Quebec and Canada.

Another element of this beauty is the perception people have of Canada as a land of welcome; a land that takes care of its citizens, of course, but is also concerned with what happens elsewhere. I am not trying to make everyone's hearts bleed, but everyone knows that. My father always said that Canada welcomed everyone with open arms. I grew up with that concept and that belief. In the last 10 or 15 years, a harder tone has crept into such talk.

Perhaps the media are a little bit to blame. Television news is now on 24 hours a day, 7 days a week. Because of the ratings wars, news organizations often work very hastily and try to find news items that will shock and provoke. What could be easier than to use another human being badly and keep him down? That is what happens when we talk about immigrants and refugees. At least that is so in my humble opinion, which no one is obliged to share.

When I was young, I had some problems understanding the nuances concerning refugees.

What I understand now is that while an immigrant makes the decision to come here, a refugee has no choice. The refugee is seeking a land that will welcome him, because if he stays where he is, he may be killed. As we begin, can we keep this basic concept in mind?

That said, there always are good people and those who are not so good. Like Jack Layton, I have a tendency to remain an eternal optimist and be positive. I tell myself that most people are fundamentally good. I still believe that, although it is sometimes difficult when I see the morning news. Anyway, in my heart, I still believe it.

The bills introduced by the members opposite always try to twist concepts that otherwise would be positive and humane. These bills are making our society one that trusts almost nothing and no one. They leave the very disagreeable impression that on every street corner lurks a criminal refugee who is the worst person ever born, but luckily, here is the great Captain Canada, also known as the Minister of Immigration. He will ensure that our society can live without fear, because he will be able to send that bad person back where he came from, no matter what will happen to him there.

This bill, like many others, worries me greatly. My only warning is that many powers are being taken away from the Immigration Appeal Division of the Immigration and Refugee Board and given to the minister. I like the minister, but I would not give him—or any other minister—*carte blanche*.

Government Orders

Thus, we must not think that this bill will be taking away all recourse. In fact, it creates tons of recourse. The party across the way, by creating or passing this kind of measure, will ensure that arguments will no longer be made on appeal and that they will no longer concern the facts of the case. With my crystal ball, I predict that there will be many instances of recourse to get a judicial review of the minister's decisions. It will all serve to open another Pandora's box—and the results may be nasty.

● (1205)

So, once again, I hope that they will listen to what is said in committee, that the committee is able to do its work thoroughly, and that the members opposite will stop thinking that a bill is good just because they wrote it.

● (1210)

[*English*]

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Speaker, I was a bit shocked. I have been listening to the New Democrats talk about minor crimes or issues being minor in particular circumstances, such as anything less than six months as far as the punishment goes. Could the member clarify what “minor” means in her submissions?

My understanding, being a criminal lawyer for some period of time, is that we are talking about minor offences such as assault with a weapon, sexual assault, robbery, and break and entry. These are violent offences and Canadians tell me that they expect us to put people in jail for these offences. They do not expect those people to be allowed into Canada in the first place, and if they do commit these offences they expect that they would be immediately taken out of the country and not have the privilege of Canadian citizenship.

Is this what the New Democrats mean by “minor offences”: robbery, rape and sexual assault?

[*Translation*]

Ms. Françoise Boivin: Mr. Speaker, all I can say is “I rest my case.” I think the hon. member did not hear the main point of my speech. In any case, I do appreciate that a Conservative member has finally risen in the House to at least try to demonstrate some interest in Bill C-43.

That said, I would say no, that is not what I mean by minor. We know that the Conservatives are always trying to make people believe that the official opposition wants to protect pedophiles, bank robbers, and the like.

Here we are talking about making changes concerning people who have been found guilty of an offence subject to a two-year sentence but who had certain rights, and reducing that to six months. I would like to reply to the hon. member that six-month sentences are given for shoplifting. Some minors make mistakes. Some people, when they are young, make certain mistakes and, with a good rehabilitation system, turn into very good citizens.

So, would the other side please stop using the most extreme cases and trying to shove them down our throats, and stop trying to pretend we are saying things we are not.

No one in this house wants to see Canada open its arms to hardened and dangerous criminals and allow them to stay here. That

is not the issue. The issue is to strike a balance in this bill, as we would like to see in all things.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would like to pick up on that particular point. In real terms, imagine a person who came to Canada 15 or 20 years ago. The person is now a permanent resident but has not acquired citizenship. Maybe other members of the family have, but that person has not.

If this legislation passes, the government would say that if the person were caught with six plants of marijuana in the house, he or she would be deported with no appeal. It does not mean the entire family would be. The three or four children who might have been born here in Canada or the spouse who may be a Canadian citizen would not be deported. However, that person would be deported and the reason would be that he or she has six plants of marijuana.

These are the types of things that would take place. Could the member provide comment on whether that is just punishment for a person who would be caught in that sort of predicament?

[*Translation*]

Ms. Françoise Boivin: Mr. Speaker, that is exactly what I was saying to the other member before the question.

There are so many cases. I worry that with all the work that was done on Bill C-10, the Safe Streets and Communities Act, new minimum sentences were created for some offences which, even the members opposite will admit, are not as serious as robbery with violence, armed robbery or major fraud.

Situations may arise like the one the hon. member for Winnipeg North just described. They are not rare. Many people have not applied for citizenship but, after making some mistakes and serving their sentences, become model citizens. They just have not made it official.

So all kinds of situations can happen. Once again, I want to ask the government a question. How many cases is this based on? Exactly who are the targets?

We must be able to make decisions based on the evidence. This government, which was elected on a promise of transparency, continues to show a lack of transparency. How ironic.

● (1215)

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, what else is there to say after the hon. member for Gatineau summed up the issue so well? I will say that it is with very mixed feelings that I take part in today's debate.

First, I want to stress that, yes, we do share the government's concern over serious crimes committed by individuals who are not Canadian citizens. However, we think it is just as normal to share some real concerns about Bill C-43.

This bill will prevent permanent residents and illegal immigrants who are sentenced to a jail term of six months or more in Canada from appealing their deportation order. The individuals convicted would then be sent back to their country 12 to 15 months sooner than if they could have pleaded their case before the Immigration Appeal Division.

Government Orders

Currently, only immigrants sentenced to more than two years in a penitentiary are deprived of that right. According to the Department of Immigration, over 2,400 convicted individuals are currently appealing to the Immigration Appeal Division of the Immigration and Refugee Board. The new rule would eliminate half of those cases.

The bill includes other changes to the act. For example, those who are inadmissible for serious reasons will no longer be allowed to apply to stay in the country on humanitarian grounds. Moreover, the Minister of Immigration would be given a new power. That is indeed the case. Another power is given to the minister. Obviously, he must have felt that all the powers given to him under Bill C-31 were not enough.

And now this government goes so far as to deny permanent resident status to an individual, for reasons of public interest. We can be sure that the courts will have their hands full, even though that is already the case.

Finally, under Bill C-43, a foreign national would also be denied entry to Canada if a member of his family is denied entry for reasons related to security, organized crime or war crimes, even if the individual who committed the crime does not accompany that person.

The immigration minister said that his Bill C-43 seeks to restructure the deportation of convicted criminals by restricting their access to the appeal process. The minister indicated that, currently, many immigrants who have been convicted of crimes can avoid deportation because they were sentenced to a prison sentence of less than two years. The term “many” should be put in perspective because, according to Statistics Canada, in 2010-11, 86% of all prison sentences were of six months or less. We want facts because facts show the real picture.

As I already mentioned, this bill seems to follow the Conservative government's alarming pattern of giving greater discretion to ministers in matters of immigration and public safety. The high degree of discretion that Bill C-43 grants to the minister with respect to issuing or revoking a declaration, which would prevent a foreign national from becoming a permanent resident for a maximum period of 36 months, seems to go too far and must be clarified. To justify the discretionary powers that he would be given, the minister said, “We just do not have the time.”

Unfortunately, a little bit of time is what some immigrants need sometimes, if only to fill out all the forms and paperwork, to ask questions and make telephone calls to find out where a certain document has to be submitted and by when. Furthermore, massive cuts are being made to Citizenship and Immigration's client service unit. It would not be very difficult for the minister to give them a little more time. It would be the least he could do.

Michael Bossin, an immigration lawyer in Ottawa, says that, in his experience, jail time for these young offenders teaches them a lesson, they get a job, become responsible, build a family and no longer pose a danger to the public. According to Mr. Bossin, with a stay of removal, a young immigrant reacts as though he were on probation and often changes his conduct. Mr. Bossin believes that the changes

to the new law could result in the export of Canada's social problems and will not deal with the underlying causes of criminality.

• (1220)

Once again, this government relies on clichés far too often and it does not address the source of the problem. That is what it should be doing instead.

In addition, Mr. Bossin believes that people with a mental illness would suffer undue hardship if they were deported to a country where they are often stigmatized and punished because of their condition. On that topic, Ms. Lash, an immigration and refugee lawyer with community legal services in Ottawa, says that those changes will affect many individuals with psychiatric problems.

According to lawyer Joel Sandaluk, if Bill C-43 becomes law, it is likely to divide families. He states that this is going to destroy families who have been in Canada for a long time and that, if the parents or other family members are deported from Canada, this will do irreparable damage. The damage will be irreparable because we are talking about the lives of human beings. We must never forget that.

In addition, Andras Schreck, vice-president of the Ontario Criminal Lawyers' Association, said that Bill C-43 raises constitutional issues under the Canadian Charter of Rights and Freedoms.

Lawyers across Canada are speaking up for the rights of Canadian immigrants, many of whom came to Canada at a young age. They were raised and educated here, they started families here and they started businesses here. Many companies in Quebec City were founded by immigrants who have received major awards for entrepreneurship. By the way, I congratulate them and I am proud of them.

The government's proposal is clumsy, because it is likely to have a significant impact on immigrants who do not have Canadian citizenship. In fact, the legislation will even apply to permanent residents who have been in Canada for decades.

As justification for this bill, the government has given examples of cases where immigrants have committed serious crimes and then used the system to delay their deportation for years. Those examples show flaws in the system, I agree. It is important to study the matter. We need to know what those flaws are and make sure that any gaps are plugged rather than resorting to stereotypes.

The NDP wants to move this bill forward in committee. Despite the bill's clear deficiencies, we want to hear experts give their opinions on the matter so that reasonable solutions to the problem can be found. New Democrats believe that it is possible to work with the government to prevent non-citizens who have committed serious crimes from abusing our system of appeals, and to do so without trampling on human rights. The NDP also supports those newcomers who want the government to focus on improving the fairness and the speed of the immigration system for the great majority of people who do not commit crimes and who live by the rules.

Government Orders

To conclude, this is one more bill where the Conservative government tells itself that there is nothing finer than to use its majority to push bills through and to steamroller over the opposition and especially over experts in the field. I have quoted a number of them here who confirm that we absolutely must take longer with, and go deeper into, social problems. This bill is oversimplified. We are showing prejudice and a lack of class in dealing with our immigrants. They are here among us and they function very well. In some cases, they are extraordinary people. I have met them, and frankly, they are models for our society.

• (1225)

I feel that it would be a real shame to remove these models, who are teaching our younger people profound and universal Canadian values. It would be a real shame to send these people back with their rights trampled on in this way.

[*English*]

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, I commend the member for a very good NDP speech. It was one of the best NDP speeches I have heard for some time in that it was an NDP speech. The speech said very much about the offender's rights and that some of the offenders the hon. member knew were model citizens. It said nothing about the victims. It was a wonderful NDP speech. It was light on victims and heavy on the offender.

When I go out into my riding, I have individuals come up to me and say that they read in the newspaper that so-and-so, who came from another country and immigrated here and has committed armed robbery, is now going through an appeal. They want to know why do we not just send the person back home. That is what we hear in our ridings.

We hear of people like Gheorghe Capra who has over 60 counts of fraud, forgery, conspiracy to commit fraud and obstructing a peace officer. He got a sentence ranging from two days to two years less a day. He was asked to leave. The removal order was for September 2003 and he began the appeal process.

The bill would change that. People would need to be on their best behaviour when they come to our country and they are not citizens. They would need to keep clean, be productive and become part of what we expect here in Canada, a multicultural rich heritage, of which we want them to be part, but if they become a criminal they will go home.

Why does the member not care about the victim—

The Acting Speaker (Mr. Barry Devolin): Order, please. The hon. member for Québec.

[*Translation*]

Ms. Annick Papillon: Mr. Speaker, I would like to thank the hon. member, who still dared give me a compliment. If he did compliment me, it was because I made an effort here in this House to qualify what I say. I do not want to resort to clichés.

I had an absolutely wonderful conversation with a taxi driver, and that conversation gave him a lot to think about. When we open the morning newspaper, we sometimes read about an awful case, a really dreadful story or tragedy. It might be about any kind of crime. At

some point, the crime is no longer about any particular race, gender or age. It is quite simply a despicable crime.

I said in my speech that this bill will not change things dramatically, because there are not many cases where it will apply. So this is a bill that, unfortunately, all too often is about prejudice. But I do not want us to fall prey to such prejudice. I really want to plug the gaps where they are. I do not want to use a bazooka to kill a fly. It is ridiculous, to be honest. At that point, we would destroy everything just to make sure we protect ourselves and ensure that the safety of Canadians is not at stake.

It is important to qualify one's statements. I think that the people who can do this—

[*English*]

The Acting Speaker (Mr. Barry Devolin): Order, please. Before I go back to questions and comments, I would remind all hon. members that in the five minute question period there is time for about two questions and about two answers, which means about a minute each. If members pay attention, the Chair usually gives you an indication as you are approaching the end of your time. If you ignore that, the Chair will cut you off and we will move on to the next person.

Questions and comments. The hon. member for Winnipeg North.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I want to highlight the fact that there are over 1.5 million permanent residents here in Canada and a vast majority of them are outstanding citizens of this country. The government needs to be reminded of that fact when it labels legislation “foreign criminals” and the message it is trying to send.

Yes, the Conservatives want to come across as being tough on crime, but they are also sending a very negative message to those 1.5 million permanent residents who are living here in Canada and calling Canada home.

I am wondering if the member might want to respond to that aspect of the targeting that is taking place by the government.

• (1230)

[*Translation*]

Ms. Annick Papillon: Indeed, everyone is for virtue. Everyone is for sharing the same values. And that is the problem. This Conservative government resorts to clichés far too often. It exploits that, which does not make sense. That is exactly the problem with this bill.

The Conservatives' arguments are often crazy. I would just like to say that the NDP is not in favour of criminals. It is not in favour of pedophiles. You would have to be completely nuts to think that. I will never accept that.

[*English*]

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, it is an honour to speak in the House on behalf of my constituents of Surrey North.

I am an immigrant to this country and I am thankful for the opportunities I have had here. Many other members in the House are also immigrants to Canada.

Government Orders

I listened to the debate this morning. The member from Winnipeg North is absolutely right. The vast majority of the immigrants who come here, at one point or another, are good citizens. They contribute to the economy, the culture and make good citizens.

I am also a father of a young girl and boy. Therefore, for Conservatives to constantly ask about which side the New Democrats are on when it comes to rapists and murderers, as a father, I know which side I am on.

We agree in principle with Bill C-43, an act to amend the Immigration and Refugee Protection Act. We agree that there are some good aspects to the bill. However, there are many holes in it and we need to be look at those. Therefore, we will support sending it to committee so it can look at some of these issues.

One issue I have with the bill is it concentrates more power in the hands of the minister by giving him new discretionary authority over the inadmissibility of temporary residents. Basically the minister can declare a foreign national inadmissible for up to 36 months if the minister is of the opinion that it is justified by public consideration. The minister may also at any time revoke or shorten the effective period of declaration of admissibility.

I have trouble with the word “opinion”. What is that opinion? How does the minister form that opinion? Are there criteria set as to how that opinion is formed? It is very troubling.

The second component I also have trouble with is the change to what constitutes a serious criminality for the purposes of access to an appeal of determination of inadmissibility. Previously, a conviction in Canada resulting in a prison sentence of two or more years constituted an automatic stripping of permanent residency or a temporary resident's right to an appeal at the immigration appeal division. However, Bill C-43 would revoke the right to an appeal of a determination of inadmissibility where there would be a conviction of six months or more.

We talked about minor offences and young people this morning. There may be young people who have committed a robbery and are put in prison. Their whole family may be here and they would have no right to appeal to get a fair hearing. They may be able to reform and become productive members of society, yet they will be sent back to a country with which they may not be familiar. Therefore, I have a problem with that.

The bigger issue the Conservatives are trying to avoid is the whole immigration system that we have in place. It was broken before. The Liberals had a chance to fix it for many years. We have seen lineups and wait times being increased for family reunification for spouses and for skilled workers. That was under the Liberals. Then the Conservatives said that they would fix it and make it better. What I have seen in the last six years is the dismantling of the immigration system, which is broken, and that is a bigger issue. They are not fixing the immigration system so it is fair, effective, efficient and serves the needs of Canadians.

●(1235)

We are all familiar with the fact that Canada has an aging population and we do need immigrants to fill the jobs that would help the government bring in revenues so we can provide services such as education, medicare and other services on which Canadians

depend. Yet that does not concern the Conservatives. They are avoiding the whole issue of fixing the system so it is effective, efficient and is better for our economy.

I will give some examples. A young husband and a wife came into my office a few months ago and I had a chance to sit down with them. They had gone to another country looking for a caregiver. They interviewed a person who they felt could provide child care for their daughter. They came back to Canada and wanted to submit an application. The husband was a businessperson and the wife was a teacher for the local school board. They wanted their daughter to be taken care of at home by a live-in caregiver from another country who they would sponsor. When they submitted their application, they found out that it would take four years before they could get the application reviewed by our embassy.

Therefore, if one were to have a three or four year old child, he or she would have to wait four years to bring someone to Canada to provide child care services. The couple I spoke of are productive members of our society, a teacher and a businessperson, who are providing jobs in our community, yet one of them will have to stay home to take care of their daughter. That was their predicament. That is not right. The system is broken and it needs to be fixed. That is what they told me.

There is another case of a woman who had stage four breast cancer and was trying to sponsor her mother to come here from Romania to spend the last four or five months with her so she could be surrounded by family. Her mother had come to Canada previously on a temporary visa and had returned. This woman wanted to spend time with her mother. Because of the present rules, her mother was denied a temporary visa. The system is broken. Her mother had already come to Canada and returned, yet she was denied a visa to return to be with her daughter during her last days and take care of her. The daughter was willing to provide financial support and health care insurance for her mother.

Another example is that of a dying father who requested that his son come and visit him during his last days in hospital. He was denied a visa to come to Canada. When the father died, the son again applied for a TRV, a temporary resident visa, to come to Canada to see his father for the last time.

These are the kinds of problems that the government is failing to fix. If there were—

●(1240)

Mr. Dave MacKenzie: Mr. Speaker, I rise on a point of order. In the last few minutes of this member's speech there has been no relevance to the bill at hand. We are talking about deporting foreign criminals. He is talking about a lot of sad stories, and we understand that, but it has no relevance to the matter at hand.

The Acting Speaker (Mr. Barry Devolin): Order, please. The hon. member for Oxford is correct that members are required to speak to the matter before the House. However, it is also the practice of this place that significant latitude is given to members.

Therefore, I would go back to the hon. member for Surrey North. He has about 30 seconds left.

Government Orders

Mr. Jasbir Sandhu: Mr. Speaker, I believe this is relevant because the Conservatives have brought in a bill that addresses a small component of the Immigration Act. Although we are supportive of that principle, the bigger issue is that the immigration system is broken and they are failing to fix it.

Mr. Bob Zimmer (Prince George—Peace River, CPC): Mr. Speaker, I want to build on what the member for Crowfoot talked about. I did not hear one mention of victims. This legislation talks about having a mechanism in place so when people come to Canada, they respect our laws and if they do not do that then, simply put, they get sent back.

Does it matter to the hon. member that criminals who get deported should get deported?

Mr. Jasbir Sandhu: Mr. Speaker, in the last year and a half since I have been here I have heard the Conservatives talk about how they stand up for victims. The fact is they are not standing up for victims when it comes to providing compensation to them or taking care of their families. This legislation would create more victims. If one family member is deported for a minor crime, it will create more victims.

If the Conservatives want to stand up for victims, they should be increasing funding and investing in preventative programs that would eliminate crime in our society.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, would the member for Surrey North like to comment on the fact that this legislation talks about foreign criminals? Members opposite talk about foreign criminals as people who come to Canada and commit crimes so therefore they should be sent back "home".

A lot of people who are in Canada as permanent residents came here when they were one, two or three years old. They could be here for high school. They could be spending all of their lives here. Their home is actually Canada. If they come to a place where we promote the rule of law, we would expect the right of appeal, et cetera to be available to them. If they commit a crime and they get six months or more, they are entitled to the rehabilitation provided by the penal system.

Does my colleague think they can be considered foreigners who should be sent back home? Is that a realistic way to look at our immigration policy on how we should treat people who come to our country?

Mr. Jasbir Sandhu: Mr. Speaker, I also have trouble with the title of the bill, which is the faster removal of foreign criminals act.

We have heard in the House that this is about permanent residents. These are people we have admitted to our country. I was one of them at one point. We have 1.5 million permanent residents in Canada and for one reason or another they have not taken out their Canadian citizenship.

With respect to the issue that my good colleague talks about, when these members are part of our society and they commit a minor crime, they should have the opportunity to appeal. These young people should also have the opportunity to rehabilitate in our society. Individuals may be separated from their family and may be deported to a country with which they have no ties.

We need to look at providing opportunities in cases where a second look is warranted.

• (1245)

Mr. Kyle Seebach (Brampton West, CPC): Mr. Speaker, the member for Winnipeg North keeps saying that somehow members on this side of the House are saying that permanent residents are criminals and that this legislation would target permanent residents. We on this side of the House do not believe that permanent residents are a bunch of criminals who are going to be deported. The only ones slandering permanent residents here are those members and the member for Winnipeg North.

I want to know if they want to apologize to the 1.5 million permanent residents in our country who do a darn good job contributing to this country.

Mr. Jasbir Sandhu: Mr. Speaker, I agree with the member. Permanent residents are contributing to our country, both economically and culturally.

I agree with my fellow Liberal colleague who talked about the 1.5 million permanent residents, who are part of this society. The Conservatives are looking at a small number of cases involving people who have committed a serious crime and who should be deported. We all agree on that. However, they are targeting those 1.5 million.

It is unfortunate that the Conservatives speak out of both sides of their mouth.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP): Mr. Speaker, this is an interesting bill we are looking into today. It is, by all accounts, a bill to allow Canada to deport non-citizens who commit serious offences. This, in itself, is an eminently supportable goal, but it does not fully describe the entirety of Bill C-43.

As my colleague from Newton—North Delta, the New Democratic critic for citizenship, immigration and multiculturalism, has indicated, New Democrats recognize the need for an efficient and responsible judicial approach to removing serious criminals who are not citizens. I agree that all Canadians want a tough approach to non-citizens who commit serious, often violent crimes in our communities. I believe it is also important for us to note that the overwhelming majority of newcomers to this country are actually law-abiding and follow the rules. Those newcomers also support the broader concept that is the stated intention of Bill C-43.

We cannot mix up the facts as we consider how best to weed out a small group of offenders who are no more a reflection of any community they come from than any domestic criminals are to their own home towns. We can see there is agreement on intent, but it is not a free pass for the government to do whatever it wants. New Democrats would like to see amendments to the bill that would allow us to arrive at a piece of legislation we can support. Ultimately, our criticism of the proposed amendments to the Immigration and Refugee Protection Act relates to a handful of issues, not the least of which are the concentration of power in the minister and the abandonment of an appeal process.

Government Orders

New Democrats do not support slamming the door on an appeal process, just as we do not support granting the minister unilateral powers to stop a foreign national from becoming a temporary resident for up to 36 months based on what is being called public policy considerations. Surely we can agree that is a vague and broad definition.

We can still hear the peanut gallery on the other side.

In fact, the manner in which this bill concentrates more power in the minister seems to indicate some kind of disbelief in the system that is in place, some kind of a belief that what the process really needs is a sheriff. In Bill C-43 we see that. Not only can the minister declare a foreign national inadmissible for up to 36 months if the minister is of the opinion that it is justified by public policy considerations, but the minister may also, at any time—and I repeat, at any time—revoke or shorten the effective period of a declaration of inadmissibility.

This may sound like jargon, but there is a bigger problem at play that others will recognize, and that is the disturbing trend we see from the government, the trend of concentrating more power in the hands of individual ministers. This arbitrary power is granted at the expense of transparency and clearly defined policies that can be consistently administered.

Members may recall that this is one of the criticisms that was central to the changes to the Fisheries Act in the last budget. Those changes gave the minister discretionary power to determine whether a fish species was important enough to warrant protection. This bill continues that unfortunate trend. It is a pattern of behaviour that puts the government and its decisions behind closed doors. It makes our government more opaque and quite the opposite of the transparent and accountable administration Canadians desire and were promised. However, there is good news. This is something that can be fixed. If there is a willingness, there is a way.

• (1250)

Ministerial discretion can be replaced with clear and effective guidelines that can be publicly administered, which is something we hope the government will consider. It is something we know that Canadians want and will support.

What is more than a little strange is the way in which Bill C-43 would give the minister discretionary powers to act in the manner of the sheriff I just described. However, at same time, it would relieve that same person from similar responsibilities related to appropriate discretionary powers. We see the call for the minister to be given the power to declare a foreign national inadmissible, but in those cases where the minister is actually required to use extraordinary powers to ensure the system is performing to its potential, the Conservatives are begging off that part of the job.

As we know, the current arrangement means that on the request of a foreign national or even on the minister's own initiative, the minister is required to examine the circumstances of a person who is considered inadmissible on grounds of security, humanitarian or international rights violations, or organized criminality. In those instances where the minister feels a compelling case has been made, he or she can grant an exemption on humanitarian and compassio-

nate grounds and take into consideration the interests of a child directly affected.

My colleague alluded to this a while ago with respect to children who came here with their family and may not have received Canadian citizenship. If they are permanent residents and have been here since the age of six months, or whatever age, and all of a sudden they find themselves in a dilemma such as this, the minister would then be able to say that they would have to go home to a land where they have never been. The new arrangement would relieve the minister of this obligation altogether. It is as if the Conservatives cannot fathom that there would ever be circumstances where an appeal might be legitimate or even successful.

Let us look at our own criminal justice system. We have had people criminalized and put in jail, but when they have appealed the decision, and sometimes it has taken years, the government has had to actually apologize for that, which is why the appeal process is important.

However, without appeal, it is a black and white view that does not match the reality of the world. It assumes that there will never be a miscarriage of justice, when we know full well that the potential for mistakes is always present, which is why we have appeal processes in the first place.

To recap, the minister wants to be able to act in a decisive manner on a case-by-case basis if he feels it is warranted. On the other hand, the Conservatives are asking to be excused from the responsibility of the office in terms of adjudicating what is basically an appeal process. What we have here is an appeal for both a concentration of power and the removal of a check and balance function. Again, it is about transparency and accountability. We need a check and balance function.

For New Democrats, these items need to be fixed. We have additional concerns with Bill C-43, which relate to changes in the definition of serious criminality as well as the intention to accept the decision of foreign courts that may not operate at the same high standard as ours do in Canada.

As a bit of an aside, I am sure there are many professionals struggling for recognition of their foreign credentials who are looking on with a sense of disbelief. When it comes to branding someone a criminal, the Conservative government is willing to accept the standards of courts from countries whose professional credentials are more vigorously challenged. I am sure that point is not entirely lost on people who are struggling on that front.

To be clear, the larger goal of Bill C-43 is not without its merit. New Democrats think this is a case where we can tighten things up. We could take the bill to committee, roll up our sleeves and do the work to ensure Canada comes out of the process with a better Immigration and Refugee Protection Act.

However, most of us in this place know that there are bigger challenges that we must address as well. We hear it from our constituents and we see it in our offices.

Government Orders

• (1255)

Mr. Ray Boughen (Palliser, CPC): Mr. Speaker, I am little confused with what I am hearing from my colleague across the way. I hear the NDP saying that the Prime Minister is very controlling, does not allow any latitude, does not allow for decision-making, yet in the same breath, the Prime Minister is being condemned for being too loose, for leaving everything open and the minister is making all the decisions. I wonder which way we are looking at that.

Mrs. Carol Hughes: Mr. Speaker, I did not particularly say that the Prime Minister was controlling, but obviously based on the acts Conservatives are taking it is obvious that they are controlling. Let us see who are really being victimized, for example: immigrants, seniors, aboriginal people and students. These are the people who are being victimized by the government. If Conservatives could have tied the words “victims”, “offenders” or “crime” to their changes to OAS, I think they would have done it.

Let us look at the real picture, which is that the services that could help people make sure they have a good start here in Canada with respect to immigration, to keep them out of trouble, to make sure things are going smoothly, are the very programs the government is cutting. So even in places like Algoma—Manitoulin—Kapuskasung, we are struggling with reduced services from the federal government, which includes the closure of the citizenship offices. Those offices were in Sudbury, Sault Ste. Marie and Thunder Bay and were all offices that people from different corners of my constituency would have gone to for assistance. Guess where they are coming now? They are coming to our offices because those services are not available in northern Ontario anymore.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, there is a victim here. Many would argue that the government is attempting to label those 1.5 million permanent residents who call Canada their home. Many of these individuals have family members abroad. Quite often a child or a young adult leaves a country, whether it is the Philippines or India, and they arrive in Canada. One of the things this legislation is proposing to do is to deny people the opportunity to visit Canada if their spouse is not of good character. They themselves could be of great character and good health, with no risk of not returning, but they will be denied because their spouse is in good health, even though they have a child here in Canada.

Does the member recognize this as something that is just not fair and in the best interests of public policy?

• (1300)

Mrs. Carol Hughes: Mr. Speaker, my colleague is absolutely right. It is a government that is really creating a crisis out of a very small number of people. We are willing to work with the Conservatives. Every member of Parliament is here for a reason, which is to make sure that, when legislation is put place, it responds to the needs of Canadians, to the needs of people.

In that respect, we need to make sure that we do not see ourselves before the courts, that we are not causing more havoc to laws in Canada that are quite problematic. This is about working together to fix a piece of legislation.

As we said, we believe this has a good intent, but at the same time there are some changes needed. What we have seen over and over again is very little flexibility on the side of the government to want to

improve legislation, to ensure it is not to the detriment of people. That puts people in a really bad way and it is not a fair way.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I am pleased to speak on Bill C-43, An Act to amend the Immigration and Refugee Protection Act. I want to thank my colleague from Algoma—Manitoulin—Kapuskasung who just spoke. I could feel how passionate she is about this issue.

I also want to thank the hon. member for Newton—North Delta who has played such an important role in the House on immigration and refugee issues. I thank her for her fine work on that.

The bill addresses the issue of people who come to Canada and commit crimes. The timing of the bill is interesting, because it comes on the heels of some very serious, difficult and controversial changes in immigration and refugee policy that have touched many members of my own community in Parkdale—High Park. I am speaking specifically about the refugee reform bill, Bill C-31, and also about cuts to refugee health care.

Part of my community is a place where many newcomers first come to Canada. We have seen waves of refugees come from different parts of the world. There are many religious institutions and places of worship that are amongst the oldest in the city of Toronto, because my riding is the first stopping off point for many newcomers to Canada. We have the oldest continuously functioning Jewish schul. We have one of the oldest Hindu temples. We have religious institutions of various denominations.

More recently we have many refugees coming from places such as Tibet and Hungary, as well as other places in Eastern Europe. Something that has been very controversial in our community, and we have joined health professionals in opposing, are the changes to deny some refugee claimants health care benefits.

I have seen, first-hand, people in my community who are directly affected by these changes. It has not been helpful that certain communities, such as the Roma community, have been demonized by the government. It creates a situation that is unhealthy for them here, even prior to the status of their refugee claim being assessed.

It is interesting that the Conservatives are now introducing a bill to get the immigration discussion back into a territory where they feel more comfortable, and that is the tough-on-crime approach. I see that in the political context of dealing with refugee and immigration issues.

The bill would concentrate more power in the hands of the minister in terms of discretionary authority over the admissibility of temporary residents. He can declare a foreign national inadmissible for up to 36 months if in his or her opinion it is justified by public policy considerations. The bill also relieves the minister of the responsibility to consider humanitarian and compassionate situations such as taking into consideration the interests of a child. The minister no longer has to consider humanitarian concerns at all.

Government Orders

It also gives the minister new discretionary authority to provide an exemption to the family member of a foreign national that is “inadmissible” if the minister believes it is against the national interest, specifically examining national security or public safety.

There are also changes in the bill about what constitutes serious criminality. Previously a conviction in Canada resulting in a prison sentence of two years or more constituted an automatic revocation of a permanent or temporary resident's right to an appeal. This would revoke that right with a conviction of six months or more, which has to be explored and investigated as to what kinds of crimes we are looking at and who would be most likely to be affected.

● (1305)

It would increase the penalties for misrepresentation, taking them from two years to five years for inadmissibility for permanent resident status. One thing that is very positive in the bill is that it would clarify that if someone enters Canada as part of an organized criminal activity, that on its own would not constitute inadmissibility, which may be important to people who are trafficked into Canada through some kind of criminal organization.

While I believe Canadians are legitimately concerned about the issue of non-citizens who commit serious crimes in Canada, we have a concern about concentrating more arbitrary powers in the hands of the minister. The vast majority of newcomers to Canada, and I have direct experience with many newcomers in my community, are law-abiding people who do not commit crimes. We believe the Conservatives ought to spend more time and effort ensuring these people are treated fairly and are reunited with their families as quickly as possible.

Conservatives cannot have it both ways. We cannot take someone such as Conrad Black and welcome him back to Canada with open arms and claim, as the minister did, that this was independent of politics and handled by bureaucrats, and then introduce a law like this which clearly would concentrate more discretionary decision-making power in the hands of the minister. Suddenly he seems to have a conversion on the road to Damascus and wants to deport convicted criminals instead of welcoming them with open arms. That is quite a change. However, there are a number of other ways the minister could help, such as maybe no longer appointing his friends to the Immigration and Refugee Board and having a fairer process there.

While the issue of criminal activity and ensuring we are not getting the wrong people in Canada is important, we believe there are concerns that are not being taken into account. Mental health issues are a big area of concern. In my communities and in communities across the country, there are people who come here as refugees from war-torn countries. They do not get the kind of mental health support they need. We know there is a disproportionate representation of people who are mental health survivors in the prison system who desperately need help and would benefit greatly from help here in Canada, including many refugees whom deportation will not help.

Canadians would see people from war-torn countries being disproportionately rejected from Canada under the bill. Mental health is clearly a huge issue, as is the lack of ability to appeal. That is also left up to the discretion of the minister. The lack of appeal is

something that has been criticized in other immigration initiatives by the government and is certainly something that I would question here.

While of course we support ensuring that Canadians are protected from criminals who would take advantage of our immigration and refugee system and come to this country and commit crimes, there are problems with the bill that need serious discussion, investigation and change in order to do the job that it is meant to do.

● (1310)

Mr. Kyle Seeback (Brampton West, CPC): Mr. Speaker, I noticed that my colleague was talking about concerns with increasing ministerial discretion. It raises an interesting point. I am sure my friend is aware that in 2011 the Quebec National Assembly passed a unanimous motion asking the minister to stop two people from coming to Canada due to their comments encouraging hate and violence against women and homosexuals. Unfortunately, there was no ability for the minister to stop those people from coming into the country. The bill would address that issue.

Do the New Democrats agree or disagree with Quebeckers and the Quebec National Assembly? Do they think that people who promote hate and violence should be allowed into Canada? If they do not think they should be coming into Canada, why will they not stand and support the legislation to give the minister the power to do exactly that?

Ms. Peggy Nash: Mr. Speaker, I have not read the bill in question because it is not a bill that has been before the House. Obviously as champions of human rights who work constantly against racism and sexist behaviour, we support those goals.

What is a concern is concentrating discretionary power in the hands of the minister through the bill and casting a net so wide that it has unintended consequences.

Let me just give one more example quickly. Suppose someone comes to this country as an infant, the child of immigrants or refugees, grows up in this country, spends their life here and, as an adult, commits a crime. However, he or she has never taken up Canadian citizenship. It seems extreme that the person could potentially be sent back to a country where they have no connection, no family and no relationship because they have served a sentence of six months in a Canadian jail.

I would question the broad net of the bill.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, on the whole, most people recognize that there is a difference in the types of crimes that are committed. This goes to the member's response to the last question, which was in regard to crimes that would ultimately lead to a conviction for which a person could serve a sentence of six months or more.

Government Orders

When we say a sentence of six months, we are not just talking about jail time. That could be part of a conditional sentence and so forth. It is just a summary conviction that ultimately leads to a minimum of six months.

We just passed legislation not that long ago that if a person is caught with six plants of marijuana, he or she would go to jail for six months. That would mean that if a person was here for many years, as the hon. member pointed out, 10 or 15 years plus, and even if they have a family, that person could actually be deported because they had six plants of marijuana. It is not rape or murder or something of that nature, but it is a violation of the law because the law says we cannot have six plants.

I wonder if the hon. member could provide comment on whether she sees that as justice being served in that situation.

• (1315)

Ms. Peggy Nash: Mr. Speaker, that question is in keeping with what I have been describing, which is that reducing the rule from two years to six months could capture far too many people in this wide net. It could include someone who might be a first-time offender, someone who has lived here all his or her life, or someone who has a mental illness.

It could be someone who just made a terrible mistake and who would benefit from rehabilitation and who would benefit from perhaps other opportunities and could then become a productive and positive member of Canada. However, one stupid mistake, and as my colleague has indicated, a crime of growing some marijuana plants, could land them in this situation.

It seems overly harsh and overly discretionary to have this kind of consequence for that crime.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am pleased to have an opportunity to speak today to Bill C-43. It is legislation that deserves consideration but, like much that comes from the government, it has significant flaws.

When members on the other side talk about the bill and ask us whether we want criminals who should be deported to get deported, the answer to that rhetorical question is yes. No one is opposed to that. That is why we are actually supporting the bill in principle. Certain people who come to Canada, commit violent crimes, abuse the appeal process and who manage to stay here for many years ought to be deported.

Therefore, the answer to the rhetorical question of whether criminals who should be deported get deported, is absolutely yes. Is this the way to do it? Are the measures in the bill balanced, fair and reasonable and do they comply with the rule of law?

The government claims that Canada is a champion of the rule of law throughout the world. Is it reasonable for a rule of law to have such a broad category that says that anyone who may get a six month sentence for a first offence, after having been in the country for 15, 20 or 25 years and having been here since he or she was a child or an infant, should get deported to his or her so-called home? The home of someone who has been here since the age of 2 and is now 25 is Canada. The fact is that for the 1.5 million people who are here as permanent residents, who have been granted the right to live here as

permanent residents and have the right to obtain citizenship once they apply, this is their home.

The member for Winnipeg North talked about a person being convicted of growing six marijuana plants. That person is treated as a serious criminal and is subject to deportation to the country of his or her birth without any right of appeal. I do not think that complies with the rule of law. In fact, a number of lawyers who have talked about this suggested that this would not pass with the courts and that it would face a challenge under the Charter of Rights and Freedoms.

Some hon. member: Bring it on.

Mr. Jack Harris: Bring it on, someone says. The Conservatives want to keep the courts and lawyers busy challenging their legislation. One would think they would desire to have legislation that meets the Charter of Rights and Freedoms, that does the job it is supposed to do.

A member from the opposite side raised another aspect of this a couple of times. My colleague from Parkdale—High Park has quite ably talked about the potential for arbitrary decisions and broad categories. There are broad categories in the bill but then the Conservatives mention specific examples and ask if we do not agree that this should happen.

The member for Brampton West said that his party wants to prohibit the entry of someone who promotes hatred and asks why do we not support a measure that would do exactly that. Well, it does not do exactly that. It says, in very broad language, that the minister would have the power to deny entry to anyone for 36 months if the minister is of the opinion that it is justified by public policy considerations.

• (1320)

It might have the effect of allowing that particular thing to happen as part of this broad category, but if what the Conservatives want to do is prevent people coming to Canada on a temporary visit to promote hatred, then they should say that they are going to give the minister the power to prevent people from coming to Canada to promote hatred. If they want to do exactly that, they should do exactly that. Public policy is a very broad consideration. There is that famous legal case in England that said that making decisions in the courts based on public policy considerations was an unruly horse. In other words, one could not control what would be contained under that consideration.

Public policy considerations are so broad that they give the minister almost absolute discretion. That is where we think this bill goes overboard. It gives too much discretion and arbitrary power to the minister. We want something that is flexible and something that will work to ensure we do not allow people into Canada who commit serious crimes, who are unworthy of continuing in Canada and who we would never allow to become citizens if they applied.

Government Orders

We are talking about criminals who have been convicted of significant offences. If they applied for citizenship, which they are entitled to do as permanent residents at a certain point, would they be given citizenship? The answer to that question is no, they would not be granted citizenship. Do we want to find ways that will force people who should be deported to be deported? Yes. If the appeal process is so long, ungainly and unruly that people can abuse it, we need to fix the appeal process, shorten the time limits and find a solution to the root of the problem. As one of my colleagues said, we do not need a sledgehammer to swat a fly. If a less restrictive measure can be used, in other words, one that does not affect so many other cases that it should not affect, then that is what should be used.

We are talking about the unfortunate arbitrariness that applies when we use these broad categories. When we take away the requirement of the minister to take into account humanitarian considerations and international rights violations, that removes the possibility of allowing someone to enter this country. It takes away the requirement of the minister to at least take that into consideration and say that we do not have to worry about that. This is a significant problem.

The risk that we run here is that we may be deporting offenders who may have been sentenced to six months or a year in jail, who arrived in Canada with their parents at a very young age and who may know nothing of the country to which they will be deported. By doing that, we would be leaving at risk people whose only country to which they have an attachment is Canada and they may have been in Canada for many years.

I will quote some of the comments that were made by a group of lawyers in Toronto last week who are active in immigration law. They are very familiar with the broad range of cases. They say that we are talking about many people in the African, Caribbean, Italian, Greek, Portuguese, English, Irish and Scottish communities who have not acquired Canadian citizenship despite the fact that they have been here for a long time. They say that the removal of the appeal process for those who have been sentenced to more than six months would be a terrible burden when their cases ought to be considered.

First offenders who have been here for 15 or 20 years and are incarcerated learn things. They improve their lives. People can go to jail for six months for shoplifting if they do it often enough. Perhaps they are drug addicts and need rehabilitation. Those people would be treated as the dross of society and sent to some potential far corner of the world where God knows what will happen to them. This is the kind of thing we are opposed to. We support the bill in principle in terms of doing what it should do but want to see it substantially improved in committee.

• (1325)

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, the NDP's position on this is not surprising as it has always been soft on crime and criminals and has ignored victims. However, I find it astounding that its members are now soft on foreign criminals also.

The Canadian Association of Chiefs of Police, the Canadian Police Association and the Victims of Violence are all in support of

the bill. Does the member not support these organizations? Do the NDP not support organizations such as these?

Mr. Jack Harris: Mr. Speaker, I find that the government and the members opposite are selective when it comes to organizations such as the ones the member mentioned because sometimes they support their legislation and sometimes they do not. When they do not support their legislation, such as the chiefs of police who did not support the Conservatives' destruction of the gun registry, the Conservatives' ignored them and treated them like dirt. They did not want them to come forward. They did not want to hear from them. They say that they did not know what they were talking about.

Let us leave those associations out of this and talk about the principles here. For the most part, this is not about foreign criminals who come to Canada to further their criminal activity. If that is what we are talking about, then the law should be able to deal with them. What the government has done here is that it has painted such broad categories that it is refusing to allow the rule of law, as we understand it, to apply to the people who have been in the country since they were two or three years old and whose lives and families are here. They may have made a mistake by committing a crime, for which they were sentenced to six months in jail, but they deserve the opportunity to be rehabilitated and not subjected to deportation to a country that is foreign to them and one that they have no knowledge of without having the opportunity to appeal. That is wrong.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, if we were to average out the number of immigrants who have come to Canada over the last 10 to 15 years, we would find that there would be somewhere in the neighbourhood of just over 200,000 people who have come to Canada and who want to call Canada their home. I would suggest that we have in excess of 1.5 million people who are permanent residents in Canada and who want to make Canada their home.

Is it not fair to believe that a certain percentage will fall on the other side of the law? There is very strong argument that in extreme cases we want to expedite and get rid of individuals who commit violent crimes. I do not hear anyone necessarily defending that.

Acknowledging that with a population base of 1.5 million people there will be some who fall on the other side of the law, if we look at what the legislation would do in respect of those sentenced to six months or more, they would not be able to access the appeal mechanisms. I would like the member to provide specific comment in terms of justice being denied to those individuals. Again, that is with respect to minor types of crimes. He made reference to shoplifting but it could be other types of crimes that he might want to make reference to.

• (1330)

Mr. Jack Harris: Mr. Speaker, if the language in the bill were clear, the principle would be that we want to ensure that criminals who should be deported get deported. On that I think we can all agree.

Government Orders

However, I am not sure that everyone in the House would agree that people who have spent 20 or 22 years of their 25 years in Canada and who, for mental health issues, have run afoul of addictions or may have been caught two, three or four times shoplifting and ended up with a sentence of six or nine months, should be sent back to Somalia or a country where they have never been to since they were two years old and with their family here. I do not think we would find a lot of agreement on the other side of the House for that. I think we would find some human compassion to say that it is a special case that deserves some consideration.

The problem is that the bill does not give that person any consideration, does not give the judge any discretion and there is no right of appeal. What is wrong with the bill is that it makes one category with respect to dangerous criminals too broad. If it is for dangerous criminals, then it should be made for dangerous criminals.

[*Translation*]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I first want to congratulate the hon. member for his eloquent speech and say that I am also pleased to have the opportunity to speak to Bill C-43, An Act to amend the Immigration and Refugee Protection Act, or the Faster Removal of Foreign Criminals Act.

This bill, if passed as is, will lead to numerous legislative changes with the purpose of accelerating the deportation, to their country of origin, of foreign nationals and permanent residents who have committed a serious crime in Canada or abroad. The Conservatives say that the faster removal of foreign criminals would prevent some of them from abusing the Canadian legal system to try to delay their deportation and extend their stay in the country.

One of the main provisions of Bill C-43 would amend the legal definition of "serious criminality" in order to restrict access to the appeal process should an individual be found inadmissible by a judge. Currently, a permanent or temporary resident of Canada can appeal such a decision to the Immigration Appeal Division of the Immigration and Refugee Board of Canada, unless the individual is sentenced to two years or longer.

Such a sentence generally leads to the automatic revocation of the permanent or temporary resident's right to appeal a determination of inadmissibility. If Bill C-43 is passed, this right would be revoked as soon as a sentence of imprisonment of six months or longer is imposed. Such a sentence will not necessarily be imposed in cases of excessively violent crimes, as some of my colleagues mentioned a little earlier. Such sentences will be given to people who repeatedly commit crimes that might be considered less serious. At that point, they receive a sentence that is more severe than the original one. These people are not necessarily violent criminals. They are people who could still be rehabilitated.

Bill C-43 also puts more powers in the hands of the minister by allowing him to render a decision on the admissibility of temporary residence applicants. The minister is given very broad discretionary power in that case. He could now declare that a foreign national is inadmissible for a maximum period of 36 months if he feels that it is justified by public policy considerations. There is no clear definition of "public policy considerations" here. The minister will define it, without further justification.

Furthermore, although Bill C-43 specifies that entering Canada through criminal activity does not automatically make a person inadmissible—which can be important for people who were victims of human trafficking networks—it will take away the minister's responsibility to consider the humanitarian circumstances related to the individual's case. As a result, the minister will no longer be required to consider particular circumstances, such as security considerations, human rights and international rights violations, or organized criminality, in order to determine whether or not a humanitarian exemption has to be granted to a claimant.

Bill C-43 has to do with an issue that is a central concern for Canadians: their safety.

Keeping the people of Canada safe is also a priority for the NDP. We recognize the need to have an efficient justice system in order to deport real criminals who are not Canadian citizens to their country of origin. We do not support allowing these dangerous criminals, who put the safety of Canadians at risk, to stay in the country. If circumstances require it, we want to make sure that those people can be quickly deported to their country of origin in order to protect Canadians' safety.

We in the NDP also believe that we can work with the government to prevent non-citizens who have committed serious crimes from abusing our appeal system. That is why I will support this bill at second reading. We also believe that it is possible to protect our people and to avoid those abuses without trampling on the rights of individuals who are not Canadian citizens.

● (1335)

The NDP is opposed to the idea of refusing anyone access to a just and fair appeal process. We are also opposed to the idea of giving the minister the power to unilaterally prevent a foreign national from becoming a temporary resident for a period of 36 months, if justified by public policy considerations, without our being able to identify clearly what exactly those public policy considerations are.

At the moment, as they often do, the Conservatives are trying hard to focus the debate on the issue of criminality in order to try to hide from Canadians the fact that Bill C-43 would henceforth grant wide discretionary powers to the minister and could violate the rights of a large number of foreign nationals and permanent residents. It is much easier to accuse everyone who objects to this bill of being soft on crime, as we often hear, or of not caring about the welfare of victims. That is completely false, and we must be able to keep things in perspective if we are to do our work properly here in this House.

So, because of the precise problems I have listed, it seems to me essential that, in committee, we study each of the provisions of Bill C-43 in depth and consider the potential negative consequences of enforcing it in its present unamended form.

In committee, it will be possible to focus on the provisions of this bill that present the greatest problems and make the changes necessary to ensure that the rights of citizens and non-citizens alike are respected and protected.

Government Orders

Another problem with Bill C-43 that deserves to be studied in depth is the fact that the bill restricts judicial independence by preventing judges from considering both the nature of a crime committed by a resident, whether temporary or permanent, and the circumstances under which the crime was committed. So, with Bill C-43, judges would no longer be allowed to consider the fact that some refugees from war-ravaged countries may be suffering from a mental illness. As we know, unfortunately, people fleeing from countries in the grips of war all too often arrive in Canada bearing the severe physical and psychological consequences of the trauma they have gone through in their country of origin. Unfortunately, when those people do not receive treatment, they often end up committing crimes. Whether they are citizens or not, they need help and treatment. Given the resources they need, they can frequently be rehabilitated. That will not be true of all foreign criminals who are going to be caught, but it will be true of a number of them, especially if they are suffering from a mental illness as the result of the trauma they have gone through at home.

Furthermore, Michael Bossin, an immigration and refugee lawyer in Ottawa, has said that young offenders commit a crime that gets them into a system that gets them treatment, medication and a rehabilitation program. They have family support, they have community support, and they are in no way a threat to anyone anymore.

Unfortunately, the amendments to the Immigration and Refugee Protection Act may well affect a large number of permanent and temporary residents with mental health disorders, who could be helped with treatment.

As we can see, Bill C-43 eliminates a number of control mechanisms that currently exist in the legal system and that provide a certain amount of flexibility. However, the flexibility being discussed here is absolutely necessary when somebody is confronted with extraordinary circumstances, such as the right to appeal in the case of mitigating circumstances and the possibility of appeal on humanitarian grounds for those who are deemed inadmissible on grounds of security or of violating human or international rights. It is obvious that much remains to be done to ensure that Bill C-43 fully respects the fundamental rights of individuals who want to become citizens, whether they are admissible or not.

Rather than demonizing all new Canadians because of a handful of foreign criminals, as the Conservatives have done many times over the last few weeks, they should make a greater effort to reunite families and recognize the skills held by new immigrants so that they can find a job that uses their experience and their talent. We all want to be more strict with non-citizens who commit serious crimes against Canadian citizens, but we must never forget the fundamental values on which our legal system is based, even when dealing with people who have broken the law.

● (1340)

[English]

Mr. Kyle Seeback (Brampton West, CPC): Mr. Speaker, I have heard a lot of speeches today by members of that party criticizing the government for this piece of legislation. They repeatedly say that they support getting tough on crime, “but....” They say they support cracking down on foreign criminals, “but....” There is always a but. There is always a reason. They always have an excuse for not

supporting legislation. At some point it becomes clear that their protestations actually show that they do not support cracking down on criminals, including foreign criminals and having them removed from the country more quickly.

Would the member and her party finally admit that they do not support cracking down on crime and do not support faster removal of foreign criminals?

[Translation]

Ms. Éline Michaud: Mr. Speaker, sometimes we have the impression we are speaking to an empty room here in the House.

I think my speech was very clear, and I said clearly that I was going to support this bill at second reading, because the NDP considers it very important to protect Canadians from criminals, whether they are foreign criminals or not, who endanger their safety.

However, being tough on criminals does not mean you have to be callous and cold-blooded. We have social values here in Canada that demand that we show compassion for others and that we give consideration to the extraordinary circumstances that may well affect the actions and choices that some people make, no matter how ill-advised they may be.

The NDP is going to try to amend this bill so that it includes all of the necessary nuances for a legal system that is effective, fair and prompt in deporting criminals who must leave Canada quickly. However, we must not start stigmatizing and criminalizing all newcomers.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, this is very much an anti-immigrant bill.

We need to start using the term “anti-immigrant”, because we have seen other pieces of legislation brought forward by the government that do target the immigrant community in a negative way. Even in the verbiage the government uses, it is anti-immigrant.

The bottom line is that the 1.5 million permanent residents the bill targets are outstanding participants in Canadian society. We need to acknowledge that fact about the vast majority of them.

Statistically speaking, immigrants commit far fewer crimes on a percentage basis than Canadians on average. I wonder if my colleague could comment on that fact.

● (1345)

[Translation]

Ms. Éline Michaud: Mr. Speaker, I thank my colleague for his question.

As has already been mentioned, it is very clear that this bill is totally anti-immigration. This government has brought forward a number of bills that, with no valid reason, attempt to stigmatize immigrants, unless the immigrants have enough money to keep our economy going, of course.

However, everyone else, including refugees and people who need help and who come here to try to build a new life for themselves and their children, will be directly affected by the bill the government has introduced.

Government Orders

[English]

The Conservative government pretty much tries to set up immigrants to fail, and this is what we need to change in the bill.

[Translation]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, I would like to thank the hon. member for her interest in this issue. I am in favour of referring this bill to committee so that we can review it.

This bill gives rise to a lot of discussion and questions. Once again, the Conservatives have introduced a tough-on-crime bill. They are saying that there is a crime problem in this country and that it has to be solved. Statistically, it is quite the opposite; there is less and less crime in this country.

What is the purpose of this bill? Instead of addressing the challenges facing immigrants in this country, this bill comes down hard on crime committed by immigrants. As an hon. member said earlier, the crime rate among immigrants is statistically lower than that among Canadian citizens. In addition, the crime rate is going down.

I will ask this question again: what public policy considerations justify this bill? We have to ask ourselves that question, because this is a very important aspect of the bill. Ministerial discretion has been created for the definition of public policy considerations. Under the bill, the minister can now declare, for a maximum period of 36 months, that a foreign national is inadmissible based on public policy considerations. But the concept of public policy considerations is not defined. The minister has total discretion. We do not understand why the minister should have more power, when a number of immigration tribunals are already hearing immigrants' cases and the reasons why they came to Canada. There are currently enough tribunals to allow immigrants to present their evidence and to justify their place in Canada. There is no need to create another bill that will make the burden of proof heavier on immigrants, when that is not the case for ordinary citizens. Once again, this bill does a poor job of defining the concept of public policy considerations.

Why give the minister so much discretionary power in so many bills? This does not concern just this bill on criminalization in immigration. Almost all the bills that the Conservatives have introduced in the past year broaden ministerial discretion, which decreases the possibility for people to be heard by the tribunals.

Historically, the purpose of democracy was to take discretionary powers away from kings and ministers and to define the powers they have. For the past year in the House, the exact opposite has been happening. This is not normal. A living, breathing democracy should clearly define the government's power. But here, the government is in the process of broadening it.

Bill C-38 creates ministerial discretion with respect to the assessment of environmental projects. From now on, the minister has the right to decide whether or not a project will have to undergo an environmental impact assessment. Previously, certain factors would be used to determine whether or not an assessment would be done, but now it is left up to the minister. With this bill, ministerial discretion is once again being broadened, which I think is unacceptable.

A debate in committee could be useful. That is why, even with the huge reservations I have about ministerial discretion, I will continue to support the bill at second reading.

• (1350)

I also want to point out some inherent problems with the bill, problems that I find really very serious. In the past, in accordance with the act, an immigrant who had been sentenced to two years or more would have his permanent resident status revoked immediately. That is how it still is today. The bill we are looking at proposes reducing that sentence to six months or more. Any permanent resident who is convicted and sentenced to six months or more would lose his or her permanent resident status.

My Conservative colleague pointed out a few minutes ago that we are talking about foreigners and asked why the opposition did not support cracking down on foreign criminals in this country. Right now we are talking about permanent residents; they are not foreign. They have been allowed to enter Canada. We know them. They work here and, for the most part, they are contributing members of society and yet the Conservatives are saying that if they make a mistake, no matter what it is, a six-month prison term will strip them of their citizenship and their permanent resident status. That is it; they will be deported. That is very harsh, extremely harsh. I would like to expand on this in committee. A debate on this would be worthwhile.

Several laws in Canada impose a jail term of six months or more. I can give examples of people I know who have not paid their parking tickets. If too many parking tickets accumulate, a person can be sentenced to six months or more. If someone fails to pay their parking tickets, does that really justify deporting them out of the country? I find that a little much, to be honest.

It is extremely important that this bill be the subject of testimony by expert witnesses. Unfortunately, the people who draft the Conservatives' bill tend to go too far, perhaps because this government has a majority. Sometimes they cannot help themselves. That tends to be the Conservative way. They often appear incapable of seeing the fact that their bills benefit only a very small percentage of Canadians—perhaps those who give more money to the Conservative Party. I do not know, but maybe that it is.

It is very important for these bills to reflect the Canadian reality. I want to point out once again that crime rates are going down in Canada. I know that a few years ago the Conservatives were saying that they wanted to crack down on crime because a lot of crimes are not reported to the police. I am not going to chase shadows here; I am going after real criminals. I want to find a happy medium between protecting Canadian citizenship and an immigrant's right to a fair and equitable process. There is a fundamental right in Canadian law: everyone has the right to be heard. The minister's authority continues to grow. His discretionary powers are looking more and more like the powers of a king. That runs counter to legal tradition in Canada and all Commonwealth countries. The right to be heard is a fundamental right that the government would violate with this bill. This bill must absolutely be sent to committee to be examined carefully.

I hope that all members of the House will be open enough to allow amendments to this bill. Expert testimony will help with this. Many parts of this bill must be broken down, clarified, and debated so that the bill can truly benefit the Canadian public. Ultimately, immigrants must feel that Canada is a welcoming country. Historically, we have always been very open to immigrants, and I hope that we will continue to be.

● (1355)

[English]

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, I listened with great intent to the member's speech. I guess I am disappointed by much of what I hear. I hear the NDP members say that they will vote for the bill to move it to committee, but everything about it is disliked.

Another thing that bothers and troubles me are some of the questions coming from the Liberals. The member Winnipeg North says that this is an anti-immigrant bill. Nothing could be further from the truth.

The bill deals with the criminal element. An example is Jeyachandran Balasubramaniam from Sri Lanka who was sentenced to 18 months in jail. His crimes included assault with a weapon, drug possession and drug trafficking. The removal order was in 2001, he went into an appeal process and seven years later he was finally removed.

We understand the importance of immigrants. We understand the great contribution to Canada. However, a very small percentage of individuals come here and commit fraud, such as an individual from Romania, or sexual assaults. They are in Canada and they should be on their best behaviour.

This bill gives us the opportunity to send those people back to their place of—

The Acting Speaker (Mr. Barry Devolin): The hon. member for Gaspésie—Îles-de-la-Madeleine.

Mr. Philip Toone: Mr. Speaker, I am impressed with the member's interest in criminal matters. I hope he will present a lot of amendments to this bill, as well as all other crime bills the government brings forward. They can all benefit from more debate at second reading.

When bills go too far, we are here to ensure that bills address the real problems of our country, not the fabricated ones the Conservatives keep throwing at us.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, this is an anti-immigrant bill, and the government needs to wake up and recognize that fact.

The 1.5 million-plus permanent residents in Canada today deserve better. Quite frankly, if we take a look at the amount of crime that is committed in Canada, the average immigrant is far less likely to commit that crime than the average citizen of Canada, yet the government has prioritized labelling them, calling them "foreigners".

We do not hear the Minister of Citizenship, Immigration and Multiculturalism going out and calling permanent residents "a bunch of foreigners". However, he is prepared to label them in legislation, highlighting what is very much an anti-immigrant bill.

Statements by Members

Would the member not agree that, as worded, this is an anti-immigrant bill?

● (1400)

Mr. Philip Toone: Mr. Speaker, I have a hard time believing that the Conservatives actually believe in welcoming all immigrants to our country. They seem to have a lot of reserve for an awful lot of them.

In some sense, I totally agree with the member. I hope the member from Winnipeg will be as full of vim and vigour through question period.

STATEMENTS BY MEMBERS

[English]

HOCKEY SUMMIT SERIES ANNIVERSARY

Mr. Ed Holder (London West, CPC): Mr. Speaker, those old enough will remember exactly where they were 40 years ago when Paul Henderson scored that iconic goal for Team Canada to give it game victory and the series against the Russians.

Who could ever forget Phil Esposito halfway through the series, when our team was struggling and he put his team and our country on his back as he challenged Canadians to get behind Team Canada.

Today, who can forget the Londoner Vito Frijia for his extraordinary generosity and pride in Canada by single-handedly bringing Team Canada back together so we can honour it for its contribution to Canadian sport, the Canadian spirit and Canadian pride.

This special team of national heroes came together in Toronto last week to be celebrated and honoured. To see Phil and Tony Esposito, Frank and Pete Mahovlich, Brad Park, Ken Dryden, Bobby Orr, Yvan Cournoyer, and of course Paul Henderson, to name just some of these superstars, was inspiring.

The Prime Minister and I were there and it is something special when we could say, "Thanks, and job well done" to our hockey heroes for the memories and pride they instilled in us.

Were it not for Vito Frijia, this would not have happened. He has our sincerest thanks for a job well done.

* * *

EMPLOYMENT INSURANCE

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, the government is in denial about a problem that is affecting unemployed Canadians across this country.

Right now, there are approximately 870,000 unemployed Canadians with no EI compensation. That means fewer than half of all unemployed Canadians are receiving EI.

People come into my office, frustrated by trying to navigate their way through a system that has been crippled by Conservative cuts.

Statements by Members

One man has been waiting over two months for his EI cheque. On his last box of macaroni and cheese, he had to go to the food bank for the first time in his life, when he should have been receiving the EI he had been paying into for over a decade.

New Democrats are fighting for an EI system that is fair, accessible and effective. It is time for the government to wake up, do something to help unemployed people in this country and fix the employment insurance system.

* * *

OKTOBERFEST

Mr. Peter Braid (Kitchener—Waterloo, CPC): Mr. Speaker, I rise today to highlight the Oktoberfest celebration that begins tomorrow in Waterloo region.

Our region benefits greatly from strong German-Canadian roots, and Kitchener, previously known as Berlin, celebrates its 100th anniversary this year.

German-Canadians were pioneers in the founding of Kitchener—Waterloo and played a significant role in shaping the economic, social and cultural fabric of our community.

We are also proud to host the largest Oktoberfest outside of Germany, which both increases tourism and provides over \$1.5 million for local charities.

I invite all Canadians to visit Kitchener—Waterloo for this exciting festival to celebrate German history and heritage and share in the traditional food, music and entertainment.

I know all members of the House will join me in thanking German-Canadians for their ongoing contributions to Canadian society.

Prost!

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ACADEMIC ACHIEVEMENT

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise today to pay tribute to a young woman from Grand Bank in my riding of Random—Burin—St. George's.

When Samantha Strowbridge graduated from the nautical science program at the Marine Institute in St. John's, Newfoundland, she was awarded that institution's bronze medal in recognition of her attaining the highest overall average in the final year of the program.

Samantha also won the Governor General's Award, given to the student who attains the highest academic standing for all diploma-level programs.

Her time spent with the local sea cadet corps, RCSCC 71 Atlantic, was instrumental in developing her interest in nautical science and in developing many of the attributes that are helping her succeed in her chosen field.

Samantha is a prime example of a new generation of women who are entering fields once dominated by their male counterparts. Undoubtedly she will have a successful career on the sea, where she

aspires to become a master mariner and ultimately to captain her own ship.

I ask all members to join me in congratulating Samantha Strowbridge and wishing her every success as she continues to build on her accomplishments.

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BRIGDEN FAIR

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Mr. Speaker, with Thanksgiving weekend almost here, families from across Sarnia—Lambton will make their way to the Brigden Fair, a popular event celebrating its 162nd year in 2012.

The first fair was held in 1850 by the early area settlers on Reilly's farm in Moore township, today known as St. Clair township. The fair initially moved from one community to another throughout the township until finally settling in Brigden.

The Brigden Fair has become a popular destination on Thanksgiving weekend for those who wish to enjoy some quality time with their friends and family. This year the opening ceremonies will take place on Friday, October 5, with the parade following on Saturday.

Admission is free for elementary school-aged children and there will be a variety of entertaining events, including Midway attractions, monster truck and helicopter rides and, of course, many 4-H events and arts and crafts galore.

I congratulate all the volunteers who make it possible for urban to meet rural, and wish all a happy Thanksgiving.

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● (1405)

[*Translation*]

COMMUNITY SUPPORT

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, this month, the people of Gatineau are celebrating the anniversaries of three organizations that make their mark every day.

First, the St. René seniors club, under the dynamic leadership of Liliane Charette of my Real, is celebrating its 25th anniversary. Every week, the club organizes games and activities to the delight of the seniors. I regularly have the privilege and great pleasure of seeing the great work this club does.

Second, the Outaouais family support service is celebrating its 30th anniversary. Under the leadership of Diane Tremblay, my favourite slam poet who I deeply admire, this exemplary organization works tirelessly with people in need and changes lives daily by meeting the vital needs of the least fortunate.

Finally, the Gatineau seniors centre is celebrating its 35th anniversary. Its dedicated and determined team breaks the isolation of seniors by encouraging their independence and creativity through arts, well-being, language and leisure programs.

Statements by Members

I tip my hat to them all for their devotion and their passion. These groups of devoted citizens are the heart and soul of community support in Gatineau. I am proud to represent them in the House and to work in partnership with them. Thank you all.

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[English]

AUTO INDUSTRY AGREEMENTS

Mr. Terence Young (Oakville, CPC): Mr. Speaker, I rise today to congratulate Ken Lewenza, president of the Canadian Auto Workers union, his team, CAW members and the negotiators at Ford, GM and Chrysler for negotiating and ratifying groundbreaking competitive agreements. These agreements will help position the Canadian auto industry to thrive and grow for many years.

For the CAW leaders, this trifecta was a long and gruelling process that will add hundreds of new high quality auto manufacturing jobs in Canada, including 600 in the great town of Oakville, helping to reinvigorate Ontario's ailing manufacturing sector.

Our Conservative government did the exact right thing back in the dark days of December 2008, investing in the Canadian auto industry, whose recovery is complete, with spin-offs for a total of 500,000 jobs across Canada.

We celebrate this groundbreaking agreement that will help ensure that the Canadian auto industry continues to contribute to a superior quality of life for all Canadians.

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MENTAL HEALTH

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I rise to salute the work being done in the field of mental health and to call attention to the work that remains. This year the Mental Health Commission of Canada released a groundbreaking report “Changing Direction, Changing Lives”, which outlined a mental health strategy for this country.

As well, the House overwhelmingly passed my legislation on suicide prevention, and I remain grateful for the quality of that discussion. We are making progress in our recognition of mental illness in our society, but more needs to be done.

As individuals we can and must foster positive mental health in our families and communities. The easiest and most important thing we can do is simply to talk about it. Canadians should not rest until everyone is as comfortable discussing schizophrenia as they are discussing spinal issues, as comfortable discussing depression as diabetes.

I want to thank the Canadian Alliance for Mental Illness and Mental Health for coordinating national Mental Illness Awareness Week, for giving Canadians another opportunity to break the stigma surrounding mental health and to talk about these important issues.

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DERELICT VESSELS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, derelict vessels are a concern for coastal communities around

Canada. As both our commercial and recreational fleets age, this problem will only grow.

This summer there were problems in the Fraser River with the *Queen of Sidney* ferry, the cleanup of the MV *Miner* off Nova Scotia and another barge sinking in Chemainus.

There is a legislative vacuum around derelict vessels, with no one taking responsibility unless there is a hazard to navigation or imminent environmental damage.

That is why I brought forward my private member's bill on derelict vessels, Bill C-231, An Act to amend the Canada Shipping Act. The bill would ensure the creation of regulations and measures for the removal, disposition, or destruction of derelict vessels or wrecks. It would provide for the Canadian Coast Guard to be designated as a receiver of wrecks and would require it to take reasonable steps to locate the owners of a wreck.

In Canada, many different agencies and governments are responsible for navigable waters and for dealing with hazards. Therefore, it is important to clearly lay out which agency will deal with wrecks and derelicts.

Last week, the Union of B.C. Municipalities passed a motion calling for an immediate removal program to deal with derelicts. I encourage the minister to use my bill as a template to deal with this urgent matter.

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● (1410)

CANADA-U.S. FREE TRADE AGREEMENT

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, today is the 25th anniversary of the Canada-U.S. Free Trade Agreement. Since the FTA came into force in 1989, Canada's annual GDP has risen by \$1.1 trillion, nearly 4.6 million jobs have been created in Canada and two-way trade with the United States in goods and services has more than tripled.

Canadians may remember that the ideological, anti-trade, anti-development NDP actually opposed free trade with the United States. The NDP was on the fringes of economic policy 25 years ago and it remains on the fringes of Canadian economic policy today.

It was a Conservative government led by Brian Mulroney that brought in free trade 25 years ago. It is a Conservative government today under our Prime Minister that continues to create jobs, economic growth and long-term prosperity through trade.

While the NDP is guided by its out of the mainstream, ideological doctrine, our Conservative government will continue to act in the best interests of Canadians.

*Statements by Members***INTERNATIONAL DAY OF THE GIRL**

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, the United Nations declared this October 11 the first International Day of the Girl, and I am honoured to stand here to recognize this day and its importance for girls and young women in Canada and around the world.

Too often, the power of girls and young women is overlooked and underestimated. However, their strength should not be questioned. I have seen firsthand what powerful voices girls and young women have. They are energetic, empathetic to the struggles of others and changemakers in their families and communities.

However, on this day we must recognize that gender and age inequalities and discrimination still exist in Canada and around the world. Girls and young women are more likely to suffer from depression, sexual harassment, malnutrition, early marriage, denial of education, and from violence, intimidation and trafficking. This international day is a reminder to no longer undervalue the power of girls and young women and for us as parliamentarians and members of the global community to work together in defence of human rights and equality for all.

Today I stand with my colleagues to pay tribute to the girls in our lives, the girls of our great nation and the girls across the globe.

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FOREIGN AFFAIRS

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, the brutal and repressive regime of Bashar al-Assad continues to show its disregard for human life following yesterday's attack across Turkey's border, which left five people dead, including a six-year-old child. Canada strongly condemns this attack and we offer sincere condolences to those affected.

As the Minister of Foreign Affairs stated yesterday, we continue to stand with Turkey and our other regional partners. The statement from NATO allies speaks for itself. Over the past year, our government has introduced some of the strongest sanctions on Syria in the world and we continue to call on all countries to bring pressure to bear on Syria for Assad to go. We will continue to work with our international partners to isolate this dangerous and murderous regime and to end the bloodshed of its own people and its neighbours.

The Syrian people deserve better than this illegitimate regime. Canada will continue to champion the freedom and human rights of all Syrians.

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ABORIGINAL AFFAIRS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, today on this national day of remembrance, I stood on the steps of Parliament to remember and honour the lives of more than 600 missing and murdered aboriginal women and girls. I extended our support to families who have been touched by the violent loss of a loved one, and called for justice for those affected by this tragedy.

Aboriginal women experience rates of violence more than three times that of non-aboriginal women. Young aboriginal women are five times more likely to die violently. The issue of missing and

murdered aboriginal women and girls is of critical importance and it is time for us to seek justice for the victims and healing for their families. We must put an end to this epidemic.

Today I ask all parliamentarians to press for action. Establishing a public inquiry on missing, and murdered aboriginal women and girls and developing and implementing a plan to stop this violence are important steps that cannot wait.

Violence against aboriginal women and girls is unacceptable, as is any violence against women. We can and must do more as parliamentarians.

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● (1415)

LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, when running for his party's leadership in 2011, the NDP leader promised a carbon tax that would go even further than the NDP's 2011 election platform. The NDP leader's plan would apply a carbon tax to all major sources of GHG emissions, not just the 700 largest industrial emitters envisaged in the NDP 2011 election platform.

In explaining his reason for expanding the scope of the NDP carbon tax, the NDP leader said that Canada "can no longer afford to focus only on the worst of the worst". That means even more money taken from Canadian families than the \$21 billion the NDP is banking on. The NDP leader opposite can deny it all he wants, but his words are clear. The NDP would hit Canadians with a job-killing carbon tax that would drive up the cost of gas, groceries and electricity.

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CONSERVATIVE MEMBERS OF PARLIAMENT

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, whether it is making up policies or fantasies about Commies hiding under their beds, Conservative backbenchers can be counted on for a daily fix of fact-free statements and a trip to the twilight zone.

Let us review the record. Since the E. coli crisis began, the New Democrats have asked 33 questions about tainted meat, the Conservatives not one.

What are they talking about? Is it the economy? Is it health care? No. Conservatives have made 33 statements and asked 10 questions, one out of every Conservative questions, about us, the New Democrats.

For my colleagues across the way, I ask if this is really what they wanted to do with their life in elected office: indulging the fantasy life of the kids in the PMO?

Could the member about to rise please tell us what is going on in her riding and what she wants to do for Canadians? I urge the Conservatives to take Parliament seriously so that Canadians can start taking them seriously.

*Oral Questions***LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA**

Ms. Michelle Rempel (Calgary Centre-North, CPC): Mr. Speaker, the NDP leader advocates for an aggressive carbon pricing scheme for the purpose of generating billions of dollars in new revenue.

I would like to remind the NDP leader of a principle that his party fails to acknowledge, that government revenue comes from Canadians, from hard-working families and from our job-creating companies. Any increase in government revenue or, simply put, a tax, has an impact on our constituents' lives and livelihoods.

While our Prime Minister's leadership has positioned Canada as one of the best places in the world to do business and one of the strongest job-creating economies, the NDP leader seeks to disadvantage Canadian businesses through an unaligned carbon pricing scheme designed to grab revenue to fuel his plans for government expansion.

On behalf of my constituents, to the member for Outremont, any way he slices it, a \$21 billion revenue grab does have a cost. And, as I am sure they will remind him in 2015, Canadians are not keen to have NDP hands in their pockets.

ORAL QUESTIONS

[English]

FOOD SAFETY

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, is the Minister of Agriculture and Agri-Food willing to accept responsibility for the self-regulating food inspection system he put in place?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, of course, there is no such system. The CFIA operates at a professional level on a program called CVS, which was implemented in 2005.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, yesterday the head of the Canadian Food Inspection Agency told reporters that key E. coli testing data had been withheld from government food inspectors by XL Foods. The Minister of Agriculture and Agri-Food knew that food safety data was being withheld. He knew that there were unsafe conditions at XL Foods.

Why did the Minister of Agriculture and Agri-Food withhold that information and endanger the lives of Canadians?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, when the first sign of E. coli showed up on September 4, CFIA staff took that seriously. They recaptured that product, brought it back to the facility and destroyed it. None of it got into the retail system.

Having said that, they began operations on September 4 and have been operating every day since. I have been meeting with them on a daily basis to ensure that they have the capacity and are doing everything they can to ensure Canadian food safety.

● (1420)

[Translation]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the government knew that some XL Foods equipment was damaged and not working properly. The government knew that XL Foods had no system in place to identify and trace the E. coli bacteria.

And the Minister of Agriculture knew that, even after the American government had sounded the alarm about E. coli, XL Foods continued to hide vital information on the safety of its facilities.

Why did the Minister of Agriculture hide this information about tainted beef from Canadians?

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, if the member opposite cared to go on the CFIA website, he would find a full timeline from September 4 on, day by day, of exactly what it did and how it did it. He will find a robust system that sought to make sure Canadian food is safe.

We worked together with the Public Health Agency of Canada and the public health agencies in the provinces to ensure we did not have a major problem at that point. As the information became available, we changed our tactics, because that is the way the system works.

[Translation]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the director of meat inspection has said that up to 5% of the meat processed by XL Foods was contaminated with E. coli. If Canada had real regulations, all of the meat processed on the day that that threshold was passed would have been discarded. But thanks to the Minister of Agriculture, no such rule exists. It is up to the industry to decide what to do.

Even worse, the public was not informed of the danger posed by the tainted meat. That represents a serious breach of ethics and ministerial responsibility. The Minister of Agriculture has no other choice: he must step down.

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, what the member opposite fails to recognize is that the OECD, an international body, has ranked Canada's food safety system right up there at the top. Every other country we deal with, including Japan, which has a robust food safety system, looks to emulate ours.

We will continue to do the job. We will enhance what CFIA has, the rules and regulations it works within and the dollars it will have to hire more inspectors. I am hopeful that the NDP will support us in those initiatives.

Oral Questions

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, key safety equipment was damaged and inoperable; there was no clear testing standard, no monitoring system for tracking high rates of E. coli, and withholding of key food safety data. All of this is just four years after the same minister of agriculture presided over another tainted meat scandal that killed 22 Canadians and he made jokes about it.

This time the Minister of Agriculture and Agri-Food knew what was going on. He withheld what he knew from Canadians and he is refusing to be accountable. He is the one who put the self-regulating system in place. He is responsible. Why is the Minister of Agriculture and Agri-Food still in his position? He must resign.

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, there is no such thing as a self-regulating system in Canada. CFIA has a number of different jobs it performs in these plants every day. The particular plant in question has 46 professional CFIA staff, which is a 20% increase over just a few years ago.

We take this very seriously. We are working to ensure that CFIA has the regulations it requires and the monetary capacity to get the job done.

I am hopeful that the NDP will work with us in the future.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I have the timeline that the minister has referred to, and I would like him to think back.

Since he says he was meeting with the staff on a daily basis, I assume that means he was meeting with the staff on a daily basis after the initial findings of E. coli on September 4. On September 10 and 11, we are told in the timeline, the CFIA identified August 24, August 28 and September 5 as of interest for further investigation. Did that have to do with extraordinary or high levels of E. coli with respect to those particular dates, and can the minister tell us when he himself was informed with respect to those findings on those dates?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, my office was fully engaged on September 5 as CFIA had identified the initial batch of contaminated product both in a secondary facility in Calgary and, of course, at the border by the United States. That product was captured and brought back in. As we strove to work further, we worked with scientific evidence, and we work with information that we have available to us to make sure that Canadian consumers are not at risk.

• (1425)

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, these are troubling facts that the minister and the CFIA itself is disclosing. September 16, according to the timeline—the minister himself said it—is the date upon which the CFIA removed XL Foods; but on September 13 the Americans removed XL Foods from the list of establishments eligible to export to the United States. Canada did not take the step of closing the plant until September 27. There were recalls on September 16 and recalls again on September—

The Speaker: Order. The hon. Minister of Agriculture and Agri-Food.

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): As the member

opposite rightly points out, Mr. Speaker, CFIA was acting on the information it had. It did issue a recall on September 16 on some potentially dangerous hamburger product, the higher-risk product. That is what it does. It works on scientific evidence and a growing body of evidence to make sure that Canadians are well served by their food safety system.

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, even Mr. Arsenault, director of the Meat Programs Division, clearly said that he was not going to pretend that they got it all right.

[*English*]

“We're not going to pretend we got it right”. That is the statement of Mr. Arsenault from the meat programs division.

I would like to ask the minister this. Americans were protected on September 13 because no product was allowed to be exported to the United States. All Canadian consumers were not protected until September 27, two weeks later. Why were Americans better protected than Canadians?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Of course, I fundamentally disagree with that statement, Mr. Speaker. The member opposite also said the other day that the American E. coli statistics were far more robust than Canada's. The Americans' have gone down by some 40%. In that same timeframe, in Canada the E. coli incidence went down by 69%, and 2012 is going further in that good, positive way. We will take no lessons from the Liberals.

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, while the minister bragged about what a great job everyone has been doing, yesterday Canadians learned the truth about how slow the process truly is. On September 6, CFIA requested critical distribution and testing information from XL Foods. In return, XL took five days to respond. This is an unacceptable delay in the chain of information.

The minister cannot keep running from the question. Why does the minister think that a five-day lag in the transfer of critical information is acceptable?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, we absolutely agree a five-day lag is unacceptable. That is why we tabled Bill S-11, the safe food for Canadians act, last spring. It gives us more robust powers, a more timely way to assess the paperwork, and we will continue to move forward in that vein. I know that bill will be here very soon. The Senate went through clause by clause this morning. That bill will be before them very soon. Let us get it passed.

Oral Questions

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, I assume that is why he tabled it in the other place instead of here.

On September 13, CFIA stopped XL production to U.S. consumers, yet our agriculture minister did not shut down Canadian production until September 27, two weeks later. This massive delay has undermined the public's confidence in Canada's food safety. When consumer confidence fails, it is producers who pay the price.

Why did the minister stop XL beef going to U.S. consumers and yet allow the same plant to ship beef to Canadian families?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the member opposite is sort of cherry-picking the timeline. What he will see if he reads it properly is a growing body of evidence that CFIA gathers on a scientific basis. These are not political decisions, these are decisions made by the professional staff members at CFIA. They build a body of evidence, they put out health hazard warnings, they started a recall of hamburger on September 16, and they stand by the work that they have done.

[Translation]

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, on September 3, a shipment of meat from XL Foods was stopped at the U.S. border because of E. coli contamination.

However, the Canadian Food Inspection Agency did not ask the company for the information it needed about meat processing before September 6. Consumers were unnecessarily exposed to contamination for an extra 72 hours.

Can the minister tell us why it took the agency three days to take action?

• (1430)

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the United States notified Canada on September 4, the very same day we found product in another plant in Calgary. It turned out to be from the same batch. We contained that batch. That batch has been destroyed. Then we began to trace down where we needed to go from there.

In that next day time frame, CFIA staff members were in the plant looking for a cause of E. coli. They have to work on scientific evidence. They start to amass the information as it becomes available to them. They asked for documentation from the plant on the 6th to highlight certain issues that they thought might be a problem, and it took the plant some days to get it to them.

Bill S-11 will get us beyond that timeline and shorten it down. We need that bill—

The Speaker: The hon. member for Berthier—Maskinongé.

[Translation]

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, too little, too late. Bill S-11 is not enough.

Refusing to take responsibility for this crisis is not reassuring for consumers and producers, who are worried about the industry's future. For three long days, Canadian Food Inspection Agency

inspectors did not know what they were looking for. The Conservatives are to blame for keeping Canadians in the dark and endangering public safety, but no one on the other side is accepting responsibility for this fiasco.

Why did the minister not warn consumers as soon as this crisis began?

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, food safety is job number one for the government and it is a priority for CFIA. That is its entire mandate.

We continue to build a robust food safety system. We add dollars, we add inspectors and we continue to do that to ensure they have the ability to do the job they want.

I am hopeful the NDP will finally start to work with us and start passing some of these initiatives that we are putting forward.

[Translation]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, the minister is acting as though there were no crisis. Two days ago, he told people to follow his lead and eat beef. But in the meantime, producers and consumers are worried.

The Canadian Food Inspection Agency issued a corrective action request on September 5. People in the Magdalen Islands learned just yesterday that they were sold tainted meat. That is unacceptable. These delays were caused by the lack of front-line inspectors.

Why did the agency not react more quickly to the crisis?

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, on the issue of inspectors, the plant in question has 46 professional CFIA staff members on site on a daily basis. These people are doing a tremendous job working through difficult situations. They continue to assess what went wrong. They are building a body of evidence.

A recall is just that. It is a notice to the public that there is a possibility of a problem. People should please take that seriously. People who have product in their fridges and freezers should go on the website, check the bar codes and ensure they are not putting themselves in harm's way.

Oral Questions

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, Ontario farmers are concerned about the impact this massive recall will have on prices. Northern Ontario consumers are worried about the safety of their food. However, instead of protecting the safety of Canadians, the minister failed to act on glaring deficiencies in the safe food inspection system.

Why did the minister allow XL Foods to process beef on August 23, 24, 27, 28 and 29 with broken rinse nozzles and an incomplete E. coli tracking system?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the member opposite should go back to the timeline and see the assessment that was done by CFIA based on science, based on a growing body of evidence that there were some anomalies on the days that he mentioned. At that time, we continued to amass that information. We have since gone out with recall notices on those days in question because of the anomalies that were noticed.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, Canadians are just discovering how widespread this meat recall is, yet Conservatives only now admit to gaping holes in the rules regulating XL Foods. Still they persist in saying that all is well with the food safety regime, deny responsibility for the E. coli breakout and, when all else fails, blame the CFIA.

The crux of this problem is that the compliance verification system is broken. When will the government come clean about the perils of self-regulation and commit to an enforceable compliance regime for the food industry?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the system we have is robust. It has been adjudicated by a number of bodies around the world, third parties, that say we have a good system in our country.

We continue to enhance that system. Bill S-11 will give us more powers, in a more proactive and quicker way, to bring the information that we need to bear as we face situations like this.

We continue to build the capacity of the CFIA to do its work. I am hopeful the NDP, with its new epiphany, will join us in that endeavour.

•(1435)

[Translation]

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the minister is hiding behind the agency's president in order to avoid taking responsibility.

Over the past six years, the budget for food safety has been cut by \$40 million, and cuts will continue to be made until 2015. The Report on Plans and Priorities makes no mention of an increase in food safety staff, contrary to the minister's claims.

Why are the Conservatives making up stories that are contradicted by their own documents?

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, it is very easy to validate. Going back to the budgets up until this point

we have increased the CFIA's budgetary capacity by some 20%. We have added 700 net new inspectors to its roll, 170 of them dedicated to meat lines.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the Conservatives' claims about their spending are simply not supported by the facts. They are denying their own financial documents, but the Conservatives like to hide the facts.

When the Parliamentary Budget Officer asked about the impact of the Conservative cuts on food safety, the CFIA said that it either did not know or could not say. Why are the Conservatives denying their own financial statements? Why are they hiding the facts from Canadians?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, there are no cuts to food safety. We have said that often in this place. For some reason the NDP do not seem to be able to add the numbers up in the budgetary process and figure that out.

The Parliamentary Budget Officer tabled a report. Those are incomplete numbers. He should know that some of those programs were sunset and picked up again in the next suite of farm programs.

[Translation]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, this is how the government reacted to the E. coli crisis. First, it said that there was no problem. Second, it said that there are enough inspectors. Third, it blamed everyone except itself. This is just obfuscation and excuses.

This is what Canadians wanted to hear from a responsible government: yes, there is a serious problem; yes, we are looking into the problem immediately; and yes, the health of consumers is our top priority.

When will this government act in a mature and responsible manner?

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, I am not sure where the member has been. We constantly say how seriously we take food safety by enhancing the capability of the CFIA to do its job. We add dollars and human resources to its staff to ensure it has the ability to do it.

I am not sure where the member has been.

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, there is not a single group left in Canada untouched by the horrible lapse in food safety at XL. Canadians are worried about tainted meat. Cattle producers just getting off their knees from BSC are worried about selling their safe cattle.

Oral Questions

Dr. Richard Arsenault, the CFIA's director of meat, said, "We're not going to pretend we got it right."

People are sick from E. coli, yet the government continues to pretend that nothing is wrong. How many people must get sick before the minister will reverse cuts to the CFIA funding and give it the resources it needs to keep our food safe?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, there are no cuts to the food safety system in the CFIA. We continue to enhance the capacity of the CFIA from both a budgetary and human resource perspective to get that job done.

To make sure it has the ability to capture any type of product like we see here, we build a body of evidence in our timeline and we look forward to more recalls coming out. That is the nature of the beast. As things swell out, we will ensure that Canadians are well-served by a robust recall system.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, this is for the Prime Minister who promised to hold ministers accountable.

First, we have the Minister of Agriculture and Agri-Food who failed to fully implement the Weatherill report after 23 people died. Now the same minister presides over the biggest beef recall ever, when in fact CFIA did have the authority to act under current law.

Second, we have the Minister of Health who has a responsibility to reassure the public, lay out a plan on such public health matters, and who has gone into lockdown.

When will the Prime Minister put a stop to this incompetence and protect Canadians' food supply?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the member opposite is absolutely right. This government's number one job is food safety. That is a priority for us. We continue to enhance CFIA to give it the tools it needs to work.

One of the tools it is working with, quite successfully, is the CVS equivalent program that was brought into play by his government in 2005. I am not sure why the member has a problem with it now.

* * *

● (1440)

ABORIGINAL AFFAIRS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, yesterday first nations chiefs from across the country voted to reject the government's unilateral decisions on education. Not a single penny of the education funding announced this week goes to schools on reserve where the need is greatest. Chiefs are threatening civil disobedience to force the government to deal with the crisis in first nations education.

Will the minister admit that unilateral decision making is wrong and commit to investments that actually help first nations students on reserve?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, that is exactly what we have been doing.

I met with the national chief last week, and I will meet with him again today, to reaffirm our commitment to develop legislation through intensive consultations with first nations across the country.

We already have existing comprehensive first nations education agreements in Nova Scotia and British Columbia, which demonstrate improved student outcomes. We are committed to improving educational outcomes for first nations students across the country.

[Translation]

Ms. Francine Raynault (Joliette, NDP): Mr. Speaker, first nations communities are in desperate need of money to provide their children with proper education. However, the Conservatives are only throwing them crumbs. These communities have waited more than 10 years for new schools, but only three will be built this year. Children of the Atikamekw nation in Manawan, in my riding, should not go without education, any more than any other Canadian child should.

When will the minister take action instead of making empty promises?

[English]

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we have made many commitments on first nations education.

We made commitments in the economic action plan 2012. I made announcements yesterday that included many more schools than the three that were mentioned by my colleague across the way.

We have completed construction on 33 new schools since 2006. We have done over 240 upgrades of and additions to schools since 2006. We are continuing with those kinds of investments.

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, Manitoba is hosting a national aboriginal women's summit focusing on violence against aboriginal women. Yet, despite the federal government previously co-hosting such summits, this year it is nowhere to be found. This crisis will not be solved without federal leadership.

Today, on the national day of action and remembrance for missing and murdered aboriginal women, families and communities want to know when the government will recognize the national scope of this tragedy? Why will it not work with Manitoba? When will it call for a national inquiry into missing and murdered aboriginal women in Canada?

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, our government attaches great importance and urgency to addressing the issue of missing and murdered aboriginal women. Our heartfelt sympathies go out to the grieving families.

Oral Questions

We have invested significant resources and law enforcement tools needed to locate missing women, while providing on-reserve, culturally responsive policing services. We are also supporting victim services in aboriginal communities to improve overall community safety.

The government is taking significant action to address this serious issue and is going to continue to do so going forward.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, this epidemic of violence against aboriginal women has shattered families from across Canada.

Gladys Radek from northwestern British Columbia, my home, is here in Ottawa calling for justice. Her niece Tamara Chipman disappeared on the highway of tears when she was 22 years old. Her story is far too common.

We know the solutions: affordable transportation, partnership with first nations, and support for those working to end this violence. Municipalities, women's groups and first nations families have come forward with real solutions for the government.

When will we move from sympathy to action?

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, the NDP just is not paying attention because we have been taking that action. We are taking action to crack down on murderers who prey on women. It is the NDP that is standing in our way.

This government introduced and passed legislation to repeal the faint hope clause, which was only serving to revictimize those who have lost their loved ones. We eliminated house arrest for serious crimes, such as kidnapping and sexual assault. We created a national website for public tips to help locate missing women. We have boosted victims' services.

Unfortunately the NDP, including the member for Churchill, voted against those measures. Shame on them.

* * *

●(1445)

THE ENVIRONMENT

Ms. Wai Young (Vancouver South, CPC): Mr. Speaker, our government's record has exceeded expectations when it comes to environmental action. We have been instrumental in implementing a world-class oil sands monitoring program. We have put in place new waste water regulations to protect the health and safety of Canadians. We are halfway to meeting our greenhouse gas emission targets.

Canada is truly a world leader when it comes to environmental progress.

Could the minister update the House regarding our government's new measures to clean up contaminated sites?

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, our investment today in the renewal of the federal contaminated sites action plan demonstrates the balance between the need for a cleaner environment and protecting jobs and economic growth. This program, which is expected to create some 7,300 jobs across Canada, is yet another example of how we are working toward a cleaner and a healthier environment.

Unlike the NDP's \$21 billion carbon tax, which would increase the cost of everything, our action plan will create jobs, not kill them.

* * *

[Translation]

PORT OF MONTREAL

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, yesterday, the hon. member for Nepean—Carleton once again behaved like a clown. Instead of answering serious questions about pressure exerted by the Prime Minister's Office, he called into question my love of Canada, the Rockies, Crosby, Terry Fox and even the Montreal Canadiens. Yet, his histrionics do not change the fact that the Prime Minister's advisers twisted some arms to get Robert Abdallah, a man now accused of being part of a corruption scheme, appointed to a post with the Port of Montreal.

Why was the government so determined to get Robert Abdallah appointed to this position? What was it expecting in return?

[English]

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the member is the gift who just keeps on giving. In fact, he not only gave once, he gave 29 times to the separatist Québec solidaire.

Canadians are very forgiving people. They can forgive someone who makes a mistake or makes the same mistake 29 times, but what they cannot understand is when someone who purports to be a future minister in the Government of Canada cannot simply rise and say he believes in Canada.

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, if the hon. member is so determined to talk about Quebec's situation, I invite him to discuss it with Bernard Landry's former advisor, who sits in caucus with him.

It is strange that the parliamentary secretary is washing his hands of these issues when, yesterday, one of the Prime Minister's advisors sold him out in public by admitting that yes, Robert Abdallah was the Conservatives' favoured candidate. I would like to quote the Prime Minister's press secretary, who said, "To be clear, the government expressed a preference for that candidate."

What are the Conservatives trying to hide? What exactly were they expecting to receive in return for this?

[English]

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, there is nothing more beautiful than when a former separatist decides that after all, he is going to embrace Canada. That is why, after I learned that over a decade this particular member donated 29 times to the hardest line separatist party in Quebec, I gave him repeated opportunities to rise in the House of Commons and say it was all a mistake and that he now believes in Canada.

Oral Questions

Why does he not come on over and join the Canadian family? We are a welcoming place. Why can he not just say he loves Canada, that he believes in this country and wants to be part of its future?

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker—

Some hon. members: Oh, oh!

[*English*]

The Speaker: Order, please. The hon. member for Rosemont—La Petite-Patrie.

• (1450)

[*Translation*]

Mr. Alexandre Boulerice: Mr. Speaker, I think—

Some hon. members: Oh, oh!

[*English*]

The Speaker: Order, please. The hon. member for Rosemont—La Petite-Patrie.

[*Translation*]

Mr. Alexandre Boulerice: Mr. Speaker, I think that, at this point, if the hon. member does not stop acting the fool, he will not even be able to ask questions in 2015.

[*English*]

My colleague's line of defence is that Robert Abdallah was never appointed. Should we consider ourselves lucky that the Port of Montreal's board of directors resisted the PMO bullying? If the Conservatives had their way, a man whose name is linked to corruption allegations would be managing one of the largest ports of the country.

Why did the Conservatives think he was the right man for the job?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the question is, why does the leader of the NDP think that member is the right man for the job of labour minister when he cannot even state his support for Canada?

Some hon. members: Oh, oh!

The Speaker: Order, please. I will ask hon. members to hold off on their applause until the parliamentary secretary has finished his response.

Mr. Pierre Poilievre: Mr. Speaker, the problem is not that he donated 29 times to the separatists, including six times this year while he was ostensibly a paid-up member of the NDP caucus. The problem is that he cannot stand up in the House of Commons, even now, and say that he rejects separation and supports Canada. Why?

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, with two ministers who were once involved in sovereignist movements, the hon. member should be careful in making accusations like that.

There are limits to pulling the wool over people's eyes in serious matters.

The Prime Minister's press secretary said that the Conservatives had a preference. Members of the port's board of directors confirmed that Dimitri Soudas tried to influence their decision. Former minister Michael Fortier said that people had exerted pressure on the board of directors.

Zampino, the man involved in the water-meter scandal, wanted Abdallah; Housakos wanted Abdallah; Soudas wanted Abdallah. Why did the Conservatives push for his appointment? What role did Leo Housakos play in all of this?

[*English*]

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, apparently my hon. friend is following the old rule: when in trouble, yell. That is exactly what he has done.

I simply ask, given that the member has donated 29 times to a separatist party, why can he not do what literally every member of this caucus is prepared to do, which is to stand up and say he is a federalist, that he believes in a united Canada, that he wants this country to stay together and wants it to have a bright future. Why can he not do that?

* * *

EMPLOYMENT INSURANCE

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, the minister responsible for employment insurance claims that "the vast majority of people who are working while on an EI claim will...be better off". This is simply wrong.

The government's own report reveals that it plans to cut 57% of the funding for the first year of the working while on claim pilot project compared to last year's project.

How can the minister honestly claim that the vast majority of Canadians who work while on claim would benefit from almost 60% less funding?

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, through the working while on claim pilot project, our government's aim is to encourage EI claimants to pursue and accept more work while collecting employment insurance. We know that when people accept a part-time job they frequently end up in full-time employment.

This government has been focused. We have created 770,000 net new jobs since the downturn of the recession. That is unlike opposition members, such as the New Democrats who want to put in place a carbon tax of \$21 billion to kill jobs, or the Liberals who simply vote against every initiative we put forward.

[*Translation*]

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, perhaps she will be able to answer if I ask the question again.

Oral Questions

The minister responsible for employment insurance claims that the majority of people who are working while on an EI claim will be better off. This is simply wrong. The government plans to cut 57% of the funding for the first year of the working while on claim pilot project compared to last year's project.

How can the minister claim that the vast majority of Canadians will benefit from 60% less funding?

• (1455)

[*English*]

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, this is like the movie *Groundhog Day*, so I will say it again. Through the working while on claim pilot project, our government's aim is to encourage EI claimants to pursue—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. parliamentary secretary has the floor.

Ms. Kellie Leitch: Mr. Speaker, claimants are encouraged to pursue and accept more work while collecting employment insurance. As I mentioned before, we have a robust plan for helping those who are unemployed to find employment. We have created 770,000 net new jobs, unlike the opposition members, who have voted against all of our initiatives to create jobs such as Helmets to Hardhats, and the \$21 billion carbon tax of the NDP.

* * *

AIR TRANSPORTATION

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, five million Canadians go to U.S. airports to fly because the flights there are cheaper. Why? Because the Conservatives treat airports as cash cows and charge huge fees.

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Trinity—Spadina has the floor now.

Ms. Olivia Chow: As a result, according to the Canadian Airports Council, Canada loses 11,000 jobs and \$240 million in tax revenue. When will this minister reduce the job-cutting tax on airports, tell us he loves Canada and keep the jobs and flights here in Canada?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, as I understand my colleague, the opposition is asking us to use taxpayer dollars to subsidize air travel. It is rich to hear the New Democrats on this when they want to create a carbon tax of \$21 billion. They want to pay for it with that.

Here in Canada, we do not use taxpayer money to subsidize this industry. It is a user-pay principle system and we will continue that way.

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, we are used to the minister's lack of consideration when it comes time to answer the opposition's questions. I will point out that the

Conference Board of Canada has the exact same view, and I repeat the question.

Five million Canadians cross the border for flights that are on average 35% cheaper. Our airlines and airports are not the only ones losing market share. All of the businesses associated with this industry are as well. Every year we lose 11,000 jobs and \$240 million in revenue.

Why do the Conservatives continue to create jobs in the United States instead of in Canada?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, I am proud to be a Canadian and to be a member of this government.

If they want to compare Canada's economy to that of the United States, I think the answer is obvious. Canada has a system in which users pay to use air services. We will not use taxpayer money to finance the airline industry.

It is rich to hear them say that they want us to lower taxes, when they want to create a \$21 billion carbon tax. They want to use that tax money to pay for this.

* * *

[*English*]

INTERNATIONAL TRADE

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, 25 years ago a visionary Conservative government signed the most ambitious trade agreement the world had ever known. Since the Canada-U.S. trade agreement, nearly 4.6 million jobs have been created and two-way trade with the United States has more than tripled. However, the NDP opposed this partnership and the member for Dartmouth—Cole Harbour even called free trade agreements “job-destroying”.

Would the Minister of Foreign Affairs please share with the House how our government's pro-trade plan is bringing long-term prosperity to Canadians?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, one out of five Canadian jobs depends on trade. That is why this government and this Prime Minister are working hard to have more markets for Canadian goods right around the globe. That means more jobs, more hope and more opportunity.

The NDP only mentioned the word “trade” one single time in its campaign platform. What does it say about trade? Cap and trade revenues by year: \$21 billion of new tax. That will kill jobs, it will hurt Canadian families and we will not let it happen.

Oral Questions

●(1500)

FISHERIES AND OCEANS

Hon. Lawrence MacAulay (Cardigan, Lib.): Mr. Speaker, the mandate of the Minister of Fisheries and Oceans is to manage our fisheries and provide services to our fishers but the government has not heard the message. It is downloading logbooks and at-sea observers to our fishers. It has fired over 400 critical DFO employees and now it wants to download the best conservation tool the Government of Canada has.

Will the minister stand up for our fisheries and keep gear tags as a federal responsibility? It is an important conservation measure.

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, this government is responsible for the fishery and we will continue to do so. With regard to gear tags, we believe it is the cost of doing business and the people who are doing the business should be responsible for their cost.

* * *

[Translation]

EMPLOYMENT INSURANCE

Mr. Claude Patry (Jonquière—Alma, NDP): Mr. Speaker, 130 Rio Tinto Alcan workers in Alma have endured a long fight, a long lockout, without a penny since July 10, 2012. The vague employment insurance rules that apply to labour disputes mean that these workers are not considered unemployed.

Will the Minister of Human Resources and Skills Development intervene in this situation immediately to resolve the problem faced by these workers, who can no longer afford their rent, food or bills and who are filing claims for social assistance?

[English]

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, the employment insurance program is designed to maintain neutrality and not to interfere in labour disputes. That is why EI benefits are not payable during a labour dispute. Service Canada is working collaboratively with unions as well as employer representatives to resolve this issue as quickly as possible.

I encourage affected employees, who have already been encouraged, to apply for their EI benefits.

* * *

VETERANS AFFAIRS

Hon. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, our Conservative government believes that any violation of Canada's veterans privacy is totally unacceptable. We put in place strict measures through the privacy action plan and the announcement of privacy action plan 2.0 to ensure the personal information of veterans remains protected.

Could the caring, compassionate Minister of Veterans Affairs please inform the House what the status is of the privacy action plan 2.0?

[Translation]

Hon. Steven Blaney (Minister of Veterans Affairs, CPC): Mr. Speaker, I first want to thank the hon. member for Kelowna—Lake Country for his ongoing interest in veterans, which he shares with all members of the caucus I am proud to be a part of. By the way, I am also very proud to be Canadian.

[English]

I can inform the House that the key element of the veterans privacy action plan 2.0 has been fully implemented as the Privacy Commissioner pointed out in her report tabled today. My department has implemented major improvements to better protect the privacy of our veterans and we will keep doing so.

* * *

[Translation]

HEALTH

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, since August, Michèle Lajoie from my riding has been waiting for a drug that is manufactured abroad to treat an orphan disease. Her health is deteriorating quickly. The oncologist treating Ms. Lajoie says that she urgently needs this drug, but that she cannot get it because of an administrative dispute between Health Canada and certain hospitals.

The department is taking four times longer than usual. Yes, I said four times. I informed the minister of this unacceptable situation on Tuesday. We still do not have any explanation.

When will the minister take responsibility and deliver this drug immediately? Four Canadians suffer from—

The Speaker: The hon. Minister of Health.

[English]

Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, our concern is always the health of Canadians. A special access program gives doctors access to medicines that is not available to Canadians. When a doctor makes an application under the program, Health Canada is in contact with that physician within 24 hours. However, the first step is for the physician to make an application to Health Canada and within 24 hours the department will respond to the physician.

* * *

FOREIGN INVESTMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, 16 sitting days to go until the Canada-China investment treaty is automatically approved without a debate or a vote in the House. It will bind Canada for the next 15 years, giving Chinese state-owned enterprises, indeed the Communist Party of China, the right to sue Canada in secret arbitration hearings.

Business of the House

Was the decision to approve this deal by order in council in order to keep it from the Canadian people or to avoid having to force Canadian Conservative MPs into voting for something they do not believe in?

• (1505)

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, the hon. member's question is way off the mark. The agreement, which is intended to protect Canadian investors, Canadians who are seeking to do business so that their investments in China are actually protected, was tabled in the House of Commons. We have rules that allow it to be debated in the House of Commons should the opposition parties decide among themselves to have it debated. They have already had two opportunities this week and they chose not to have it debated.

We have the most open process any government in Canada has ever had for agreements of this type, unprecedented openness and an unprecedented democratic process, but that will not stop us from moving forward to help Canadians invest and create prosperity.

* * *

BUSINESS OF THE HOUSE

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is an honour to rise on behalf of the opposition to ask what the government has in store for the House for the remainder of this week and the days following the Thanksgiving constituency week.

Last week, we heard from the government House leader that he used his very valuable time to continue to point out Conservative misinformation. Canadians deserve a lot better.

The government has added to its impressive and growing record of disseminating these machinations and falsehoods by recently suggesting that the New Democrats are somehow responsible for the recent failures of the Minister of Agriculture and Agri-Food because we are holding up a Senate bill on food safety. To suggest that the official opposition has any impact on the progress of a bill in the other place is embarrassing to the government. The bill in question, Bill S-11, has been over in the Senate with the government's partisan fundraisers and ex-spin doctors for 119 days and the House of Commons has yet to see it. If the government wants to get Bill S-11 moving, perhaps it should phone some of its friends and ask that they actually do their jobs and move the bill forward.

The problem is that Canadians expect something a lot better from the government than spreading misinformation.

I would ask my friend across the way to set aside his typically partisan and somewhat embarrassing remarks and just stick to the facts of what the upcoming business would be for the House. It would be refreshing for a change and welcomed by all Canadians.

With that, Mr. Speaker, on behalf of the opposition, particularly the official opposition, the New Democrats, I would like to wish you and your family, and, indeed, all Canadians from coast to coast to coast, a happy and peaceful Thanksgiving holiday.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I will begin by addressing Bill S-11, the food safety bill. It was introduced by this government in

the Senate to bring about changes that would strengthen our food safety system further following the implementation of the 57 recommendations of the Weatherill report, which further strengthened our system.

I believe the comments, to which the member referred, by the Conservative caucus were not about the NDP obstructing the bill in the Senate but rather about statements that had been made by NDP members previously following the introduction of the bill that the NDP would oppose the bill. Of course, the issue we are looking forward to is having it pass successfully in the Senate. We hope that people will see the urgency more clearly, that we will get the support of the Liberals and that we will see its rapid passage here in the House. We would be delighted if we had support to do that very quickly from the NDP and other parties.

Now for the business ahead of us.

[*Translation*]

This afternoon, we will continue our safe streets and communities week with second reading debate on Bill C-43, Faster Removal of Foreign Criminals Act.

In last year's election, the Conservative Party promised to put a stop to foreign criminals relying on endless appeals in order to delay their removal. This bill follows through on our commitment to Canadians.

We will resume debate tomorrow, when I am optimistic, based on discussions, that debate will end—and, then, we will have concluded the first three weeks of our hard-working, productive and orderly fall sitting.

[*English*]

On our constituency week, I hope all members of Parliament and staff in this place will have an opportunity relax. Many of our pages will have their first opportunity to go home since they started the year here. I hope on our return we will all be ready to be productive and work hard because we have much to do.

On Monday, October 15, before question period, the House will start the second reading of Bill S-7, the combating terrorism act. We will also debate this bill on Wednesday and Friday of that week. This, of course, is designed to continue to make Canada and, in fact, the whole world, a safer place.

After question period on October 15, we will kick-off debate on Bill S-9, the nuclear terrorism act, which shares the same objectives. It would implement Canada's international obligations under the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism.

Tuesday, October 16, shall be the fifth allotted day, which will see the House debate a Liberal motion. We eagerly await the content of that motion.

Thursday, October 18, shall be the sixth allotted day when we will consider the New Democratic proposal.

Government Orders

It is my personal hope that having given the NDP three chances already this fall to articulate to the House and to all Canadians how it will implement its \$21.5 billion job killing carbon tax that it will finally choose this as its subject for debate. I hope the NDP members will seize that opportunity and let Canadians know once and for all the fine details of their scheme to raise the price of gas, groceries, electricity and winter heat.

Should we have additional time that week upon our return, or even this week if we move quickly, the House will also consider second reading of Bill C-37, the increasing offenders' accountability for victims act; Bill C-15, the strengthening military justice in the defence of Canada act; Bill S-2, the family homes on reserves and matrimonial interests or rights act; and Bill S-8, the safe drinking water for first nations act.

Of course, I am always open to suggestions from the opposition. If they are willing to accelerate any of those bills for quick passage, I will call them.

Finally, I wish everyone here a happy Thanksgiving. I hope that everyone has a productive and hard-working week working with their constituents.

• (1510)

Mr. Frank Valeriote: Mr. Speaker, I rise on a point of order. If you seek it, I believe you would find unanimous consent for the motion: That the Canadian Food Inspection Agency provide the Standing Committee on Agriculture and Agri-Food the names, locations and job descriptions of all inspectors employed by the Canadian Food Inspection Agency no later than Tuesday, October 9.

The Speaker: Does the hon. member have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

Some hon. members: No.

* * *

POINTS OF ORDER

STATEMENTS BY MEMBERS

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am rising on a point of order related to what I think you may agree with me on. There has been a deteriorating quality of S. O. 31s. They are descending into a fairly unpleasant political spin, instead of what they are supposed to be. Of course, Mr. Speaker, I do not need to remind you of the rules. They are to deal with issues of national or local importance and are never to be personal attacks.

They are getting really quite despicable, for lack of a better word. I refer in particular to one yesterday by the member for Wild Rose, who used his S. O. 31 to attack me. In fact, I was flabbergasted by this. I am making more of a generic point that they are going downhill.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, for the benefit of the hon. member, I will read to her what Standing Order 31 actually says. It states:

A Member may be recognized, under the provisions of Standing Order 30(5), to make a statement for not more than one minute. The Speaker may order a Member to

resume his or her seat if, in the opinion of the Speaker, improper use is made of this Standing Order.

There is nothing saying that the content must be local, there is nothing saying it must be national, there is nothing saying that it cannot touch on policy. There is broad scope and range to it. In fact, there is no limitation whatsoever, other than the Speaker's normal ability to determine that something is unparliamentary. Therefore, I fail to see what she is complaining about.

I would add one final point. I can understand, perhaps having fewer members than some of the other parties, that she is frustrated that other people get to say more than her, but that is not a reason to try to suppress the rights of others to have their say in this place.

Ms. Elizabeth May: Mr. Speaker, in point of fact, I have spoken more often in the House over the last year than any other member. That is not the source of my complaint. My complaint is that previous Speakers, particularly Speaker Sauvé, were very clear in setting out guidelines. It is not helpful to the maintenance and improvement of decorum in this place to have S. O. 31s used for personal attacks or for nonsense such as the ridiculous non-stop carbon tax back and forth debate between the official opposition and the government. S. O. 31s are not the place for that.

Hon. Peter Van Loan: Mr. Speaker, the hon. member says that we should not be allowed to speak about a carbon tax in the House now. Every member of Parliament is responsible to his or her constituents who, if they were faced with a \$21.5 billion carbon tax, would have to pay that and their personal lives would be affected by it. Nothing could be more important for a member of Parliament than to stand up for constituents on issues like taxes. I cannot imagine why she would want to shut down that debate, other than she does not like it.

• (1515)

The Speaker: There have been previous Speaker rulings on what S. O. 31s should and should not be used for. I will go back and look at the particular S. O. 31 that the member has complained about and, if necessary, I will come back to the House after the Thanksgiving break.

GOVERNMENT ORDERS

[Translation]

FASTER REMOVAL OF FOREIGN CRIMINALS ACT

The House resumed consideration of the motion that Bill C-43, An Act to amend the Immigration and Refugee Protection Act, be read a second time and referred to a committee.

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, Bill C-43 should be a law that protects Canadians, a law that finally addresses past injustices. Unfortunately, the very opposite is true. This bill attacks the civil rights of Canadians. Never has a bill been such a huge disappointment.

Government Orders

For example, I shall quote Sir Winston Churchill who, during the Anzio Battle, said to an American general who had not been very active: "I had hoped we were hurling a wildcat into the shore, but all we got was a stranded whale." The whale, in this case, is Bill C-43, a piece of legislation that in no way corresponds to what Canada needs. I will give three reasons for this.

Canada is a country in which the rule of law prevails. When someone does something wrong, he can expect to have justice meted out to him—this is true for everyone, not just those people that the Conservatives consider a little dangerous. It seems that the political powers that be are still intent on meddling in the management of immigration issues. People want the exact opposite of this bill. They do not want any more political interference in immigration matters. There has been far too much interference in the past, and as a result, what we need now is new legislation, and not simply a rehashing of old ideas from old governments.

We are seeing an increasingly arbitrary concentration of powers in the hands of the minister. The minister now not only wields political power, he also wants to wield legal power. As Machiavelli once said, "Power corrupts; absolute power corrupts absolutely." What we are seeing in Canada is a government that interferes in immigration matters and merges electoral partisanship with legal duty. This problem should have been fixed; unfortunately, it is being perpetuated.

Bar associations and stakeholders in the legal community and the field of immigration rights have criticized the concentration of political power in the hands of the minister. They all agree that we should not do this, that we should do exactly the opposite. Some even say that the minister has discretionary power to determine the inadmissibility of a deportee's family members. This is absolute discretionary power. If you are nice, if you look good for the media, and if you could be useful during a campaign, the minister will support you. And if not, it is a pity, but you will suffer the consequences.

As Montesquieu noted, there is no liberty if the power of judging be not separated from the legislative and executive powers. These basic democratic principles, these fundamental principles of our Constitution state that the legislative branch must be separate from the judiciary and from the executive branch. In this case, the government is trying to do exactly the opposite.

The government also wants to do away with the minister's responsibility to examine humanitarian considerations. Generally, in a judicial process, the whole file is considered so that a fair decision can be handed down. That is the normal judicial process. That is what we expected, but the government is doing the opposite. The most essential and most basic rights are being attacked, and this poorly conceived, poorly executed piece of legislation is going to be the subject of a court challenge. And once again, the government will lose, like it loses time and time again. It is a bad piece of legislation.

They were asked to stand up for Canada. What are they doing? The opposite: attacking Canadians. They are attacking their notion of the law.

● (1520)

They are attacking their right to a fair judgment.

Legal proceedings are an essential part of the legislation. However, in the Immigration and Refugee Protection Act, commission members are appointed in haste, based on their ability to raise money for a political party, based on their personal friendships. This was already the case under the former government of a former political party.

The Conservatives are repeating the same mistakes, all the while saying that they will be tough on crime. No, this is the exact opposite of what they should be doing. We are asking for qualified individuals with solid legal training to make solid judgments. What are they doing? It is mediocrity at its finest: they are doing nothing. They are repeating the same mistakes that were made in the past. It is disastrous. We have never seen anything so pathetic.

It was proven that, upon reading the same legislation, some commission members accepted 98% of refugees, while a certain other commission member, in accordance with the same act, accepted only 2%. On the face of it, it is clear that this formula is not worth very much.

Cases of corruption have not just been pointed out, but they have been proven in court. These people have been convicted, found guilty of corruption beyond a shadow of a doubt. No corrections are made. We are asking for judges to be appointed, individuals who have judicial independence. Once again, they are appointing officials, friends, people who may not even be qualified. The government is not proving that they are qualified.

Once again, they are deciding to do the same things as in the past, with the same flaws, and they are going a step further by saying that they are going to fix the situation. Unfortunately, nothing at all is being fixed.

Now comes the third point, namely, whom they are targeting. All Canadian citizens who were not born in Canada may feel threatened. But that is where the major problem comes in. We are expecting a "Rizzuto" law. Mr. Rizzuto committed murders and is now in prison. He was not born in Canada, but he comes back here and everyone knows it. What is he going to do? He is going to commit murders. The police know it, all the criminal law experts know it. He comes to avenge his father and son, who were killed in a gang war.

We had hoped that this government, which claims to be tough on crime, would prevent individuals like that from coming to spread poison into our lives. But no, it seems to be clear that they are going after the little fish, the petty crooks, the small-time drug dealers, the people who get six months in jail. Yes, they have to be deported, but let us not forget the big fish, the people who bring in cocaine by the container-load. We are forgetting them, we are ignoring them.

An hon. member: Oh, oh!

Mr. Alain Giguère: So my words are shocking, are they? Well, good, because Canadians too are shocked to see that people like that are coming into Canada with a form of immunity. How many big Mafia bosses that are known to us in Canada have been deported? Zero.

Government Orders

Judge Falcone, an Italian anti-Mafia judge, used to say that organized crime could not grow if it did not have political protection. Has the government agreed to become that political protection? We know that political protection existed in the past. We know that the RCMP even said not to accept a certain individual as a minister. He became a minister in a previous government.

So we are asking the Conservatives to make an effort in that area, to allow no more Conrad Blacks, no more people who give up their Canadian citizenship in order to get a British title, but who come back to Canada once they are sentenced to jail. Let us be tough on crime once more.

• (1525)

This government and some of its elected members are clearly fleeing their posts in the face of the enemy. Our enemy is serious criminality. With this bill, they have surrendered.

[*English*]

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, I listened to the speech from my colleague, and I guess he does not really understand what Bill C-43 is, fast-tracking foreign criminals out of Canada.

He wants to talk about how he thinks Canadian citizens should not be allowed back into the country. If he has a way for those criminals who have committed the crimes he has suggested to not come back to the country, I would suggest he introduce a private member's bill. No Canadian citizen is allowed to be barred from Canada.

Let us get back to the bill, because he did not speak very much about it, other than to ask why we are pursuing drug traffickers and why we are pursuing criminals who are not Canadian citizens and who have committed serious crimes in this country. If the member is saying it is okay for drug traffickers to stay here in Canada and we should not be pursuing them and we should be keeping Canadian citizens out of Canada, that is a backwards approach.

I am not sure if the member really understands the bill. Perhaps we should get the bill to committee, because it would actually give us an opportunity to educate this member and any of his other colleagues who do not understand Bill C-43. It is a perfect place for us to sit down, negotiate and obviously teach them what the bill is all about.

[*Translation*]

Mr. Alain Giguère: Mr. Speaker, when you wash your hands of the matter when a person who has committed murder on behalf of the Mafia, who has lived his entire life in the Mafia, and who has spread poison into our lives comes back to Canada, Canadians know perfectly well that you are abandoning your posts in the face of the enemy. You are giving that enemy permission to keep attacking Canada.

Judge Toti has said that there are three kinds of politicians: those who fight the Mafia, those who work for the Mafia and, the most dangerous of all, those who leave the Mafia alone. We are going to study this bill in committee with a view to giving it the teeth that you have not given it, the teeth to go after the people who are really running organized crime, not just the small fry, the people who bother you, the people who are letting you put on this charade.

The Acting Speaker (Mr. Bruce Stanton): Order. I would remind all members to direct their comments through the Chair.

The hon. member for Winnipeg North.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, as I have indicated before, this is indeed an anti-immigrant bill.

At the end of the day, if it was just about serious criminals and deporting serious criminals who are permanent residents, I suspect the government would have a lot more support.

It goes far beyond that. To illustrate that in the form of an example, if someone is part of a family in a country abroad and one of the children immigrates to Canada, and if that person wants to visit that child someday but has another dependent who is involved in some sort of gang activity, that parent will not be able to come to Canada to visit the child. That is this serious crime bill that the government is talking about.

I am wondering if the member might want to comment on the fact that this bill does a lot more than just deal with serious crime by permanent residents?

• (1530)

[*Translation*]

Mr. Alain Giguère: Mr. Speaker, we had high hopes for this bill. We were hoping that it would prevent abuses like the ones we have already seen and talked about. Unfortunately, this bill basically attacks only what makes headlines. It does not address the essential elements of discrimination that allow the minister to decide who is a good guy and who is a bad guy.

This is an anti-immigrant bill. It points fingers at immigrants and paints them all as criminals. It is dangerous to do that. Innocent people are having fingers pointed at them, but because they are immigrants, they might even be accused of being criminals. This puts everyone in the same category: they all come to Canada to commit crimes. But that is not the case. That is the problem. Fingers are being pointed at people who do not deserve it. And for those who should be punished, I was expecting a "Rizzuto" law, a solid bill, but that is not what was introduced.

[*English*]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I am pleased to join today's debate on Bill C-43, an act to amend the Immigration and Refugee Protection Act. The government has tagged it with new lines, calling it the faster removal of foreign criminals act. It is unfortunate that these types of titles have now been introduced into legislation that is supposed to be very serious. This one is very serious. It is a continuation of our immigration drift.

We are going to support the bill to get it to committee because as New Democrats we believe our immigration system is fundamentally flawed and broken, and we are open to discussing how to improve it in any capacity. Some of the issues in the bill are going to be raised, and we will have some good expert testimony at committee to talk about these issues.

It is important to note that our immigration system is necessary in our country for us to function in an economic democracy. We do not have a population that can sustain itself alone.

Government Orders

We have been founded on the principles of multiculturalism and openness. That is changing because we are slowly eroding our immigration system. In fact, even in Windsor West, the riding I represent, I have an immigration office. The doors are shut. People cannot go there to get help on their immigration files.

Karen Boyce and Ian Bawden are in my office. Karen has been with me for 10 years and is finally going to retire at the end of December. I thank her for her commitment in all the cases she has strove through. In fact, many times on her own time she would actually get up in the middle of the night to call an embassy somewhere else to try to get paperwork or something processed. She would do that, literally, all the time. That is how dedicated she is. She has fought many times to have children pulled off planes, who were going to be deported to countries of which they never were actually part. They were born in Canada and their parents had been denied or their process for humanitarian grounds had not been accepted.

It is unfortunate, because when we look at an economy like ours in Windsor, it is critical that we have these processing issues taken care of rather quickly because we have so many people who cross the border into the United States.

I always use this example because I think it is important. We have a lot of doctors and other professionals who are not recognized in Canada and in Ontario who end up working over in Detroit, Michigan, and bringing that economic income stream back to our area. Ironically, sometimes when our hospitals are full here, or there is a specialty that we do not have, we send Canadian citizens over to those hospitals where they can be treated by the doctor who is not trusted over here in Canada. It is ironic that we pay a premium for it.

What is important is that we have many people who cannot get to their jobs until their actual immigration and processing have been completed. Often if we do not solve these cases they can lose those jobs. Those jobs are critical for our economy. The Canadian economy is not having the rebound we want, and I see it every single day on the streets of Windsor, so any extra employment that we can access in the United States is important. It has been a common thing that we have been doing for many years. It is one of the reasons we have a strong and healthy relationship. It is a symbiotic relationship between the Detroit greater region and Windsor Essex County. In fact it makes it a good economic strong hub. Part of that is the ability to traverse back and forth. Our immigration system is not contributing to success.

One of features of the bill that gives me some cause for concern is the concentration of power into the minister's office. At any time he can revoke or shorten the effective period of declaration for admissibility. That is one particular example.

The reason I am concerned is that I remember during the debate on Bill C-31, which was a refugee act that was changed, listening to the minister and the government members. The words they were using on Bill C-31 about the refugees in general were "protection", "take advantage", "security of population", "abuse", "crackdown" and "bogus". With that type of tone, what are we going to have out of a minister's office that is going to have more capabilities and less control on oversight if that is the general theme and attitude about refugees?

I want to name a few refugees to Canada, because it is important to put a human face on our refugees. They are people like K'naan. He was born in Somalia. He spent his childhood in Mogadishu, lived there during the Somalia civil war and came to Canada in 1991. Is a person like that a threat? He is a refugee.

How about Adrienne Clarkson, our former Governor General of Canada? She emigrated from Hong Kong as a refugee in 1942. She came here, making her mark and contributing to Canada.

• (1535)

Fedor Bohatirchuk, a chess grandmaster who has since passed away, was persecuted in the Ukraine. He came to Canada and contributed for many years.

Sitting Bull, the Sioux chief, is an interesting one. He left America for Canada as a holy man who led his people as a tribal chief during the years of resistance in the United States. Sitting Bull eventually came to Canada from the United States and became a successful citizen.

In looking at some of these issues, I want to touch on one of the points that has been made with respect to criminal activity. Some of the comments that have been made by professionals are important.

Michael Bossin, a refugee lawyer in Ottawa, spoke about how those who have been convicted of an offence, even a small or lesser offence, can now be deported outside of the country, which will put them further at risk or in trouble. I used to work at the Multicultural Council. I had a program called youth in action. I will talk a bit about that in a minute. However, I want to mention that when refugees or youth commit crimes it is sometimes a cry for help; sometimes it can be due to mental health; sometimes it is just a really bad mistake; sometimes they do not have medication and it could be due to psychological issues that are taking place. When they get into programs that assist those people, they actually become better citizens and better people who are more engaged and contribute to society on a regular basis.

The issue of mental health in the general Canadian public is swept aside, let alone when it involves those who are involved in a criminal activity. It is important for judges to have more flexibility to be able to determine the case. Before I get into the work we used to do, I want to say that our judicial system has made some terrible mistakes. It is not perfect. Mistakes can be made when decisions are being made with respect to people. Maybe information is not presented properly, did not get there or was inadmissible. As we know, those who have money will get the best lawyer they can because they want the best representation. How many refugees in Canada are walking around with a pile of cash and can hire the best lawyer? I have often seen this issue come through my office. It is horrible that people have spent money on lawyers by borrowing it from other people or using credit cards and other types of things, which they find very difficult to repay because they do not have that economic stream going at the moment, and that puts them in an even worse situation. That is the harsh reality of our judicial system.

Government Orders

I want to talk a bit about the Multicultural Council program that I ran. We had 16 to 18 youth at risk between the ages of 18 to 30. I know they are called youth, but it went all the way up to age 30. However, they were usually in the 20-year range. We had eight Canadians who had been in Canada basically all of their lives, who had made mistakes that created a problem by way of a minor fine, a penalty or a criminal record. Then there were eight new people who had just immigrated to Canada. We mixed them together to create a program called multicultural youth in action wherein they did community work, learned all kinds of life skills and conducted interviews. We had an over 90% success rate at getting them back into school and/or employment. When we think about it, that program ran for several years and was very successful.

I will conclude with this. What we were able to do with some of those youth, and I say some because we could not get them all, was save taxpayers money because they were not going back into the judicial system or going into the penal system, where they would actually learn more behaviours and take a longer time to be rehabilitated, as opposed to paying the price for what they had done and learning to contribute as a citizen.

• (1540)

Mr. Chungsen Leung (Parliamentary Secretary for Multiculturalism, CPC): Mr. Speaker, in the last while I have heard a lot of comments about this particular bill, but I think there is an attempt by the opposition members to confuse some of the issues. They talk about immigration, refugees and multiculturalism.

What the bill specifically talks about are those people who are in Canada who have chosen not to become Canadians. They are just permanent residents who have broken our laws.

When we asked people to come and build this country, we asked them to come and join in our shared values, the same shared values that all Canadians enjoy, appreciate and abide by. If they choose to go against that and break our laws, that is the undesirable element.

I came here and transitioned from an international student to a landed immigrant, to a permanent resident, to a citizen and eventually to representing my constituents. That is what we are asking for, that people come here and share and abide by our shared values.

Mr. Brian Masse: Mr. Speaker, the reality is that not everybody is perfect and sometimes people do make mistakes but what do we do as a society about that? What do we do about the consequences on the other people who are affected?

I will read something from my staff, “One case that came in the office today is a twenty nine year old gentleman from Serbia that is being deported. All of his family live here in Canada now mother, sisters and brother. He has been here 6 years and works at two jobs a restaurant and as a home renovator for a local contractor. He has an H&C [a humanitarian and compassionate ground appeal case] in but again that will not be seen for at least another 3 years. He has no family in Serbia.

He is being deported. We have had more and more of these cases.

What possible benefit would that have? We should let the due process happen first before we send this man out of the country. He has family here and we know there have been problems in Serbia

before. They are well documented in that region. What benefit will that be for our country to throw this young man out?

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, as I said and will continue to say, this is an anti-immigrant bill. This bill would have an impact in some fashion or another on 1.5 million permanent residents.

The bill itself is titled, “faster removal of foreign criminals act. The government chose to use the word “foreign” as opposed to the words “permanent resident”. What we are really talking about are permanent residents, those 1.5 million people.

As language is important, would the member explain why the government has chosen to use the words “foreign criminals” as opposed to “permanent residents”? We are really talking about permanent residents.

Mr. Brian Masse: Mr. Speaker, that is why I mentioned some of the people who were refugees before. It is the tone that is being set and the concerns I have about concentration in the back halls and the dark doors of the minister, behind the scenes, and what could be said and done. We have already heard some of this come out in the past.

The fact is that other refugees around the world have played important roles. Bob Marley from Jamaica, for example, was a refugee. Olivia Newton John's grandfather was a refugee. Jackie Chan, Jerry Springer, Madeleine Albright, Henry Kissinger, Victor Hugo and Albert Einstein were all refugees. My concern is the degree to which we could go on this and having complete blind faith in the judicial system that could make a mistake with somebody.

• (1545)

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I would like to congratulate my hon. colleague from Windsor West on his great speech. He reminded us of the human faces that are behind all of these bills. I wonder if he could expand a little more on the impact that this kind of language has on his constituency office and the cases he must often see in his office.

[*English*]

Mr. Brian Masse: Mr. Speaker, it is terrible. We listen to the cases every day of people coming in. We are talking about families that are being broken apart. Sometimes there are children involved. If somebody has children in this country, they are Canadian citizens. It is not the children's fault that somebody else made decisions that have repercussions on them. Does that mean that we throw them out? The answer is, yes, we do because if they do not go with their parents they become wards of the state by themselves here. It is horrible to see these cases because often it is just processing time.

With this bill, we are focusing our time and the government is focusing its energy on the wrong types of things. We should get the processing times in place so we can make right and fair decisions for people.

[*Translation*]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I am pleased to rise today to debate Bill C-43, which proposes amendments to the Immigration and Refugee Protection Act.

Government Orders

As my colleagues before me indicated, we will support the bill at second reading, but this support is far from being a blank cheque. Bill C-43 has a number of significant shortcomings that will need to be addressed in committee. On this side of the House, we want to cooperate with the government to make Bill C-43 a fairer and more balanced bill.

Canadians expect us to be capable of reaching compromises. Compromises are at the core of a democratic system such as Canada's. Refusing to compromise is tantamount to failing to fulfill one's democratic obligations. Since the last election, our colleagues opposite have too often shown themselves to be closed off to dialogue and compromise. This is very regrettable. I sincerely hope that that will change.

Canadians want us to impose tough penalties on non-Canadians who commit serious crimes in Canada. I am certain that law-abiding newcomers to Canada—and it is important to say that they are almost all law-abiding—share our opinion.

What people in this country are asking for is a guarantee that our judicial system is efficient and sufficiently flexible when it comes time to return criminals who do not have Canadian citizenship to their countries of origin. Canadians especially want the government to invest more energy in ensuring that applications by newcomers are processed more quickly and more efficiently. The Conservatives should go to greater lengths to ensure, for example, that these people can be reunited with members of their family as quickly as possible.

As I said earlier, I have several reservations concerning the content of this bill. For example, I have trouble understanding the reasons for the new discretionary powers being given to the minister. If Bill C-43 were to come into force tomorrow morning, the minister would have the power to declare that a foreign national may not become a temporary resident if he considers that it is justified by public policy considerations. However, one of the problems with this proposal is that the concept of public policy considerations is not defined. This opens the door to very different interpretations of what may constitute public policy considerations. This must be addressed.

I also have a lot of trouble understanding the presence of a clause that relieves the minister of his responsibility to examine the humanitarian circumstances associated with the application of a foreign national deemed inadmissible. I would like someone to explain the reason for this measure to me. I do not understand why humanitarian and compassionate grounds would not be taken to consideration in a review. Is that really the Canada that we want?

One of the biggest problems with this bill is that it severely limits access to the appeals process. We all agree that our appeal system must not be exploited in order to deliberately delay the removal of a non-resident to his country of origin, but the measures contained in Bill C-43 should not limit human rights.

The Conservatives have promoted their bill by speaking almost exclusively about the fact that it will speed up the deportation of dangerous offenders. However, Bill C-43 casts a far wider net than that. Among other things, it redefines serious crimes.

Under the present system, an individual who has committed a crime punishable by two years or more has no access to the appeal process. Bill C-43 wants to lower the bar to crimes punishable by six

months or more. As a result, a lot more people will be denied the opportunity to appeal a decision made in their case.

Let us be clear. I am not fundamentally opposed to tightening the definition of "serious criminality".

● (1550)

One benefit would be to take in crimes like sexual assault and robbery, which in itself is a good thing. However, I think we have to be vigilant and make sure the new definition does not lead to poorly thought out decisions.

One thing I am concerned about is what effects the new system of minimum sentences provided in Bill C-10 might have on decisions to be made in removal cases.

Some crimes covered by that new system are non-violent crimes. So we have to be careful when it comes to limiting access to the appeal process. The restriction in the legislation must not be extended too far by Bill C-43. Yes, we have to stop non-citizens who have committed serious crimes from abusing our appeal system. But we also have to be sure that we take an intelligent approach to all of this. We really have to preserve a balance. Most importantly, we have to be able to guarantee that the right decision will be made in each removal case.

The appeal mechanism is a useful tool for that purpose. Why would we take it away? We will have to pay particular attention to this issue once it gets to committee.

So far, we have heard the Conservatives telling us over and over that it is easy for non-citizens to avoid deportation: all they have to do is not commit serious crimes. I would hope so, but honestly, in real life, things are not necessarily black and white. We all know that reality is more complex than that. Bill C-43 should be constructed in a way that reflects that complexity.

For example, what do we do with offenders who came to Canada at a very young age and who know nothing about the country they are to be deported to? Some organizations have raised concerns on this point, but that is not a factor to be considered under Bill C-43.

In the NDP, we want to work with the government to prevent non-citizens who have committed serious crimes from abusing our appeal system. However, we do not want the mechanisms that make it possible for our system to deal with extraordinary circumstances in a flexible manner to be eliminated.

Like the government, we want our judicial system to be effective and to make it possible for non-citizens who have committed serious crimes to be removed as soon as possible, but we do not want to have botched, unbalanced processes that do not take special situations into account. Wanting to expedite the removal of foreign criminals is a laudable objective in itself, but we have to make sure the process leading to removal does not violate the person's rights. In our society, we have a duty to make decisions that are just and that recognize everyone's rights.

Government Orders

Bill C-43 is a bill on which we can and must build. As I said earlier, we will support it at second reading, but we have to rework it. We will all benefit from being able to hear what the experts and representatives of organizations that specialize in these issues have to say.

• (1555)

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, the question is, how did we get to this point? I would like to raise three points with the hon. member.

First, let us talk about our involvement on the international stage. In the past, we engaged in cultural outreach with other countries. It was the first point of contact for people in other countries. We showed them our Canadian culture. That was taken away. Then all the resources for integration were taken away, especially the integration of professionals who come here to be part of our society, to work and to build a strong country. Basically, I see this bill as part of a step-by-step agenda that is unfortunately moving us towards an anti-immigration policy.

Can the hon. member give us more details about the New Democrats' vision of immigration issues?

Ms. Nicole Turmel: Mr. Speaker, I thank the hon. member for his question.

The Conservatives' bill deals with a small minority. They have used a few highly publicized cases in order to introduce a bill that reflects their ideology. That is very unfortunate. As my colleague mentioned, New Democrats want Canada to be seen around the world as a law-abiding country that is open, just and fair. That means having a fair system of appeals for all Canadians, a system that can also accommodate newcomers with problems. That is the kind of Canada that New Democrats want.

[*English*]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, one of my really big concerns about the bill is how it is going to affect youth as well as its consequences on other family members. What happens sometimes with refugees who come here is that if the youth are not busy and active they can often find themselves in cultural shock. Part of the program that I ran was to help mend the fences around the cultural shock.

Alternatively, these youth fall in with other groups and gang activity because they have nothing else. If they are not at school or if they are out of work, they are in a percentage that is highly vulnerable to being influenced by other people, especially when they do not know a new country.

I would like my colleague to examine the issues of vulnerability in the bill related to youth and families, especially when concentrating so much power in the minister's office.

[*Translation*]

Ms. Nicole Turmel: Mr. Speaker, my colleague brings up a very important point: integrating new families. We have highly educated newcomers whose credentials are not recognized. I understand that this is a provincial matter, but the federal government could well play a major role.

This destabilizes families. When young children are involved, instability associated with employment and social integration can result in young people ending up in gangs and creating problems for themselves and those around them. That is what must be considered. We must make sure that we integrate newcomers so that they can feel secure in Canada. That is what we want for our Canada.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, my question is more specifically about the consequences of this bill and, more importantly, the language used in it. I would like the hon. member to tell me about her experience in her constituency office and the very human stories she has been told.

• (1600)

Ms. Nicole Turmel: Mr. Speaker, in my riding of Hull—Aylmer, I receive a lot of requests from newcomers.

What I find appalling about this bill is the responsibilities that the minister wants to take. We know very well that when immigration cases are referred to the minister's office, he categorically refuses to get involved. But now he wants to give himself a power without an appeal process, which may affect everyone. I have truly appalling cases in my riding of Hull—Aylmer, where newcomers might need training and integration support, but mainly they need help in the community. But the Conservative budget does not allow for that.

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, Bill C-43, which we are debating, is a bill amending the Immigration and Refugee Protection Act.

First, I would like to say that the New Democrats acknowledge that the judicial process must be effective and flexible when it comes to removing dangerous criminals who are not Canadian citizens.

Canadians want strict measures to be taken against non-citizens who commit serious and often violent offences in our communities. Newcomers, most of whom are law-abiding, would be the first to accept this approach.

What I really like about this bill is the clause that will ensure that entering Canada because of organized criminal activity is not in itself enough for a person to be deemed inadmissible for permanent residency and Canadian citizenship, which is great news for victims of trafficking rings who are anything but criminals.

On the other hand, I find some things in this bill quite disturbing. The first one is the minister's discretionary power to decide whether or not some people represent a threat to national security and the national interest. In fact, this bill increases the arbitrary powers given to the minister. For example, Bill C-43 gives the minister vast powers that enable him to prevent a foreign national from entering or leaving the country, or declare someone inadmissible based on public policy considerations we think are ambiguous.

We must strengthen the independence of the judicial system, not give the minister the ability to decide who enters and leaves Canada. The last thing our immigration system needs is to be even more politicized.

Government Orders

Canada has an efficient and independent system to determine the admissibility of people into the country. There is no point in replacing it with the whims of a minister. The minister must not be able to prevent people entering the country just because they disagree with the government. It is ridiculous to think that giving the minister more power will solve anything.

Another problem comes from the fact that the provisions of Bill C-43 will apply to people who have been found guilty of serious crimes abroad, as well as in Canada. Canada has one of the world's best justice systems. Other countries are not so lucky. In many countries, merely belonging to an opposition party may lead to a conviction on serious criminal charges. There is no better illustration of the importance of the rule of law.

We must ensure that Canada remains a country that welcomes and offers hope to people who are fleeing persecution in other lands.

That said, I do think it reasonable to ensure that people guilty of sexual assault or robbery with violence are not running loose on our streets.

In view of the change in the definition of "serious criminality", the change from the criterion of a two-year sentence to a six-month sentence, and since crimes committed abroad would be considered, the professionals who work with immigrants, refugees and the diasporas have also expressed their concerns that this legislation may unjustly punish young people and the mentally ill.

Therefore, the impact of this provision must be carefully studied to ensure that the measures truly achieve their goal, to prevent dangerous people from entering Canada.

Another thing that disturbs me in this bill—and in the government's policy in general—is the image of immigrants they have created. The bills are trumpeted as if immigrants were a great threat to the country or as if all immigrants were potential criminals, when almost all immigrants to Canada are people who are seeking a better life and a better future and who, like all other Canadians, want to live in a safe environment.

• (1605)

I am an immigrant. I chose Quebec and Canada to live and raise my family, and I am very happy to be involved in my community in Saint-Bruno—Saint-Hubert. I made this particular choice because I wanted a safe environment for my family, and I have found it here.

Immigrating is not easy, particularly if you are not coming to join family members who are already here. You have to start from zero. You have to find a place to live, and furnish it. You have to find a school for your children. You have to get your diplomas recognized, and in my case that was a nightmare. Finding a job is also a major challenge. A 2010 study shows that the unemployment rate is four times higher among immigrants with a university diploma than among university graduates born in Canada.

The last thing immigrants need is to be stigmatized and have a "potential criminal" aura, which would make it even more difficult for them to integrate and contribute to society in Quebec and Canada. The government has got to abandon the rhetoric that puts all immigrants in the same basket. People in my riding are already telling me disturbing stories about how they are treated and the

perception others may have of them, simply because they have come from somewhere else.

That said, we must not ignore the problems that exist. We simply have to be sure our response is measured. As they say where I come from, you do not use a hammer, or a cannon, to kill a mosquito.

I know we can stop non-citizens who commit serious crimes from abusing our appeal process without denying their rights. We, and the government, have to focus on improving the immigration system so it is faster and fairer for the large majority of people who do not commit crimes and who follow the rules.

I would point out again that the very large majority of people who come to Canada are not criminals. They are people who hope to contribute to society and build a better world. More often than not, they are even professionals and highly educated people.

In closing, I want to say that the question of health care for refugees is still an issue and is still important. The government probably wants us to forget the cuts it has made to that program. Recently, I had the opportunity to speak with the College of Family Physicians of Canada, who asked me to keep up the fight for health care for refugees. I want to remind the government that we in the NDP are not forgetting this.

Mr. Denis Blanchette (Louis-Hébert, NDP): Mr. Speaker, I have listened to several speeches. What I like is that every NDP member who has spoken has contributed something different to the debate. I thank my colleague for her speech. I especially enjoyed hearing about her experience as an immigrant. She gave us a different perspective on the debate. We look at it from the viewpoint of those who welcome immigrants, but it is also important to hear about the perspective of the people who immigrate to Canada.

I was struck by one aspect of her speech. She talked about the definition of serious criminality and how it is perceived elsewhere. How can we improve this bill for people who are not really criminals? There are also political considerations. How can we improve the definition in order to be fair to people who apply to Canada?

• (1610)

Mrs. Djaouida Sellah: Mr. Speaker, I thank my colleague for his pertinent question. He is very familiar with my experience as an immigrant. He knows that after arriving in Canada, I had to fight various battles to get to where I am today.

Unfortunately, this bill would send criminals back to their country of origin. Immigrants have the perception that they are stigmatized, and they believe that other people view them as potential criminals. I would like to clarify that for everyone. As I said, when one immigrates, there is work to be done on both sides: 50% by the host country and 50% by the immigrant. Unfortunately, with certain policies, there is no will to integrate these people, only to stigmatize them.

Government Orders

[English]

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I listened intently to my colleague's speech. I cannot begin to count the number of characterizations she has used to talk about how we on this side feel about immigrants. We are not talking about stigmatizing immigrants as criminals. That is complete hogwash.

She talked about not politicizing the process. I will ask her a question about people who are non-political but have an opinion on the process, and they are professional opinions. The Canadian Association of Chiefs of Police, the Canadian Police Association and Victims of Violence are among the many organizations that support Bill C-43.

Does the member and her party support the views of these organizations on this legislation, or would they rather politicize the process and not listen to professionals?

[Translation]

Mrs. Djaouida Sellah: Mr. Speaker, perhaps the member opposite did not listen to the beginning of my speech. I said that the NDP is in favour of a strict and flexible judicial system.

It makes sense. What is written there and what we are talking about are amendments to the Immigration and Refugee Protection Act. So if we are not talking about immigrants, who are we talking about?

As an immigrant, I am not defending serious criminals. I am defending immigrants. Even if young people commit minor thefts or other similar crimes, we must not give the minister the discretionary power to decide who is a serious or petty criminal, who is a danger to the country, who must not enter or who must leave.

[English]

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, I appreciate the opportunity to add my comments to the debate.

We have said that we will support sending the bill to committee. Obviously a lot more information is needed. That has come out in the comments already, and I expect will continue for the balance of the afternoon.

As the government has heard, we have some strong feelings about this issue. We have further strong feels and concerns about why the Conservatives do this, the way they do it, the language they use and what their real intentions are. That comes from experience, watching the government in action.

However, we will be fair-minded and even-handed, but we will stand by the principles we believe in on the issue of new Canadians and those who are on the path to become new Canadians.

Let me say parenthetically before I get into the substantive part of my comments, let us recognize again that every jurisdiction in the country, whether it is federal, provincial, territorial, municipal, regional, townships or counties, recognizes that attracting new Canadians to our country is not just a Canadian value, which would be enough for most of us on this side of the House, but it is a necessary component of our ability to move forward and have the kind of economy that will provide the jobs and quality of life that we

have come to enjoy, that we want to continue and that we want to make better for our children and our grandchildren.

We need to be the country in the world that everybody else looks to and says, "There is where I want to go. That is the country I want to go to because of the values of the country, the opportunities it would give me". More than anything, I think it is fair to say most of those people would be thinking that this is where they want their children and grandchildren to be raised, to give them the maximum opportunity. It matters when we have these debates. It matters what language we use, because we send messages when we do that.

For the longest time, for the whole time I have been at the federal order of government, there has been a growing recognition that more and more new Canadians who come here find that the jobs they were told would be here are not, that the profession they were told they could continue in is no longer possible. When they see all the promises that have been made are not real, many of them do not stay.

Far too many are making the decision down the road, after six, 12, 18, 24, 36 months, that Canada is not what they thought it would be, that it is not the dream they thought they would live and they are sending that message back to their home country, to their family members and their friends and their colleagues, those who want to come to Canada because it is the place to be. They are being told that they might just want to slow down a bit because it is not always that way.

That kind of messaging is antithesis of what we need to send out if we are to attract the kind of new Canadians we want to come in here to be a part of our great nation and to help us fulfill and finish the job of building the kind of Canada that we want for our children and our grandchildren. This is the wrong message when we use language like this. The Conservatives love to say, "foreigners, criminals, crack down".

I lived through eight years of that under Premier Mike Harris. It was the same language, the same hot button politics. It is not a coincidence that up until recently the chief of staff to the Prime Minister was the chief of staff to Mike Harris, or that three of the senior members of this current government were senior members of the Mike Harris government. Therefore, I have seen and heard a lot of this before.

● (1615)

It took a while, but eventually Ontarians got the message and understood what was really going on behind the names of bills that were the opposite of what they really would do, throwing out hot button words, trying to create emotions, moving people by emotion rather than reason. These were all good political ploys, but at the end of the day, Canadians figured it out and when they did, that premier could not face the electorate in the next election. In my opinion he was so unpopular that he had to step down and another fellow stepped in, but people knew by then it was not really just the leader, it was the whole government and the whole approach. Ontarians threw them out, and according to recent polls, they are not looking to bring them back any time soon.

Government Orders

A lot of my concern is about that kind of thing. We will have a lot more time at committee to look into these issues, that is why we sent things to committee. Hopefully we have an intelligent review, bring in experts, let the public hear and read what we read and then make our deliberations and decisions. Canadians can draw their conclusions and decide whether they want to send each of us back here or not.

It will not come as a big shock that my first concern is loading up another minister with even more power. I realize that the concept of benevolent dictator exists and one can only hope, but that is all we are left with is hope. That is not really the way we do things in Canada. Removing checks and balances, making decisions unilaterally, pushing more into the political arena, sometimes these are the right things to do, but we have real concerns about it in this application. Again, that is why we want to send it to committee so we can look at these issues.

Make no mistake, there are many Canadians right now if asked point-blank would they be in favour of giving the Prime Minister's ministers more power, yes or no, some would say yes, but I think the vast majority would, if not say no, would ask why. That is where we are. We are at the why.

I am getting comments and I have some concerns about going down that road overall. However, at committee we will have an opportunity to answer the question of why. What are the reasons the government is giving for wanting increased unilateral powers for the minister to have and do and do they hold up against an examination of the problem they are trying to solve? There are problems everywhere. The solutions, however, can either be appropriate to the problem, or they can be overwhelmingly way over the top, or it can be a nice little fig leaf to put out in front because behind there are other reasons why they want these powers.

All these things are unknown at this point. We are highly suspicious and not just because we are the official opposition, but because we know the Conservatives. However, again, we will send it to committee and have a look at it.

Finally, I would point out it was the whole idea that suddenly someone could be removed without an appeal when they went to a federal prison, but now we will move it down to six months. There is a reason deuce less a day exists. There is a reason some people go to provincial institutions on a sentence of two years less a day and other people are sent to the penitentiary where they will be for many years, possibly decades, possibly the rest of their life. These are two completely different worlds of criminal behaviour. We need to ask the questions and we will. Why is it necessary to make such a dramatic change that results in unilateral action taken against people by removing their right to appeal? Part of the Canadian way is to give people their say, let them have their day in court.

I do not have to time to get into what the Conservatives attempted to do in terms of health care for refugees or the fact that they can bring in foreign workers and pay them 15% less. There are a whole lot of reasons why we have some serious concerns with what has been proposed, but we will support it going to committee. We will roll up our sleeves and do the work. If it is a good idea, we will support it and if it is not, we will take it on with every breath that we have.

● (1620)

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I am always entertained by the member for conspiracy theory over there. I know he has strong feelings, and that is great. That is what we need in this place. We have strong feelings, too.

He talked about the hidden real intention of our government. I can say what our real intention is and that is to protect Canadians, Canadians who are born here and Canadians who come here. My friend also talked about taking away appeals. That is not the case at all and he knows that. What we are talking about is limiting the appeals to something less than endless numbers over seven to 10 years.

I will ask my colleague a question. He talked about minor crimes. Nobody is going to be thrown out of Canada or deported for minor crimes. Does he think crimes punishable by at least six months are minor? They consist of assault with a weapon, sexual assault, robbery, break and enter. Does the member think that those kinds of crimes or the people who commit those crimes over and over are minor?

It is not the fact that they are immigrants. It is the fact that they are criminals. Saying that we are stigmatizing immigrants is simply nonsense. It is rhetoric and it is out of place. Does he think those kinds of crimes are minor?

● (1625)

Mr. David Christopherson: Mr. Speaker, I would have to think the member believes they are minor. Otherwise, he would have a private member's bill in the House that would turn everything into a penitentiary penalty.

The fact of the matter is that there is a difference between speeding and a minor offence for which a person would receive a four to six-month sentence versus someone who has been sent off to a penitentiary for 20 years. There is a distinction there. Yes, we want to have a discussion about whether that should justify that kind of unilateral action. That is the whole point.

Mr. Mathieu Ravnat (Pontiac, NDP): Mr. Speaker, I know my hon. colleague to be a veteran in politics and I always appreciate his candour. I wish I could be as forthcoming in my opinions as he is, and in such an eloquent way.

With all due respect to my Conservative colleague on the other side, his main point was about the concentration of power. If we look at the pattern of the government over the years, it has been the concentration of power in the PMO's office or a minister's office. I would like my hon. colleague to perhaps expound on why that is a problem.

Mr. David Christopherson: Mr. Speaker, my friend can play games about me being a conspiracy theorist, which is fine, but I fully confess that after spending eight years in a Conservative House, one becomes very concerned about conspiracies. I have no problem with that. However, what I really want to focus on is whether the minister should get more power and whether it is reasonable that we would be so concerned about giving him that power.

Government Orders

We do not have enough time to talk about the litany of abuses of power by the government, starting with our very democracy. This is the government that passed the law, and it loves laws, that said there would be an election on a specific date. That was it and it was final. It was decided and there was the law. The first thing it did was ignore that law and set it aside because it did not suit its purposes. That is the kind of thing we are worried about.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I would like to ask a question related to the one posed by my colleague previously. It has to do with the increasing movement by the government to give complete discretion, with no criteria, to ministers or some other authority to make decisions that impact the lives of people in Canada.

One thing concerned me about the comment that was made, which I know was meant in all good faith by my Conservative colleague across the way, and that was that it was not the government's intent. Could the member please elaborate for the House?

The very reason we pass laws is to provide legal certainty. That is why laws have to be very clear and provide clear criteria for how that discretion is to be exercised. That is the very idea behind why laws are made. Once that law is passed, there is no way the government can say that is not what it meant by that law. The law is clear on its face until it is tested in the courts.

Mr. David Christopherson: Mr. Speaker, all I can say is that the member has answered the question herself. The member is a lawyer, so she knows far more about this than I do.

As a layperson, I will just say this, when we pass a law it says to someone that they have been found wrong and that we are going to take action. There is going to be a penalty and it is going to hurt in some fashion in that person's life.

We are also big believers that the person should be given the opportunity to have an appeal, a second opportunity for justice if they believe it was not had in the first case.

When all that power is put in one human being, as flawed as we are, that is looking for trouble. It is looking for trouble if one goes at it with the right attitude, but we do not think the Conservatives even bring that to this issue.

• (1630)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am very pleased to have the opportunity today at second reading to speak to Bill C-43.

It is described as an act for the faster removal of foreign criminals. If we were debating the title of the act, I really do not think there would be anything to debate. I cannot imagine any Canadian who does not think that a foreigner who is a dangerous criminal should be removed from Canada.

As has happened lately with a number of pieces of legislation brought before the House since I have been a member, I have been surprised how far the titles have morphed from the kinds of titles of legislation I once studied at law school. It used to be that we would open a statute and we found that, not only was the book dusty, the title of the legislation was just a blanket description of what was at stake: an immigration and refugee statute or a law to deal with the Fisheries Act.

Now we have titles that seem to, and probably do, come out of focus group testing for legislative titles that would be zingers in future election campaigns. As someone who studied statutes, I find this a dismaying trend. I realized the other day while watching a U.S. program on HBO called *The Newsroom* that this was invented by the Republicans south of the border. I do not watch enough U.S. TV to have known that if I had not been watching *The Newsroom*.

Back to the topic, this piece of legislation, which would amend the Immigration and Refugee Protection Act, definitely has merit if what it is about is getting rid of dangerous foreign criminals who have no right to be in Canada.

I assert that what we have here is always going to be a question of balance. We do not want dangerous foreign criminals with no right to stay in Canada to be here, threatening Canadians who have every right to be here. However, we also recognize that under the Charter of Rights and Freedoms, permanent residents and citizens of Canada have charter rights. The question then is whether we have the right balance. Are we protecting permanent residents who are not a threat to our society or are we sweeping them up in the vast and sweeping discretion of the minister?

This could do serious injustice to people who are important parts of Canadian society, who contribute in positive ways and who we would not want to be caught up in a sweep that did not take account of individual rights, individual situations, humanity, compassion, holding families together and other aspects that have always been part of the consideration before deportation takes place.

When we ask if the balance is right in the legislation, I turn to some of the recent comments by members of the Canadian bar. Toronto lawyer Mendel Green is quoted in this story from the *Toronto Sun* as saying:

I am concerned about the monumental affect this will have on the immigrant community if it becomes law.... This will be a life sentence for many people.

Lawyer Joel Sandaluk, at the same press conference, representing the Ontario Criminal Lawyers' Association, said:

This will destroy families who've been here for a long time.... It will create more criminals if parents or other family members are removed from Canada.

I have further quotes from other lawyers. Lawyer Guidy Mamann also said this about the potential residents who could be swept up and deported with no chance of appeal and without any exercise of individual discretion. He said:

These are young children brought to Canada at a young age as permanent residents, raised and schooled in Canada...[but] never took out citizenship.... It is unconscionable that a country like Canada, which has always allowed for second chances, to now embark on a new 'one strike you're out' approach.

Last, I will cite lawyer Andras Schreck, vice-president of the Ontario Criminal Lawyers' Association, who said that the bill is drafted in such a way that it could easily sweep up people guilty of minor offences and have them deported. He said:

We are not talking about serial killers, murderers or bank robbers.

Government Orders

Let us take a look at what kind of people could be swept up by the bill and what kinds of crimes people would have to commit for there to be no right of appeal and the person would just be sent out of the country. This can be described as crimes for which people are convicted for a sentence of six months or more.

• (1635)

The current law deals with crimes where sentences are two years or more. To bring it down to six months or more for a crime for which the ultimate sentence could be as much as ten years in jail would bring in a series of crimes that do not threaten the security or at least the safety of Canadians. In other words, it would take in a number of crimes that do not involve any threat of violence. If someone is found guilty of a crime and sent to jail for six months or more, nowhere does this new legislation require that the crime be a crime of violence or something that threatens the security of Canada.

The kinds of crimes listed that I found might fit this definition for which someone who is a permanent resident could get a six month sentence but a ten year maximum would include the deportation for possession of a stolen or forged credit card and the use of that credit card knowing it had been cancelled, the unauthorized use of a computer or forgery, and a host of other offences that carry ten year maximums. In that case, we are talking about no discretion, no appeal.

What could easily happen is that if any one member of a family, a parent or a younger member, children born in Canada, relatives participating in Canadian society or any one part of the fabric of a Canadian family, is found guilty of something that is not in any way a crime of violence but receives a sentence of up to six months with a maximum of ten years, that individual is gone. The individual would have no chance to plead his or her case.

I will quote one other lawyer on this matter who, I am proud to say, is the current nominated candidate for the Green Party in Victoria in a byelection. His name is Donald Galloway. He is a founder of the Canadian Association of Refugee Lawyers and is also a professor of refugee and immigration law at the University of Victoria. In looking at this, he suggested that there was an inherent legal balance built into section 34 of the current act so that the courts have accepted broadly defined prescribed grounds of inadmissibility that are found in section 34(1) based on the assumption that these same sweeping inadmissibilities are balanced by the provisions in section 34(2).

If Bill C-43 were enacted, it would fundamentally destabilize the legal balance by removing the layer of individualized, personalized, case-by-case review guided by, in some cases, humanitarian concerns and compassion that acted as a safeguard against the breadth of prescribed grounds for inadmissibility found in section 34 (1). Beyond issues of compassion and fairness, this ill-conceived change would force the courts, as they have already indicated, into a position where they will need to intervene and fix the act to provide a reinterpretation to ensure that the act remains constitutional, otherwise it will violate the charter.

I will now turn my attention to another section of the act that I find particularly egregious and which does not deal with criminals and does not deal with people already in Canada.

If the minister, under the new clause 8, which would change section 22 of the current act, is dealing with a foreign national who has applied to become a temporary resident of Canada, the minister would have unfettered discretion to make a decision to refuse that person the right to be a permanent resident of Canada with no objective criteria that can be measured. This is very unusual. The clause states that section 22.1(1), which can be found under clause 8 in the proposed Bill C-43, allows the minister, “on the Minister’s own initiative, declare that a foreign national...may not become a temporary resident if the Minister is of the opinion that it is justified by public policy considerations”. This banishment can last for up to three years.

Going back to my time in law school doing legal drafting and statute interpretation, we cannot find anything that gives us more freewheeling power to make up our mind which ever way we want than the language “Minister is of the opinion”. No court will be able to step in and say that it does not like the way the minister has exercised his or her discretion. I am using his or her as this will apply for all time. I am not just thinking of the minister at the moment. This would be a permanent change to our legislation and a dangerous one. The legislation says “the Minister is of the opinion”, and then what? What is the minister of the opinion of? The Minister is of the opinion that it is justified by public policy considerations. We could not come up with something that gives more freewheeling discretion, not bound by anything in particular. What kind of public policy considerations? Maybe the public policy considerations could be that we have too many of a certain kind of person in a town. Who knows? It is without objective criteria.

I hope that when this legislation goes to committee and is studied in committee we can rebalance the balance that must be there.

I stand here as leader of the Green Party not in favour of keeping dangerous foreign criminals in Canada but in keeping the Charter of Rights and Freedoms in Canada.

• (1640)

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, while I share many of the same concerns with the member from the Green Party, I am not clear whether she will support the bill going on to committee if, for instance, a convicted war criminal was found and there were questions like that.

Would she no agree with me that there is a question of priorities here? The government is presenting the bill before the House when there are so many other problems that exist. The underemployment of new Canadians costs us \$5.9 billion a year in losses because of their underemployment. We have hollowed out our foreign engagement, eliminating culture as a pillar of foreign policy, and we do not meet them on their soil anymore. We have hollowed out the system to integrate professional new Canadians. Now, we have hollowed out Canadians' trust in new Canadians.

Would the member not agree that perhaps the government's priorities are misplaced? Even though we are supporting the bill at second reading, and we hope she will join us in order to improve the bill at committee, does she not see a question of priorities?

Government Orders

Ms. Elizabeth May: Mr. Speaker, with not just some but a lot of concern and mixed feelings, I will support sending the bill to committee. However, as I am not a member of that committee, I reserve the right I have as the member representing the Green Party and Saanich—Gulf Islands to submit amendments at report stage if I am not satisfied that the bill has been re-balanced appropriately to reflect the Charter of Rights and Freedoms and respect for it.

The member's question about war criminals is a good one. It sounds pretty much like a no-brainer. If someone is a war criminal, we do not want the person in Canada, nor do we want people who have defied their government, committed crimes and spent time in jail. However, every now and then a person like that gets honorary Canadian citizenship, like Nelson Mandela.

The move under this proposed legislation and other legislation, such as the mandatory minimums under Bill C-10, is toward an authoritarian automatic discipline, which is unforgiving forever and lacks any compassion, humanitarian or even a thought process. That I will always oppose.

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I am sure the member did not mean to refer to Nelson Mandela as a war criminal.

When I talk to immigrants in Edmonton or anywhere else, they are the ones who are most upset when people, who get away with serious crimes, come from abroad to be part of Canada as landed immigrants or permanent residents. The expression “get away with murder” is true in some cases but a little extreme in most. However, the immigrants I talk to are some of the most upset about others who do not play by the rules and take advantage of Canada's generosity or, as some would suggest, over-generosity.

No one is suggesting that we take away people's rights or ability to appeal, but they should not appeal endlessly for seven to ten years, time and time again, when the evidence is clear and it is simply the immigration industry prolonging the process.

The immigrants I talk to play by the rules and they expect everybody else to as well: existing Canadians, natural born Canadians and new Canadians.

Ms. Elizabeth May: Mr. Speaker, I thank my hon. friend for Edmonton Centre for catching me on that. I certainly did not want to refer to Nelson Mandela as a war criminal.

My point is that history is written by the victors and quite often someone who is accused in another country and called a convicted terrorist or something we would not want in Canada. However, if we lose our ability to examine particular circumstances, we lose our ability to think and to be truly Canadian.

I believe that what we want to do with this legislation is consider all the ways in which it could go awry, which, I am sure, is the minister's intention in bringing this forward. For example, if a member of a family that has been in Canada for a long time is convicted of the misuse of a credit card or of forgery, the bill says “no more chances, you are deported”. That cannot be the Canadian way.

• (1645)

The Acting Speaker (Mr. Bruce Stanton): Before resuming debate, it is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Alfred-Pellan, RCMP; the hon. member for Charlesbourg—Haute-Saint-Charles, Employment Insurance; the hon. member for Malpeque, Ethics.

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP) Mr. Speaker, I rise in this House today to speak about Bill C-43, An Act to amend the Immigration and Refugee Protection Act, also known as the Faster Removal of Foreign Criminals Act.

Before I speak about this bill specifically, I would like to briefly tell you about my constituency, LaSalle—Émard. LaSalle actually is celebrating its centenary this year. It was founded by a nobleman, René-Robert Cavalier de La Salle, who settled there more than 100 years ago. The name LaSalle comes from the name of this Frenchman who arrived more than 300 years ago. The French settled there, then the English. In fact, my constituency has been shaped by those French and English settlers, who worked together to build the community.

For decades, LaSalle—Émard has welcomed large numbers of newcomers, new Canadians. We have an Italian community that is one of the largest on the island of Montreal. Immigrants have become well established. We also have a large Chinese community and a large southeast Asian community, people from India, Pakistan and other countries in the region. We also are fortunate to have welcomed many people from North Africa and even from other parts of Africa.

LaSalle—Émard really is very representative of a number of communities in Canada as a welcoming place, a place where communities share their daily lives. I must tell you that I am very proud to represent the constituency, because it gives me the opportunity to meet people from every background: Quebeckers, English-speakers, British people with Scottish and Anglo-Saxon roots, and also people from communities all around the world.

As the member of Parliament, I have also put together a team to welcome and provide services to Canadians. I have come to realize that those services involve immigration to a great extent. Our immigration system has been stretched to the limit for years by the lack of resources, the lack of funding, the closure of embassies and places where people can submit visa or citizenship applications, and so on.

And what is happening here too, right inside the Department of Citizenship and Immigration? Cuts once more. There is not enough staff and not enough funding to meet the demand. So what is happening? People are coming to their member of Parliament's office to get information and answers to their legitimate questions and requests.

Government Orders

Every week, we meet with people to talk about their situations. Sometimes it is something quite simple. There is a wedding in the family and the people want their relatives to attend the ceremony, but the visa is denied. All the information has been provided. All the documents have been sent, but for some reason or another—a totally legitimate reason—the visa is denied.

• (1650)

However, other people come to talk about situations that are more complicated. They are expecting a loved one to join them, or they are refugees who have been issued a deportation notice. That is what is happening at our riding offices. It is always an immensely human story that is told in our office. As Canadians, we cannot even begin to imagine the situations that some people are in. We live here, in Canada, freely and comfortably. We have all our papers. We can get a passport, our driver's licence, and our health card without too much difficulty. But there are people who leave behind unimaginable situations, such as famine. There are people who have lived in refugee camps, where it is hard to imagine how they would get their documents, a licence or anything. Those are the stories and events that sometimes—far too often lately—land in our offices.

What we have before the House is a bill that seeks to amend the Immigration and Refugee Protection Act whose short title is the “Faster Removal of Foreign Criminals Act”, because it is about foreigners.

I want to reiterate this: the NDP recognizes the need to have an efficient legal system in order to deport serious criminals who are not citizens. The NDP believes that it is possible to work with the government to prevent non-citizens who have committed serious crimes from abusing our appeal system without violating people's rights. This is the first thing that I want to say about Bill C-43.

However, this is Parliament. There are laws. The questions that we should be asking when we are in government are as follows. On what basis is this bill being introduced? Is this bill necessary? Does the Criminal Code contain provisions to prevent this situation? These are the questions that I am asking myself and that a government should ask itself before introducing a bill. There are other questions. Does this bill meet an urgent, pressing need or respond to a disastrous situation that is currently affecting our system? That is a question that should be asked. Does this bill fill a gap? That is the question that I am asking because a bill should be justified and justifiable.

There is one other thing that I would like to point out. As my colleagues already noted, this government has a strong tendency to want to push the judiciary into the political arena. In other words, it will transfer powers to the Minister of Citizenship and Immigration. I explained the situation in my riding office. At some point, will it not just slow down the system and, once again, get into subjective territory to transfer such power to a single person outside the judiciary? The power would be concentrated in the hands of one individual.

• (1655)

I raise all these questions about the bill.

I am happy to answer any questions.

[English]

Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, the member spoke at length about her riding and the wide range of groups of people she represents. I too, in Newmarket—Aurora, represent a community that has changed very quickly over the last 10 years. I have been pleased to welcome into Newmarket—Aurora people from every corner of the world. These are people who have come to Canada because in many cases they are looking to escape from places in the world that have been plagued with difficulty and corruption. They have come to Canada because they are looking to raise their families in safe communities.

My question to my colleague is: Why does she want to expose the constituents in her riding to people who have been deemed foreign criminals, dangerous to our society and our communities? These very people who have come here and played by the rules want to live in safe communities, which is what we are trying to establish. Why does she want it to be different?

[Translation]

Ms. Hélène LeBlanc: Mr. Speaker, I thank my colleague.

I completely agree with her that we all want safe communities in which people can live in peace.

However, I wonder whether the bill addresses the flaws that appear to be in the Criminal Code or in our current immigration system, which is there to identify people who may be serious criminals.

Once again, it does not seem clear to me, and this could be clarified in committee, but what does “serious criminality” mean? I would like to know because I am being told that a prison sentence of six months or more is given in cases of “serious criminality”. One member mentioned violent crime.

Quite simply, things need to be clarified.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the Conservative member in her question illustrates why it is that this is an anti-immigrant bill, at least in good part. She keeps wanting to use the terms “foreign criminal” and “dangerous people”.

What we are talking about are permanent residents. Most of the criminals she is referring to are not child molesters, murderers, drug addicts and so forth. With a six-month sentence, we could have 19-year-olds who have lived in Canada for 17 years but never got their citizenship, who got caught with six marijuana plants in their home. They are going to be deported. The rest of the family stays, but they are going to be deported to another country, even though they have been here for 15 of 17 years, because they did not get their citizenship.

All the Conservatives have to do is read their own legislation. My question is: Is the wording not important in terms of how the government is even labelling this issue, much as it used the term “bogus refugee”?

Government Orders

• (1700)

[Translation]

Ms. Hélène LeBlanc: Mr. Speaker, I will quote an excerpt of an article I just read on this subject:

[English]

The federal government has always had the authority to strip landed immigrant status from a permanent resident convicted of a serious crime, but Bill C-43 would allow appeals only for those sentenced to less than six months in jail, down from the current threshold of two years.

[Translation]

This authority already exists in the Immigration and Refugee Protection Act. So is this bill necessary? That is what I was asking.

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, I rise in the House today to speak to Bill C-43, An Act to amend the Immigration and Refugee Protection Act. This legislation includes many provisions relating to immigration. Some are valid and interesting, while others seem less appropriate.

In short, the bill grants more power to the minister by giving him the authority to rule on the admissibility of temporary resident applicants. It removes the minister's responsibility to review humanitarian and compassionate grounds. It grants the minister a new discretionary power to issue an exemption for a member of the family of a foreign national who is deemed inadmissible. The bill also amends the definition of "serious criminality" to restrict access to the appeal process following an inadmissibility ruling. It increases the penalty for false representation and, finally, it clarifies the fact that entering the country by resorting to criminal activities does not automatically lead to inadmissibility.

I would like to begin by sharing something with hon. members. I am always a bit uncomfortable when we talk about immigration, and that is for a very simple reason: I am not myself an immigrant. I live in the country in which I was born. I never have to question myself. I live in my home country, with my relatives and with my language. My cultural references are the same as those of the majority around me. I never had to consider emigration as an option. If I left to live elsewhere, it would only be for a while. It would not be emigration but, rather, an extended stay.

I know what I am talking about, because I lived abroad. I once was the one who had to adapt. I had to work hard to learn how to function in a foreign language that I did not fully master. I developed new social skills that I was not familiar with. In Russia, I changed. I developed a bit of Russian in me. Thanks to this subtle change, by the time I left Moscow, I had acquired a Slavic heritage that will always stay with me. Mores vary from one country to another.

At the same time, because I was forced to adapt to this otherness, I was becoming increasingly more Quebecker and Canadian. I understood more clearly what it meant to be born in Canada. I could not but realize that the relationship I had with my country was one of trust. I knew that Canada would always be there for me. That trust generated a feeling of pride. I am convinced that many here know what I am talking about.

If I mention my stay in Russia, it is because I want to make us think. During the debate on Bill C-43, we should think about our relationship with the rest of the world. We have been debating the

reform of the immigration system since last fall. I am referring to Bill C-4 and Bill C-31. I am pleased to have the opportunity to speak to Bill C-43, because it gives me a chance to level a criticism at the government. Not only am I not pleased with the tone used by the government when it talks about immigration and refugees, but I am even more upset by the tone and the comments of some members of the Standing Committee on Citizenship and Immigration.

I do not want to preach to anyone, but, for me, it is important to distance myself from the unenlightened remarks we sometimes hear. Pride in one's own country should not give rise to disdain for another's. Nor should it necessarily give rise to an undue fear of foreigners. That is silly and simplistic.

I remain convinced that the government's interest in ethnic communities that have settled in Canada is purely mercenary. The government is not comfortable with immigration and even less so with refugees. My impression is that they see jihadists and smugglers everywhere. I am not accusing them of that; it is just the impression I get. I am sorry.

That said, of the three government bills to reform the immigration system, Bill C-43 is the least contentious. It deals with the faster removal of dangerous criminals.

Who could be opposed to that, really? Not the Canadian public, not the NDP. Canada is not a haven for failed tyrants, multi-millionaire dictators and petty mafiosi of every description.

In support of this bill, the government wants to show us lists of expert witnesses who agree that dangerous criminals should not be allowed into the country. Really? What a revelation.

I can assure the government that no one, anywhere, wants people who are guilty of serious crimes to be walking free among us and abusing our hospitality.

But I wonder what the government plans to do in order to really crack down on these criminals and to protect Canadians. That is the burning question because the answer is turning out to be a little disappointing.

Basically, Bill C-43 gives more discretionary powers to the Minister of Citizenship, Immigration and Multiculturalism. The minister will be the one to decide who can stay and who must leave right away. So he will become a kind of James Bond, working 28-hour days to protect Canadians from evil, twisted foreigners and their illicit master plans.

Bill C-43, like Bill C-4, gives the minister more arbitrary powers. I am well aware that we have to crack down on criminals who would come here and put our peaceful communities at risk. No one would ever say otherwise; but why must it be the minister who decides?

The answer is simple. It is so the minister can cut off the appeals launched by those charged with crimes. The minister could then decide to kick out anyone filing an appeal, or, let us come right out and say it, everyone filing an appeal.

Government Orders

●(1705)

All this will help us save time and money and will send the problem far, far away to other less sympathetic shores. When you get rid of a problem, have you not solved it?

With this bill, the government says it is attacking a specific, urgent problem by creating a legal limbo and opening the door to arbitrary measures. This is worrying. How far will the minister's authority go? Where will the limits to these new powers be set?

I just want to say to the government and to the minister that granting discretionary authority is not the answer to every problem. The minister cannot micromanage everything by himself in his office as soon as an exceptional case turns up. That is not a system, that is a despot.

Another very important detail is that they want to prevent all family members of a convicted criminal from visiting Canada. They have been careful to cast a wide net. The idea behind this is that the members of a Mafia family, or some kind of gang or the families of overthrown dictators will not be able to come to Canada and will not be able to bring their problems here. It is clearly a desirable goal, in and of itself. However, there are always exceptional cases, even though they are rare, and the minister's discretionary powers will not be intermittent. They will be enshrined in legislation and create a legal limbo that will last forever.

Furthermore, this is a huge undertaking. All family members of criminals sentenced here or abroad will have to be identified, and the road to Canada barred for them. Since the departmental cuts were made, this difficult task will have to be carried out quickly and well with fewer human resources.

The government wants to get rid of the backlog in the immigration system by creating massive research projects for immigration office employees. I imagine there is no other solution.

What I am saying is that the substance is good, but the form seems deficient. The government wants to protect Canadians and better manage our immigration system. The New Democratic Party recognizes that immigration is a priceless resource for Canada and wants to ensure that our system is effective, professional, swift and reliable.

The NDP also recognizes that action must indeed be taken to prevent the abuse of our system. The government is trying to resolve the issue, but it is going about it the wrong way. We think this is a worthwhile bill and that it must be studied in committee. We have already said that Bill C-43 has many admirable elements that deserve our support. In particular, the NDP is pleased that the bill exonerates the victims of human smugglers and that their victim status is guaranteed. Apparently, the government has learned not to throw the baby out with the bathwater.

I listened carefully to the speech by the Minister of Citizenship, Immigration and Multiculturalism when he introduced his bill. I find it somewhat disorienting to hear him use the word "foreigner" to describe people who have not officially obtained their Canadian citizenship even though they are permanent residents.

All of us, without exception, are the descendants of immigrants. I am getting tired of seeing the Conservatives dismantle what has

taken decades to build: Canada's reputation as a compassionate, equitable and fair country. A country that stands up for itself, that knows how to say yes, but also knows how to say no and how to show someone the door when it is necessary, as is the case with serious criminals. I do not want to hear that such and such a budget has tripled; frankly, in a department the size of Immigration, money is not everything. We are not dealing with columns of numbers. We are dealing with human beings who have often been more unlucky than we have. I would appreciate it if the government would stop hiding behind its accounting ledgers.

In conclusion, I am aware that the Conservative government has had to tackle immigration reform but is not terribly interested in it. And with good reason. As soon as the word "immigration" is spoken on the other side of the House, the word "economic" follows in the next sentence. They do not understand that some departments have obligations to the public, and are not just companies that must make a profit. A country is not run the same way as a business. But I am wasting my breath trying to tell them so.

Some institutions exist for reasons that are not strictly economic. Immigration is an inevitable global phenomenon and it will increase in the years to come. Canada would be well-advised to have its immigration system structured by people who see beyond simple economic interests.

●(1710)

[English]

The Acting Speaker (Mr. Bruce Stanton): Before we go to questions and comments, I would observe that there are times when many members wish to pose questions. We only have five minutes for questions and comments, so I would ask hon. members who wish to pose questions to keep their questions and responses to no more than about a minute so that as many members as possible will have an opportunity to pose questions.

Questions and comments, the hon. member for Winnipeg North.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have referred to this bill as an anti-immigrant bill, even in its short title, the faster removal of foreign criminals act. Just because its name implies something does not necessarily make it a good bill. Many Canadians have concerns about serious crimes and want some sort of consequences for those. We recognize that.

Does the member have any difficulty with the government using words like "foreign criminals" as opposed to "permanent residents", much like it used the term "bogus refugees" to try to send an indirect and very negative message toward immigrants?

[Translation]

Ms. Alexandrine Latendresse: Mr. Speaker, I thank the hon. member for Winnipeg North for his question.

Government Orders

I completely agree, and I even said so in my speech. When I hear government members using the word “foreigners” to describe people who live here as permanent residents, I am very unhappy, especially when it is the Minister of Immigration, who should be their champion, defending these people and supporting them. Moreover, the French word for foreigner, “étranger”, also means stranger—someone not like us. It is as if they did not want to associate with foreigners or strangers. It is very upsetting to hear them use such terms.

Serious crimes have been mentioned a number of times. Someone who has six marijuana plants in the house will now be considered a serious criminal, but is that really true? That is a question Parliament will have to answer one day.

[*English*]

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I commend my colleague for an incredible speech. She always grounds her speeches in personal experience, and if she were still an immigrant and I were the minister, I would be happy to make her a citizen immediately.

I have two issues. The first is that we have had a frustrating situation in Edmonton and all of northern Alberta, where the minister has delayed reappointing a citizenship judge for over a year. I am getting letters and calls from applicants who have been waiting more than 18 months simply to have their applications considered.

Does the member think the government is making things even more difficult for landed immigrants and that it could perhaps put more programs in place to provide employment and support for youth who might get in trouble, allowing them to avoid potential deportation and perhaps to become productive Canadian citizens?

[*Translation*]

Ms. Alexandrine Latendresse: Mr. Speaker, I thank my excellent colleague, the member for Edmonton—Strathcona.

Situations such as those my colleague has just described are very hard to understand for people like us who have grown up here and always lived here. When people arrive in a new country, they may not understand the language very well. They are completely disoriented. Instead of helping them make a contribution to our society, our beloved country, the government tells them the process may be long and it tries to discourage them by putting obstacles in their way. In short, the message it is trying to send is that we are not sure we really want them. It is not obvious to these young people and it may be that some of them will turn to crime. We must give them more help.

• (1715)

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, this new bill gives a great deal of discretionary power to the Minister of Justice. I wonder if my distinguished colleague could talk about the importance of separating judicial, administrative and political powers.

Ms. Alexandrine Latendresse: Mr. Speaker, the main risk here is that there is no longer any judicial independence. These decisions will become completely arbitrary and, based on the criteria, they will be made on the minister's whim.

Instead, we need clear legislation with specific criteria. We want these decisions to be made by judges, not by the minister.

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Speaker, in the brief time I have I cannot go over chapter and verse of the bill, but I want to focus on a couple of sections and aspects of the bill.

Bill C-43 concentrates more power in the hands of the minister by giving him new discretionary authority over the admissibility of temporary residents. It relieves the minister of the responsibility to examine humanitarian circumstances, changes what constitutes serious criminality for the purpose of access to an appeal of a determination of inadmissibility, increases the penalty for misrepresentation and clarifies that entering with the assistance of organized criminal activity does not on its own lead to inadmissibility.

In case there is any confusion, New Democrats will support this legislation getting to committee. I want to quote the member for Newton—North Delta who, as the NDP immigration critic, has done a tremendous amount of work on this file. In her speech on September 24, she indicated that she wanted to make clear the following:

—that as New Democrats we recognize the need for an efficient and responsive judicial approach to removing of serious criminals who are not citizens.

All Canadians want a tough approach to non-citizens who commit serious, often violent, crimes in our communities. Newcomers in our communities, the vast majority of whom are law-abiding and follow the rules, would be among the first to agree with this sentiment.

However, she went on to say that we do have some serious concerns about the bill being proposed. One of the concerns she outlined was that it again concentrates powers with the minister. Part of the concern that the member raised was the fact that our immigration system does not need to be more politicized than it already is. Whenever we start seeing increased concentration of powers in the minister's hands, it removes parliamentary oversight from some of those activities and removes it from the department itself, which often operates in a more arm's-length way.

One of the other items she raised is that:

Another troubling feature for us in the bill is that the bill relieves the minister of the responsibility to examine humanitarian circumstances, taking into account the interests of children affected. In our view, ignoring the interests of children is not something the minister should be relieved of.

I want to touch briefly on the issue of war resisters. War resisters at the time were not permanent residents, but it has been an issue that has come before the House a number of times, including a motion that supported allowing war resisters to remain in this country. We recently had the case of the war resister Kimberly Rivera, who asked the government to grant permanent residence status on humanitarian and compassionate grounds. The NDP's British Columbia caucus wrote a letter to the minister indicating that we had joined prominent Canadians and international advocates, including Nobel laureate Archbishop Desmond Tutu, in calling on the minister to allow Ms. Rivera to stay in Canada with her family. The letter mentioned the fact that Ms. Rivera had children while she was living here and that there were many other factors to consider.

Government Orders

I want to mention another war resister who, unfortunately, was deported from my riding a couple of years ago. It was a young man named Cliff Cornell who had been living on Gabriola. He was a quiet young man. He had joined the forces in the United States. He grew up in a mountain home in Arkansas and in 2002 after leaving high school and with few employment prospects he had accepted a \$5,000 signing bonus for a career in the U.S. Army. A few months later the U.S. went to war against Iraq. He deserted and came to Canada in 2005 to avoid combat. It was a case of a young man who grew up in very poor circumstances and ended up perhaps not really understanding what he was getting into. He ended up in Canada. He was well liked and well supported by the community on Gabriola. He found a job there. He was a responsible citizen and yet ended up being deported.

With regard to Bill C-43, there was a recent article in the *Toronto Star* entitled, "Bill could exile thousands of permanent residents for minor crimes". The article indicates that under the proposed new law, thousands of permanent residents could lose their status and be deported for minor convictions, from shoplifting to traffic and drug offences, according to Canada's top immigration lawyers.

• (1720)

These are young children brought to Canada at a young age as permanent residents, raised and schooled in Canada, but who never took out citizenship.

It goes on in the article to say that the federal government has always had the authority to strip landed immigrant status from a permanent resident convicted of a serious crime, but Bill C-43 would allow appeals only for those sentenced to less than six months in jail, down from the current threshold of two years.

As our immigration critic pointed out, with some of the changes in the Conservatives' crime legislation with the mandatory minimums, we now see people getting sentenced for some minor crime to more than six months, so they would not be eligible for any kind of process under this new legislation.

The article also talked about the fact that people may have misrepresented themselves when they applied for immigration. It points out that there could be honest omissions on a person's employment history, or incorrect dates of certain events written down in an immigration application could come back to haunt the immigrant years later.

It is also indicated in here that it is very likely that this could face a court challenge under the Charter of Rights and Freedoms, given previous Supreme Court of Canada decisions directing that authorities must consider humanitarian risk factors before deporting a person.

I want to reiterate the fact that New Democrats are in support of getting the bill to committee, but we are calling on the government to consider looking at some amendments that could actually make this a better bill. I will end on that note.

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I am a bit shocked by what I just heard from my hon. colleague.

I was a police officer for quite some time in the city of Winnipeg and dealt with what my colleague referred to as minor offences on a number of occasions, so I am quite shocked when I hear my colleague refer to these offences that are punishable by at least six months as being what she termed minor, offences like assault with a weapon, sexual assault, robbery, break and enter. These, to me, are not minor in any way, shape or form. These are crimes that involve victims.

I would ask my learned colleague if she would clarify. Does she really stand by what she just said, that these crimes—sexual assault, assault with a weapon, robbery—these crimes punishable by at least six months, are minor?

Ms. Jean Crowder: Mr. Speaker, I am perfectly happy to correct the record. I was quoting from Canada's top immigration lawyers who said:

Under a proposed new law, thousands of permanent residents could lose their status and be deported for minor convictions.

It is the immigration lawyers who said this. I was not saying it. I was quoting from an article.

I want to quote, however, the member for Newton—North Delta, who said:

I want to make it clear that as New Democrats we recognize the need for an efficient and responsive judicial approach to removing serious criminals who are not citizens.

I want to be clear. I will repeat that. New Democrats want to see a responsive judicial approach to removing serious criminals.

I hope that is clear enough for the parliamentary secretary.

[*Translation*]

Mr. Jean-François Larose (Repentigny, NDP): Mr. Speaker, I was a correctional officer for many years, and I must say that my hon. colleague made some excellent points. I have seen many immigration cases.

Our position is clear: victims are always important to us. We must never forget the conditions that many immigrants may have faced in their country of origin. We have heard stories of torture, malnutrition and disease. Sending our problems elsewhere is not a solution. I see a serious problem with inviting people into our country, only to turn around and tell them they are not our concern, that this is an exclusive club, and then deport them without sharing any of the positive aspects of our society.

• (1725)

[*English*]

Ms. Jean Crowder: Mr. Speaker, part of the concerns that New Democrats have raised is that the bill concentrates far too much discretion within the minister's hands, and it also modifies the issue around humanitarian and compassionate grounds.

Of course, Canadians have long been known for their approach around examining humanitarian and compassionate grounds, and it would be a shame if Canada stopped looking at that in the context of reviewing these kinds of decisions.

Private Members' Business

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I will be brief with my question. When we talk about the individuals that this legislation could potentially impact, we are talking about a lot of young people and young families. Therefore, we could have an immigrant family that came to Canada 15 or 16 years ago with a five-year-old child who at 18 years of age is caught doing something inappropriate, such as growing more than six marijuana plants in the garage, or something of that nature, which automatically carries a six-month minimum sentence, at which point this individual would then be deported. The rest of the family can stay, but this particular youth would be deported with no right of appeal.

Could my colleague comment on the issues of that nature, which are very real?

Ms. Jean Crowder: Mr. Speaker, the member hits on a very good point. The immigration lawyers who have raised concerns about this have raised that very issue. They are saying that the law will target permanent residents, many of whom arrived in Canada at a young age and were raised, educated and established families and businesses here. It would seem reasonable that those kinds of circumstances were taken into consideration when the file was being reviewed, so the member is absolutely correct.

Again, the New Democrats are supporting getting this bill to committee with the hope that these kinds of clauses in the bill can be amended so that they more reflect what has been a tradition in Canada.

The Acting Speaker (Mr. Bruce Stanton): Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Yea.

The Acting Speaker (Mr. Bruce Stanton): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bruce Stanton): In my opinion the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Bruce Stanton): The chief government whip is rising on a point of order.

Hon. Gordon O'Connor: Mr. Speaker, I rise on a point of order. There have been discussions among the whips and I believe if you seek it you will find agreement, pursuant to Standing Order 45(7), to defer the vote of this motion to the end of government orders on Tuesday, October 16, 2012.

The Acting Speaker (Mr. Bruce Stanton): Does the chief government whip have consent to propose the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Bruce Stanton): The hon. members have heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Bruce Stanton): Accordingly, the deferred division stands deferred until Tuesday, October 16, at the end of government orders.

Hon. Gordon O'Connor: Mr. Speaker, I ask that we see the clock at 5:30 p.m.

The Acting Speaker (Mr. Bruce Stanton): Is there agreement to see the clock at 5:30 p.m.?

Some hon. members: Agreed.

The Acting Speaker (Mr. Bruce Stanton): It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

● (1730)

[English]

FIREFIGHTERS

Hon. Ralph Goodale (Wascana, Lib.) moved:

Motion No. 388

That the House hereby affirm its support for the following measures to support Canada's firefighters which, in the opinion of the House, the government should act upon promptly: (a) the creation of a national Public Safety Officer Compensation Benefit in the amount of \$300,000, indexed annually, to help address the financial security of the families of firefighters and other public safety officers who are killed or permanently disabled in the line of duty; (b) the recognition of firefighters, in their vital role as "first responders", as an integral part of Canada's "critical infrastructure", and as "health care workers" under the Canada Influenza Pandemic Plan, entitled to priority access to vaccines and other drugs in cases of pandemics and other public health emergencies; (c) the specification of firefighter safety as an objective of the National Building Code of Canada; and (d) a review of the National Building Code of Canada, in conjunction with the International Association of Firefighters, to identify the most urgent safety issues impacting firefighters and the best means to address them.

He said: It is my great pleasure today to begin debate in the House of Commons on my private member's motion, Motion No. 388, about firefighter safety. After years of patient and persistent presentations to various parliaments by firefighters from every corner of Canada, Motion No. 388 draws together in one motion the three specific requests that Canadian firefighters have been making over the years to achieve greater acknowledgement of the risks inherent in the work they do.

Private Members' Business

None of us can doubt for a moment how valuable these courageous men and women are. On a routine basis every day, they put their lives on the line so the rest of us can live in safe and secure communities. It is not just about fighting fires, as crucial as that is in itself. It is also about being first responders, the people most likely to be on the scene first in response to all manner of emergency situations. It might be a traffic accident or a hazardous spill. It could be a heart attack or a drowning. It could be a house fire or an industrial blaze, like the one that lit up Winnipeg just a couple of nights ago.

Whenever Canadians reach for the phone and dial 911, they expect top-notch rescuers to be on the road in seconds to help them out of a dangerous situation. Lives are at risk. The circumstances could be and likely are perilous for both the victims and the rescuers alike, but we know we can count on the skill and expertise of Canadian firefighters to respond quickly, in the most effective manner humanly possible and with the bravery and compassion that these situations often demand.

Here is a sobering statistic. Every year in Canada, on average, some 18 firefighters give their lives in the line of duty. On the one hand, some may say that sounds like a low number, but think about it. It means every three weeks somewhere in Canada a firefighter dies on the job, every three weeks, the ultimate sacrifice in service to the public so others can live and be safe. It is appropriate and proper for the Parliament of Canada to examine ways in which the Government of Canada can respond constructively to the three simple ideas that Canadian firefighters have been advancing for years to better promote their safety. It is a matter of common sense and fundamental respect for the invaluable service performed by these members of our society.

These are issues that cut across all party lines, and I am grateful for the support and encouragement for Motion No. 388 that has come from all sides of the House. Let me also thank the International Association of Firefighters and a great many other individual firefighters, both professional and volunteer, along with many other public safety officers in this country, who have endorsed this motion and urge all Canadians to get behind it.

The three points that are covered in Motion No. 388 are as follows. First, the motion recommends to the government the creation of a public safety officer compensation benefit. This would be a one-time payment of \$300,000 to be paid by the Government of Canada to the family of a firefighter or any other public safety officer who is killed or permanently disabled in the line of duty. In principle, this is not unlike the community heroes fund that was in the public domain for debate a few years ago, and it was a very popular concept.

The idea acknowledges the service and sacrifice of those whose jobs inherently put them at risk to protect the public. It helps to ensure their families are well taken care of. A public safety officer compensation benefit parallels certain provisions in some federal collective agreements—for the military and RCMP, for example—but sadly, most Canadian firefighters are simply not in a position to bargain for a provision like that, or their employers, usually municipal governments, are not in a position to provide it.

● (1735)

Motion No. 388 offers a way to treat all public safety officers equitably, while fully respecting every level of government jurisdiction. The estimated cost of this measure is in the range of just \$10 million to \$12 million per year. On an annual federal budget of more than \$250 billion, the annual cost of a public safety officer compensation benefit is equivalent to the tiniest of rounding errors.

It is also worth noting that a similar benefit has been in effect in the United States for decades, since 1976, a federal benefit provided to all U.S. firefighters at every level as a gesture of national responsibility and respect.

The second major feature of Motion No. 388 deals with the priority lists that are prepared by governments to serve as guides, not binding legal edicts but guides, for the distribution of sometimes limited volumes of vaccines and other drugs during pandemics and other public health emergencies. The basic question is this. Who gets the vaccine first? It is a tough judgment call. Difficult choices have to be made.

In broad terms, when we look at the protocols from previous pandemics, there are three general categories of vaccine recipients. The first is those Canadians who are most vulnerable and at the greatest risk of getting sick, the primary victims. The second category, with virtually equal priority, is those primary health caregivers who take care of those vulnerable people and those at greatest risk. The third is the general public.

Within these broad groupings there are certain subsets, but the concern of firefighters is that this general hierarchy of priorities for receiving vaccines during public health emergencies appears to rank firefighters in the third category, that is with the general public, or at the very bottom of the category about caregivers.

Firefighters submit, and I agree, that as guidance to those who carry the serious responsibility to implement vaccine sequencing during emergencies, firefighters should consistently be at the top of the grouping of caregivers, as is the case in the United States and in many other jurisdictions. I say this for two reasons.

First, at all times, and especially during times of public stress like a pandemic, Canadians need to know their crucial public safety agencies, like fire departments, are fully functional, fully staffed, up to strength and ready to go no matter what. We do not need and we do not want a compromised firefighting system on top of a pandemic.

Second, and even more important, most firefighters are first responders who function as front-line health care workers dealing in raw circumstances with people in trouble in traffic accidents and so many other emergency situations. They do the initial rescue, the assessment, the first aid, the primary treatment.

Private Members' Business

During a pandemic they will undoubtedly be exposed to people in respiratory distress and suffering other ailments. Firefighters need to be able to do their front line, first responder, health care worker jobs with full confidence and the full assurance that they are as secure and functional as humanely possible. If firefighters cannot do that job at the scene of a public emergency, then at least some of those suffering from pandemic diseases will simply not make it to the doctors and the nurses, who will be waiting for them in the emergency room.

Finally, Motion No. 388 deals with the National Building Code of Canada. It makes the simple and logical point that firefighter safety should be included among the objectives of that code. Is it not already there one might ask? That is a question that a lot of Canadians have asked. The answer is that it is there in the United States and in many other countries, but not clearly in Canada, especially with the advent of rapidly changing construction techniques and building materials.

Twenty-five years ago a typical building might take 15 to 20 minutes of burning before it became a full-fledged blaze. It was obviously an urgent situation, but it left a fair bit of time for firefighters to arrive on the scene and to rescue people and property from the scene of the fire.

• (1740)

Today, what used to take 20 minutes 25 years ago may now just take 3, 4 or 5 minutes. It is not good enough to say building code standards designed for “occupant safety” serve just as well to achieve “firefighter safety”. The two are not the same for this fundamental reason.

While occupants will be doing their very best to get out of a burning building just as fast as they can, firefighters, by the nature of their job, will be going into the building, into the teeth of the blaze to work as long as they can to rescue victims and fight the sources of the fire. That is why “firefighter safety” needs to be specifically included in the code.

That is also why the government needs to review the code, urgently, and to do so in co-operation with firefighters and other experts who can identify the areas that need to be addressed and work on the best possible solutions.

That is it. There are three simple things in Motion No. 388: first, an affordable benefit for the families of public safety officers killed or injured on the job; second, an appropriate high-priority ranking for firefighters to receive vaccines during pandemics, particularly in their critical role as first responders and health care workers; and third, the inclusion of firefighter safety in Canada's national building code.

These measures have huge support among firefighters and most Canadians across the country. They are practical, modest, fair and reasonable. They are consistent with international standards. They are important gestures of respect from the Parliament of Canada to the firefighters of Canada.

I would ask all of my colleagues in the House of Commons to support these measures during this debate and to support Motion M-388 when it comes to a vote later this year.

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I have two specific questions for my hon. colleague.

Maybe he will be expecting the first question. When he was the minister of finance back in 2005, a very similar bill was brought forward and he voted against it. I think we would all appreciate knowing why he voted against it then and why he is introducing it now, which would appear to be a contradiction?

Also, could my hon. colleague explain his definition of a public safety officer, which is very broad. Does he want to include CBSA officials, RCMP, municipal and provincial police, conservation officers, CSC, Correctional Service Canada officers? Does he want to include any public safety officer within the purview of the motion?

• (1745)

Hon. Ralph Goodale: Mr. Speaker, on the first question, priorities change over time. I am happy to inform the hon. member that my view of this proposal has changed, especially in relation to the fact that Motion No. 388 now includes all three of the proposals that the firefighters have made and puts them forward as a package. That is the proper way to deal with them.

I also appreciate the fact that on both sides of the House, to the extent there are members here who were there in 2005, the last time the motion was called, have voted overwhelmingly in favour of measures very similar to what is in Motion No. 388. I am encouraged that there is a decent opportunity for this measure to get through.

On the question of the definition of a public safety officer, I have specifically not defined it in the motion. For one thing, as a technical matter, it would take a motion of some length in order to include all of the appropriate references. From my perspective, clearly firefighters fall within that definition, police officers fall within that definition and emergency medical technicians from our EMS system fall within that definition.

In the Income Tax Act there is a definition of public safety officers which, to some extent, would serve the purpose of this motion, but I do not think it exactly fits the situation because it was written for tax reasons and not for all the reasons that are included in Motion No.388.

I have left the job and the opportunity to the government of the day to craft the right frame around those words “public safety officer” to ensure it is given the professional and detailed expertise that the government would have available to it that an individual member would not. That is the fair way to do it. The government would hold the pen on the drafting of that.

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I would like to thank my hon. colleague from Wascana for moving this motion.

When I met with the firefighters' association, some of the recommendations and concerns included in the motion were raised. I congratulate my colleague for taking that organization's recommendations into account.

Private Members' Business

Could my colleague talk a little more about the need to make buildings safer? I will listen very carefully in order to properly understand.

[English]

Hon. Ralph Goodale: Mr. Speaker, the National Building Code of Canada relies upon the National Research Council as its centre of expertise. The NRC has been providing that expertise for many years.

One of the specific items that firefighters have raised with me is the design techniques in buildings that tend to use lighter materials. These materials burn more quickly. Materials, particularly in the floor construction, may be prone to earlier collapse when exposed to flame and sometimes even just to heat without the flame.

Firefighters are concerned about building materials that burn hotter, faster and more intensely. That is part of the explanation for why a fire 25 years ago might have taken 20 minutes to get into a blaze, where in this day and age it might only take 5 minutes.

I think firefighters would want that issue seriously examined, and they are prepared to co-operate with the government to provide expertise to ensure the right technical answers are found.

• (1750)

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I am pleased to have the chance to speak to the motion that has been put before us today by the member for Wascana.

The motion covers a lot of ground with implications for the Department of Public Safety, Industry Canada and the Public Health Agency of Canada.

Part (a) of the motion, which falls under the purview of Public Safety Canada, calls for the creation of a national public safety officer compensation benefit to help the families of firefighters and other public safety officers, which is not defined, who are killed or permanently disabled in the line of duty.

Part (b) requests that firefighters and other public safety officers be provided with priority access to vaccines and other drugs in cases of public health emergencies. This would fall within the responsibility of the provinces and territories for implementation. One of my colleagues will be addressing this point in more detail.

Parts (c) and (d), which fall within the focus of Industry Canada, call for changes to the national building code, including specifying firefighter safety as an objective of the code and reviewing the code to identify urgent safety issues for firefighters.

I will focus my remarks today on the public safety aspect, namely that of creating a public safety officer compensation benefit.

Our government has been a strong advocate for our first responders and particularly for our firefighters. All of us in the House agree that our firefighters deserve our respect and support as do our police officers, paramedics and all other emergency and first responders.

Sacrifice, bravery and courage are the words that come to mind when we think of these people. Every shift, they make a conscious choice to save lives, protect their communities, make a difference

and put their own lives at risk. When the beeper goes off, when the fire alarm sounds, there is no hesitation. Day or night, firefighters are willing and ready to go to work.

They know that they can face moments of extreme danger where the lives of citizens, their colleagues and certainly their own are at risk. They also experience great moments of pride when they rescue someone and they know that the work they have done has made a huge difference. Firefighters have the mental toughness and courage that is required in these moments, and when they put themselves in harm's way for the rest of us we all stand in gratitude.

We respect their courage and their professionalism. Our government has proudly supported the work of our firefighters along with all of our public safety officers through a variety of initiatives and programs since 2006. For example, in budget 2007, we included a contribution of \$2.5 million over five years to the International Association of Fire Fighters to support and implement hazardous material training. This is a worthy investment that has provided thousands of hours of haz-mat training to firefighters and many other first responders right across Canada.

We are very proud that in budget 2011 our government introduced a volunteer firefighters tax credit to support volunteer firefighters who perform at least 200 hours of service for their communities. There are more than 85,000 volunteer firefighters across this country serving in both urban and rural settings. In my riding of Portage—Lisgar, there is no way our communities could be protected if it were not for the volunteer efforts of firefighters, brave men and women who volunteer their time.

Our government has been listening to firefighters. We listened to their concerns and that is why we introduced the volunteer firefighters tax credit. The credit recognizes and supports the critical role that these volunteers play in all of our communities.

We also support first responders through the development of national policies and by supporting consensus-based national code development processes and response systems and standards. For example, our government actively participated in the development of the chemical, biological, radiological, nuclear and explosives resilience strategy and action plan for Canada, which was launched in January 2011. This plan sets out clear guidelines for policy and decision-makers at all levels of government on how to better prevent, prepare for, respond to and recover from any CBRNE event. These guidelines ultimately protect our first responders, including our firefighters.

Private Members' Business

•(1755)

We also launched the communications interoperability strategy and action plan for Canada in January 2011. The goal of this action plan is straightforward. It is something that first responders have been asking us for and we are listening. The goal is to help first responders respond rapidly to any emergency by allowing them to communicate more effectively and efficiently across jurisdictions. As part of this, Public Safety Canada and the first responder community have urged Industry Canada to set aside dedicated bandwidth for public safety use in the 700 megahertz spectrum auction.

This past June, we announced that an initial 10 megahertz has been secured for this use and this news was widely applauded across the first responder community. We are proud that we have helped to push this issue forward. We are proud that as we work in collaboration with our first responders and firefighters we are getting results for them.

Our government is firmly committed to supporting our firefighters and indeed all of our public safety officers. However, we are also committed to respecting Canada's Constitution and the various authorities that fall within the federal, provincial and municipal levels of government. The Liberal Party argued in 2005 that many of the measures that the member for Wascana is proposing today in his private member's motion are more relevant to provincial areas of responsibility. As he must be aware, the creation of a public safety officer compensation benefit is one of them.

As hon. members likely know very well, provinces and territories already have a legal framework in place for occupational health, safety and workers' compensation to provide benefits to the families of workers who are injured or killed on the job. In the United States, labour laws are the jurisdiction of the federal government. In Canada, that jurisdiction lies with the provinces. In many cases, benefits received under these workers' compensation programs are supplemented through collective agreements or group insurance plans that provide compensation for losses incurred due to workplace accidents or death.

Our Conservative government stands up for our front-line public safety officers, especially firefighters. However, in the current climate of fiscal restraint, and with the broad definition of "public safety officers" making an amount pretty well impossible to determine, establishing a fund in excess of \$60 million would not be feasible.

It is very interesting that when the member for Wascana was minister of finance he realized this fact, which is why he voted against it in 2005. When he talks about changing circumstances, we are in a time of even greater financial restraint and economic uncertainty. I am very surprised that he is changing his mind without credible reasons. It is important that he stand and speak more clearly on why he voted against this in 2005 and why he now finds it expedient to introduce the motion.

Our government will not be supporting M-388. As is evident by what we have done in the past and what we continue to do, we support our firefighters with tangible efforts that help them do their jobs and that recognize the volunteer work they do. However, we

will not go into jurisdictions that are not ours. We will be consistent with our federal jurisdiction and federal responsibilities. The proposed changes found within the motion would be more relevant to provincial jurisdictions and that is why we will not support changes to the areas that would fall under the authority of provincial and territorial governments.

I therefore respectfully ask that all members would oppose the motion. Let us continue to work for firefighters and first responders, but the motion is not the way to do it.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I would like to praise my colleague from Wascana. I do not do it very often in the House even though we have a long association. I will in this particular case, however, with the caveat that I am praising him for presenting a motion that is very similar to the motion that I presented in the House in October 2005. At that time he voted against firefighters and public safety officers, but he has obviously gone through the Liberal rehabilitation program. As a result today I praise him. Even though it is retroactive, he is now making amends for his vote that I think was misplaced seven years ago.

There is no doubt that this is needed. The House made the decision seven years ago when members of Parliament voted 161:112 to bring in a public safety officer compensation fund. I am praising my colleague from Wascana. I unfortunately cannot praise my Conservative colleagues across the floor because, to my mind, they have done a tremendous disservice to the nation's firefighters and public safety officers by having voted for the NDP motion in 2005, but steadfastly refusing since that time to bring in the public safety officer compensation fund.

I know this because every year the nation's firefighters and police officers come to the Hill to speak to members of Parliament, every single year. In the case of firefighters, it has been 15 years asking a very simple thing. All they are asking is that the federal government provide some support for their families if they die in the line of duty. Is that too much to ask?

Is it too much to ask when Conservatives already, prior to a federal election, said that they supported the principle of a public safety officer compensation fund and now, seven years later, have steadfastly refused to keep their commitment to firefighters?

I have yet another letter from yet another cabinet minister seven years after the fact. I have been writing to the ministers every year as firefighters and police officers gather on Parliament Hill to ask one simple thing, that we take care of their families. This time the Minister of Public Safety is saying that while he values the extraordinary contributions made by these first responders, he will do nothing to take care of their families. I am paraphrasing, but that is the incredible reality of this punch in the face to the nation's firefighters and police officers.

Private Members' Business

Having brought this motion to the House seven years ago, I know there is a desperate and real need out there. I have spoken to firefighters' families and to police officers' families. I have heard about what happens when they cannot buy life insurance, when there is no provincial or municipal support. When firefighters die in the line of duty their families have to cope not only with the terrible loss of their loved ones but also the incredibly severe financial consequences that come from that.

I have talked to families who had to sell their homes when their loved ones, firefighters, died trying to save others. I talked to kids who, instead of going on to university or college, have had to take a low-wage or minimum wage job. They have given up on their careers because their firefighter or police officer loved one has died and the federal government does nothing to support them. These are compounding tragedies.

When that loved one passes away, the incredible shock and intense grieving that the family lives through is compounded by the incredible neglect of the Conservative government, which has refused for six years to implement what Parliament told it to put into place.

I am sorry, but regardless of the beautiful speeches about standing with our responders and standing with our nation's firefighters or police officers, Conservatives will not have credibility in the House of Commons until they bring forward the public safety officer compensation fund and support those families. That is what they need to do.

● (1800)

We are talking about an amount of \$300,000. This is not an enormous amount. It is an amount that would allow a family to cope financially with the incredible grieving and shock of losing a loved one. The United States has had it in place for a decade. It takes care of the nation's firefighters and police officers who cannot get insurance, who do not have access to the magic provincial and municipal programs that the government likes to talk about. It is a shameless passing of the buck for the Conservative government to tell the nation's firefighters and police officers that it will not take care of them, that somebody else may but that it will not, particularly in light of the motion that was adopted with the Conservatives saying that they would support firefighters and police officers. It is a shameless and irresponsible dereliction of duty.

We owe it to our nation's firefighters and police officers to put in place compensation. I have heard the Conservatives say that it costs too much money. We have heard the refrain since the House resumed that we cannot have food safety because it costs too much money, that we cannot have transportation safety because it costs too much money. However, it is the same government that is willing to spend up to \$40 billion for the F-35s with an untendered contract. It is absolutely shameless when the government has been so inept at managing the nation's finances. We have a record deficit because of the massive spending projects like the F-35s and yet the Conservatives cannot take care of the nation's firefighters and police officers.

On this side of the House, we disagree. On this side of the House, we believe that the motion passed in 2005 is a moral obligation and duty on behalf of every Conservative member to ensure that public

safety officer compensation fund is put in place. We believe it is a duty and a promise that must be kept. That is why every New Democrat will stand in support of this motion with the hope that this motion will pass. I fail to see how the Conservatives could possibly let the nation's firefighters and police officers down yet again. I think that would be a profound insult, which I hope the public would severely punish the Conservative members for doing.

We will stand in the House and vote for this motion. We hope the Conservatives will stand in the House and vote again for the motion, vote again for the public safety officer compensation fund, but, much more important, we are hoping that, finally, after six years of broken promises and meaningless words, the Conservatives will finally walk the talk and ensure that this is put into place so that when families are grieving they can also count on having a minimum of financial benefit to ensure their families are taken care of.

The firefighters and police officers of Canada do not ask for a lot. They put their lives on the line every day in the line of duty. Every day they hope to save lives and the public is with them because the public understands that we have a moral responsibility to take care of their families when they pass away in the line of duty. I am hoping that all the Conservatives will vote for this motion, that they will keep their commitment and that in the next month we will have in place a public safety officer compensation fund for Canada's firefighters and police officers.

● (1805)

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, I am pleased to stand and speak to the motion. I want to congratulate my friend and colleague from Wascana for putting this motion forward and giving us an opportunity to speak to it.

I have to admit that I have been both surprised and pleased with some of the comments that have come forward in the debate thus far. To have my friend from Burnaby—Douglas actually commend the member for Wascana, I was pleased and surprised with that one. I was almost as surprised as was when I listened to the parliamentary secretary from the government side address the House and not hear the words, “\$21 billion job-killing carbon tax”. I am sure she is in the woodshed behind the PMO now for not having taken the opportunity to throw that one out there.

Mr. Kevin Sorenson: We're glad you mentioned it, Rodger.

Mr. Rodger Cuzner: Whatever I can do.

This is absolutely an important motion. For the last number of years, the International Association of Firefighters has done an exemplary job of putting its views and issues before parliamentarians. Each week that we come to the Hill or go to our constituency offices we are in a constant state of meeting with various groups and organizations, but the firefighters have been consistent year after year. They are truly professional when they meet with members of Parliament. They have seen small victories but each year the game continues to move down the field, almost like my golf game, a little side to side, but, hopefully, we are making progress. This motion is an opportunity to recognize that their efforts over these past years have not gone unnoticed, because they have been consistent in their messaging, obviously because it means so much to so many.

Private Members' Business

What we hear in debate with any legislation that comes forward with regard to first responders and firefighters is the fact that they are so involved in the community. I come from a fairly rural community. I have 50 volunteer fire departments in my riding in a great number of smaller communities. They are all the core of those communities, like Dominion, Reserve Mines, Port Morien, Port Hood and Port Hastings. Whether it is a community festival, an event or someone in need, the firefighters are the people we go to.

That is all well and fine, but there are many organizations within communities that do those types of honourable things for their fellow citizens. Where these men and women stand apart is the risk that is inherent in what they do. As has been mentioned, they are the ones who are running into the building when everyone else is running out. They lay it on the line for their fellow citizens. They are tasked with a job, a career in some cases, although, in many cases, like my own situation, many of these people are volunteers, but there is so much expected of them beyond what is expected of other people in communities and it is physical, mental, emotional and spiritual.

One of the aspects of the motion, being engaged in building code development, is that it properly takes into account first responder safety issues in building designs and materials. That would go a long way in ensuring that at least when they go into a particular building there is chance of recognizing the materials being used so that they know what they will be battling when they get in there.

• (1810)

That would be one aspect of the physical part of what is expected of them that could be addressed through the adoption of this motion.

If the people here in the chamber want to get a really good sense of what it is that firefighters go through, they should pick up a copy of the book written by Russell Wangersky called *Burning Down the House*. I could lend a copy to my friend and colleague in the Conservative Party. It is a great read. It is about a firefighter who had dreamed about being a firefighter his whole life. He went to Acadia University and started to work as a volunteer firefighter there. He went through various levels of training and became a firefighter.

Sometimes people delineate between a volunteer and a professional firefighter but when the alarm goes off and the truck is on the way there is an expectation that those volunteer firefighters know what the heck they are doing. Quite often the training for volunteer firefighters is pretty much the same as that for the professional firefighters because there is an expectation that they will be well-trained and ready to perform when they get to the scene of a fire or whatever else they are asked to do.

In his book, Russell Wangersky said that it was not too bad when he was in the valley going to university and volunteering there. However, when he went back home he said that it was really tough. He remembers being called into a situation as a first responder. His best friend's father was having a heart attack. He showed up at the scene and had to try to revive his friend's father. The emotional impact of going through a situation like that is sometimes not taken into account. When these firefighters, these first responders, show up at the scene of a car accident, they can be asked to scrape a 17-year-old kid off the dash of a car. That is not normal for any citizen other than these first responders.

One can only imagine what firefighters go through emotionally, mentally and spiritually when they are on the back of a truck going to a fire. They may be given more information about it being a house fire and that kids are in the house. We can imagine the heart rate of everyone in that vehicle going up.

That is something that we do not ask of other citizens but we expect our first responders to handle that type of thing. That is why they stand alone. That is why they stand apart.

The first part of this motion deals with the public safety officer compensation fund. A firefighter's family should know that there will be some kind of help, some kind of assistance should everything go wrong or should something not work out and the firefighter loses his or her life. We could at least give the families the comfort of knowing that their federal government will be there with them, standing with them in appreciation and support.

I would hope that each and every member of this chamber searches their soul and finds a way to support this motion.

• (1815)

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I am pleased to speak to the motion put forward by the member for Wascana. The motion focuses on an area of great importance to the government, the protection of the health of Canadians and the role firefighters play in this.

Today I would like to use my time to speak to part (b) of Motion No. 388. Part (b) of the motion calls on the Government of Canada to recognize firefighters in their vital role as first responders, as an integral part of Canada's critical infrastructure. It calls on the government to recognize firefighters as health care workers under the Canada Influenza Pandemic Plan, entitled to priority access to vaccines and other drugs in cases of pandemics and other public health emergencies.

Before I begin, I also want to thank the Standing Committee on Health for having adopted a motion to undertake a study that will enable Canadians to better understand how various jurisdictions deal with their vaccine priority lists during pandemics. The study is taking place this week, and I understand the committee has heard from several witnesses, including representatives from the provinces and territories as well as from firefighters.

Clearly, our government recognizes the crucial role firefighters play in protecting Canadians. Firefighters serve our communities and our country with incredible dedication. They put their lives at risk to protect Canadians.

This government and I are supportive and appreciative of all that firefighters do for our society on a daily basis. As a trauma surgeon myself, I have been on site with these individuals when they have done their heroic tasks, and I have quite frequently, unfortunately, been the recipient of the patients they have brought to the emergency room.

Private Members' Business

People like Wayne McKean from the town of Blue Mountain or Bob McKean, the deputy in Clearview, Michael McWilliam, our chief in Wasaga Beach or Trent Elyea and Carrie and Terry Weatherup, both from Everett, serve as volunteer firefighters. These individuals benefit from the volunteer firefighter tax credit this government has put forward.

From a public health perspective, every one of us plays a role in working together to protect the health and safety of Canadians. Infectious diseases, for example, do not recognize borders, religions, culture, politics or jurisdictions. They impact every one of us, whether we are infected or not, and our responses to these emergencies must have the same broad scope. Whether we are part of a community, a business, a school or a hospital, whether we are a first responder like a firefighter, a policeman or an emergency medical service individual like me, or whether we are government officials, we all have a role to play.

The federal government's role is one of leadership. We work closely with other jurisdictions to develop national guidelines to help inform provinces', territories' and community responses. It is the first responders, the hospitals, nurses and physicians and the communities that deal first with public health emergencies. Our national guidelines must provide them with sufficient flexibility to allow for a tailored response that takes into account a community's specific circumstances as well as the characteristics of the emergency. I can tell the House first-hand that this flexibility is extremely important.

Local authorities prepare and respond to emergencies using the resources they have available at that moment, and appropriately so. When an emergency exceeds local capacity or it becomes too large in scope, provinces and territories as well as the federal government assist in response efforts.

In a pandemic, an important role for the federal government is to provide advice and guidance to provinces and territories, to provide pan-Canadian frameworks for preparedness and response. Provinces and territories develop and implement their own plans based on their priorities and the needs at the moment.

For example, the Government of Canada provides guidance to assist provinces and territories in determining priority access to antivirals or vaccines in influenza pandemic situations. Our recommendations are then used by the provinces and territories to make decisions on priority access. All of this is done on a local and unique basis in pandemic circumstances.

We believe that the country's ability to come together in the face of dire circumstances is exceptionally strong. We have done it before. We saw this particularly in our successful response to the 2009 H1N1 pandemic, during which all sectors of our country pulled together. Working in a hospital myself at that time, I can tell members that the work everyone did was truly amazing, coming together.

Put simply, a one-size-fits-all approach to something as multi-faceted and complex as a pandemic simply would not work. At that point in time I was working in two different centres. We had different responses at the two centres. We had to be flexible. We had to accommodate local needs. Only people in the province, territory and those local areas can make those decisions.

● (1820)

In short, during H1N1 it was all about working in tandem, hand-in-hand with local authorities, provinces and all other partners to manage this global public health crisis, recognizing our connections and shared roles, and we succeeded. We had learned from the SARS outbreak in 2003.

The Government of Canada now knows that we have some of those right tools in place. We needed to quickly produce and distribute vaccines and have ventilators and a stockpile of antivirals at the ready to support the provinces, territories and municipalities responsible for those first responders, like firefighters and police officers, so those on the ground can make the decisions they need to make at the moment. We knew we needed to keep building on that plan, to keep it in place, adapting in a real-time way.

Like much of the reality firefighters face in their day-to-day work, each day during H1N1 jurisdictions had to respond quickly to emerging situations. Having a plan and the relationships in place allowed us to collectively focus and address these issues.

Comparing 2003 and 2009, the difference in the response was overwhelming. It was co-ordinated in 2009. In 2003, some of us on the ground were pretty scared about how that would be addressed.

We are very fortunate to have a solid network that links all of these players with provincial, territorial and federal governments and stakeholders.

As part of our public health structure in Canada, the public health network provides a tool, unique in the world, for improving collaboration across jurisdictions, for keeping us on the same page and working toward the same ends, integrating policy with practice. It is a means of helping us navigate the various jurisdictional waters by bringing together all jurisdictions to the same table on the same public health issues for consistent messaging to Canadians, something that was essential for our response in 2009.

A big part of the network's success is that its structure embraces the basic notion that public health is about the power of the collective. As I have said, we have all had a role to play when responding to emergency public health events.

The Public Health Network has enabled planning and collaboration between federal, provincial and territorial governments. It has supported our collaborative decision-making processes in all aspects of pandemic preparedness and response, from investing in vaccines and antiviral stockpiles, to surge capacity, to prevention and early warnings, to research and critical science.

H1N1 was an important test for our response capacities on all levels, and our country responded effectively. From the beginning of the outbreak, the government committed to an inclusive national pandemic response to mitigate the risks to Canadians.

This government, provincial and territorial governments, national aboriginal organizations, health professional associations, non-governmental associations, members of Canada's influenza academic research community and private sector representatives all pulled together.

*Adjournment Proceedings***ADJOURNMENT PROCEEDINGS**

We can be proud that Canada's H1N1 immunization rate is among the highest in the world, a sign of our collective ability to encourage all Canadians to be protected against the influenza virus.

As I noted today, the involvement of all governments and stakeholders is critical to the successful mitigation of the effects of any pandemic, which knows no borders and can spread quickly.

The Canadian pandemic influenza plan for the health sector, developed in collaboration with provinces and territories, outlines the roles and responsibilities of all levels of government during a pandemic.

Canada's response to the H1N1 influenza pandemic was guided by this plan. The implementation of any recommendations on priority access would fall within the jurisdictions of the provinces and the territories. This is very clearly outlined, and I have to say from personal experience, it is extremely important that the provinces, the territories and local communities make these decisions. This needs to be carefully considered in the context of the motion.

Furthermore, recommendations on priority access to vaccines and antivirals have to be based on sound principles. The immediate priority is to target those who are at the greatest risk and those who could benefit the most from the vaccine and antivirals. In some cases, it may be seniors, young children or pregnant women. In other cases it may be health care workers or other first-line responders. These recommendations cannot be determined out of context. They have to be made at the time when one is standing with the patient.

While the response of the 2009 H1N1 pandemic was an overall success, our government is committed to maintaining and improving our ability to prepare and respond to these emergencies. Lessons learned from H1N1 are important considerations.

A number of reviews have been conducted. These reviews are reflective of the high priority this government has placed on our preparedness. That is why the Minister of Health asked the Senate Committee on Social Affairs, Science and Technology to undertake a review on pandemic preparedness.

• (1825)

In closing, I would like to reiterate that this government appreciates the important role firefighters play in protecting Canadians. They are an integral part of Canada's critical infrastructure and are respected for the job they do every single day.

I would also like to stress that the federal government provides advice to the provinces and territories. It is the local implementation and the decisions that have to be made on the ground at the moment of the crisis that are the most important. Those need to be made by the provinces, territories and communities. Every jurisdiction is different and we need to respect those jurisdictions.

[*Translation*]

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

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

• (1830)

[*Translation*]

ROYAL CANADIAN MOUNTED POLICE

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I am very pleased to rise today in the House to talk about an issue that is of great concern to me. Unfortunately, this matter has been in the media several times in recent years and especially in recent months.

As the deputy critic for public safety for the official opposition, I recognize the excellent work of the police officers who protect Canadians by risking their lives every day. In the past few years, many Canadians have said that they are concerned by the allegations about the RCMP. For some time, the RCMP has been plagued by scandals involving sexual harassment, among other things, and several female officers have said that they were victims.

On July 30, in Vancouver, 200 women made headlines when they came forward to join a class action suit to bring to light the sexual harassment they allegedly suffered as members of the federal police force. Women such as Officer Janet Merlo, Corporal Catherine Galliford and Constable Karen Katz had the courage to take a stand and denounce the sexual harassment they suffered for years in the Royal Canadian Mounted Police.

For these women, every day was a challenge. Today, I congratulate them for having the courage to report this unacceptable situation. Last November, Corporal Catherine Galliford was the first to report that she has been the victim of sexual harassment. Officer Merlo filed her complaint in March. The lawyers for these women expected a dozen other women to follow suit. Instead, more than 200 women contacted their law firm to join the proposed class action lawsuit.

It has been confirmed that the allegations in question range from sexism in how promotions were awarded to accusations of sexual assault, and that these allegations have been made across the country. On May 10, 2012, I asked this government to take action and give the RCMP the resources it needs to combat sexual harassment. Last week I participated in the debate on Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts. Although this bill gives more disciplinary powers to the commissioner and the ability to establish a more effective process to resolve disputes relating to harassment, the bill itself cannot bring about a change in corporate culture, which is absolutely necessary to specifically address the allegations of sexual harassment.

Adjournment Proceedings

In fact, this bill does not go far enough to address the concerns of women working in the Royal Canadian Mounted Police. These women are calling for immediate action to create a safer and more open work environment. Unfortunately, the government failed to take initiative and leadership on this issue. It has been in power since 2006, and despite several reports and recommendations, such as Justice O'Connor's 2006 report and David Brown's 2007 report, which proposed major changes to the RCMP, it took six years to decide to address the situation.

Why did the government wait so long to address this situation? Why did it not take the situation of these women seriously and take action to put an end to these crimes as quickly as possible?

[English]

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I want to respond to the question put forward to the House by the member for Alfred-Pellan regarding the issue of sexual harassment in the Royal Canadian Mounted Police, RCMP.

All of us are very concerned with this issue. We are all definitely concerned with the issue of sexual harassment within the RCMP and in any workplace. We are also concerned with the issue of general harassment within the RCMP.

As my hon. colleague will recall, yesterday we heard testimony from Commissioner Paulson. He talked about the fact that men and women both felt harassment. About 33% of women and 26% of men feel they have been harassed. In terms of sexual harassment, about 3% of women feel they have been sexually harassed. All members certainly were certainly concerned with that.

I disagree with the member's premise that our government is not taking action on this. In fact, we are taking very firm action and have made strong statements on these issues. We took immediate action by asking the Commissioner for Public Complaints Against the RCMP to take an in-depth look at how harassment complaints were managed in the workplace. We also have a commissioner who, from the time he was appointed, has taken a strong stance on this issue, and we congratulate him on that.

In addition to that, our government, which has been a majority for just over a year, has brought forward a lot of initiatives. One of those initiatives is the introduction of Bill C-42, which would update the RCMP Accountability Act.

As my hon. colleague heard testimony from the commissioner yesterday, and we will hear more testimony, changing the RCMP Accountability Act and legislation by which it is governed is the fundamental foundation to change the culture in the RCMP. This would address the harassment and certainly help bring an end to sexual harassment. It would change the complaints process and modernized it, among a host of other things that are being done under Bill C-42.

I do not know whether the member heard the testimony yesterday, but the commissioner was very clear in wanting the legislation to pass. He was very technical in the way he spoke about how accusations of any kind of harassment had to be dealt with and how draconian it could be right now. That is why he asked that we get the legislation passed.

We have consulted with the provinces and other stakeholders and introduced the proposed legislation. It is good legislation that addresses a number of factors within the RCMP: how public complaints are made; how to deal with serious incidents by the RCMP, ensuring that police are not investigating police; and it lays the foundation to deal with issues like sexual harassment.

We would encourage the opposition to reread the bill and look, in a foundational way, at what can be done. When a human resource department is able to deal with issues like this, it is usually the best to help change the culture, but it needs the tools. The RCMP, under the current legislation, does not have the tools.

The commissioner was clear yesterday when he said that the RCMP did not need more money, that it just needed these rules changed so it could do the work it needed to do. He wanted his human resource managers and supervisors to be able to deal with issues at the level they appeared. Sometimes it is education, working together, mitigation and discipline. These are all things that the RCMP need tools to do and they are in Bill C-42.

We encourage the opposition to get the bill through committee and into law so the RCMP can work at these sexual harassment and other harassment cases.

• (1835)

[Translation]

Ms. Rosane Doré Lefebvre: Mr. Speaker, I appreciate the answers from the parliamentary secretary.

I find it sad is that there is absolutely no mention of sexual harassment in Bill C-42. It is extremely unfortunate because this bill is supposed to deal with sexual harassment.

Also, with respect to the consultations, during his presentation on Bill C-42, the minister confirmed in committee yesterday that he had not formally consulted members of the RCMP prior to introducing Bill C-42. It is unfortunate that members were not formally consulted before this legislation on the RCMP is imposed.

I am sure that everyone here, all the parties, recognize that we must deal with the problem of sexual harassment, especially when it concerns our federal police force. However, we need something more. We need an anti-harassment policy, we need wide-ranging, real action.

I would like to ask the parliamentary secretary why is more not being done, why is an anti-harassment policy not included in Bill C-42?

[English]

Ms. Candice Bergen: Mr. Speaker, it is a very big bill. With all due respect, it is a bit of a simplistic argument that the term 'sexual harassment' should be literally in this legislation. We are talking about all kinds of issues that may arise in serious incidents. It is very simplistic to name every type and form of whether it is harassment or a serious incident.

Adjournment Proceedings

The bill would give the RCMP the ability to deal with all harassment, and that is what we want. When we start segregating it, that is where the problem is. Let us deal with all harassment. When we do that, the RCMP will be able to deal with sexual harassment and other forms of harassment.

That is what Bill C-42 would do. It would also help deal with a serious incident. If we want to start listing what a serious incident is for the RCMP, again, it is not a good way to deal with issues that might arise within the force, which we respect immensely. Ninety-nine per cent of the members of the RCMP are doing a fantastic job and we respect them. However, we will deal with it under Bill C-42.

• (1840)

[*Translation*]

EMPLOYMENT INSURANCE

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I want to take this time today to come back in more detail to a question I asked in the House a few weeks ago on employment insurance.

To be more precise, my question was on the notion of suitable employment that was recently defined by the Conservatives, for which we have yet to see the rules that will shape its application.

When I first put this question, I also raised the issue of a possible drop in salaries if the Conservatives were to move ahead with their ill-advised reform.

We know that with the recent budget legislation, the government is repealing the concept of suitable employment, except in cases when employment arises in consequence of a work stoppage. The government is giving itself the power to establish by regulation what will constitute suitable employment and the obligations regarding job searches.

The announcements made on May 24, by the Minister of Human Resources and Skills Development suggest that people without employment fall into three separate categories of unemployment and will be subject to a new regulation. After a certain period of time, the unemployed will be forced to accept any old job at a salary up to 30% lower than their previous income. More specifically, based on the category they might fall under, an EI claimant might receive 90%, 80% or 70% of his or her previous hourly wage depending on what stage of the benefit period has been reached.

Take for example a seasonal worker who was earning \$15 an hour before being laid off for the off season. That worker will be forced to take a job that pays \$10.50 an hour as of the seventh week of his benefit period. That is not much more than minimum wage in Quebec.

To the NDP, the government's intention is clear: force claimants to take a job as quickly as possible for less pay and under lesser working conditions, in addition to orchestrating a massive movement of Canadian workers to where the jobs are, regardless the region or the province. Pushed to the extreme, this verges on nothing less than forced labour and deportation, and the up-rooting of entire regions.

In addition to taking a pay cut, workers who are being forced to accept jobs that are not necessarily in their field will slowly lose their expertise, which will undermine the value of their qualifications and

skills. These measures are counterproductive for society, and nobody wins. This reform will also cause seasonal and highly specialized employers to lose out. For them, it will be increasingly difficult to find workers who will be satisfied with jobs that do not provide work year-round. Alternative employers will end up with unmotivated employees who are difficult to retain.

The announced reform will have an obvious impact on our economy, its stability and its diversity. Some people, some groups, will pay a higher price than others. Take seasonal employers, for example. The regions will be affected and may be emptied as a result of these measures. The provinces will also be affected because the length of benefit periods will be shortened. Consumers' purchasing power will drop, which will lead entire regions into a period of economic deflation.

Those in precarious work situations will also suffer. The new labour market reality involves a strong rise, a real explosion, in casual, part-time and contract jobs that leave workers in a somewhat precarious situation.

The measures proposed by the Conservatives are a step backward for all workers. I would thus like to hear the minister elaborate on what she thinks of the negative impacts of her reform, on the government's obligation to reconsider its definition of suitable employment and on the information about the regulations that have yet to be announced.

[*English*]

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I am pleased to respond to the hon. member for Charlesbourg—Haute-Saint-Charles on the subject of employment insurance. Our government's top priority remains job creation and economic growth.

[*Translation*]

The approach taken by our government to connect Canadians with the jobs that are available in their communities is fair and reasonable.

It involves providing Canadians with the tools they need to successfully reintegrate into the labour market.

• (1845)

[*English*]

Let me be clear. For those who are unable to find employment, employment insurance will be there for them as it always has been. In addition, unemployed Canadians will not be required to relocate to another part of the country for fear of losing their EI benefits. The government will provide targeted enhanced labour market information to help unemployed Canadians make informed decisions about the future. We will also better coordinate the EI program and the temporary foreign worker program to ensure that Canadians have access to all jobs in their communities first.

Adjournment Proceedings

Let me talk more about the labour market information. Right now, through job alerts, EI claimants receive up to three job postings when they apply and complete their online report every two weeks. This is not enough. In fact, many claimants do not receive any listings at all because the job bank carries only one in five jobs that is advertised online in Canada. Under the changes, job alerts will be improved to send claimants daily job postings for their chosen occupations and communities or regions from a broader range of sources, including those from the private sector job boards. The alerts will also include information on wages and demand for selected occupations.

Having access to this information will allow claimants to make informed decisions about how best conduct and expand their job searches. As for the factors that will determine suitable employment, these include personal circumstances. For example, people receiving EI will not have to accept work if they have a health problem that prevents them from taking a particular job, if they have a family obligation that prevents them from working certain times of day, if they have limited transportation or they are not physically capable of performing the work.

Vacant positions must not be directly related to strikes, lockouts or other labour disputes and the driving time must be within a one hour commute, perhaps higher, taking into account the claimant's previous commuting history and the community's average commuting time. Suitable will also be determined by hours worked and the type of work to be done, responsibilities, tasks, wages and experience. As time spent on EI claims increases, claimants will be required to expand what is considered suitable in terms of work type and hourly wages.

As we face unprecedented labour and skills shortages, it is important that the employment insurance program is working effectively for Canada and Canadians. These changes will strengthen EI's core insurance principles, making it more efficient and fair for everyone.

[*Translation*]

Mrs. Anne-Marie Day: Mr. Speaker, this reform will diminish the salaries and downgrade the working conditions of all workers. It will impoverish the unemployed.

Will a worker be forced to take a job at 70% of 70% of his original salary if he loses his second job? How can the salary of a new employee be set properly without undermining his true skills, if employers are relying on the previous salary and that was already reduced to 70%?

This reform will further stigmatize the unemployed by continually suggesting that they are lazy and must take responsibility.

One might wonder whether this reform that the Conservatives are trying to force on the unemployed is not a violation of fundamental human rights. The Universal Declaration of Human Rights stipulates that "everyone has the right to work, to free choice of employment, and to protection against unemployment". I remind hon. members that we are part of the International Labour Organization.

What is the government waiting for to protect our workers and provide them with a real job creation plan?

[*English*]

Ms. Kellie Leitch: Mr. Speaker, as I have mentioned before, our government's top priority is creating jobs, promoting economic growth and getting Canadians back to work in their communities. The government will make that connection easier by providing targeted enhanced labour market information, linking unemployed Canadians with available jobs in their communities. In return, EI claimants will have a defined set of criteria that will help them in their search for suitable employment.

[*Translation*]

Providing claimants with better tools to help them look for jobs, while clearly specifying that they are responsible for conducting a reasonable search to find suitable employment, is just a matter of common sense.

[*English*]

We are acting in the best interests of Canadians to better connect them with available jobs in their local areas that are appropriate for their qualifications. These are common sense and reasonable changes that are in the best interests of Canadians and the economy.

ETHICS

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, on May 2, I asked the following question to the ethically challenged government:

Mr. Speaker, a year in, the government is showing how tired and corrupt it really is: the CIDA minister who believes taxpayers are there only to support her lavish lifestyle; the Minister of Industry who believes industrial development is keeping the Ethics Commissioner's office at work, investigating himself three times; a Treasury Board minister, of gazebo fame; and the Minister of National Defence who has helicopters as his personal limousine, and of course the \$9-billion fib.

How can the Prime Minister condone such a crew of tainted ministers?

At the time I pointed to a troubling trend of the government, namely that Conservative ministers from the President of the Treasury Board to the Minister of National Defence to the former minister of CIDA, all seemed to regard government assets and taxpayers' dollars as their own personal property to be used whenever it suited them. This is a crew that somehow believes that they simply say things like transparency and accountability and they mean something. The obligation on ministers is to represent the ethical standard by which the government is gauged, and they have failed sadly in that standard of accountability. It would appear any standard of expectations is something Conservative ministers have difficulty with.

That was last May. It is now October. Now we have to add to the list of ethically challenged ministers, the Minister of Health, who has gone missing in action on the E. coli outbreak, and that repeat offender, the Minister of Agriculture and Agri-Food.

Adjournment Proceedings

Through her offices and that of the Public Health Agency, the Minister of Health has a duty, an obligation, to engage the Canadian public when it comes to a health care issue. Either the minister has no understanding of her duties or she is being instructed to sit in her place and ignore what is happening across this country. This is the biggest recall in Canadian history and there are Canadians who have become ill as a direct result of the meat that has reached store shelves. Consumers want assurance and the Minister of Health has a responsibility to give them that assurance and lay out the plan of how government is dealing with this crisis.

Then there is the Minister of Agriculture and Agri-Food. His latest performance with respect to the E. coli outbreak has resulted in the largest recall of beef in Canadian history, in which we witnessed the spectacle of the minister telling the House that none of the infected meat reached store shelves. We know differently. We know it reached store shelves.

Yesterday we had the spectacle of the minister calling a press conference not too far from the XL plant. We saw the minister practically run from the media. Not only did he run from the media and go into hiding, but his staff then hauled the president of CFIA, the Canadian Food Inspection Agency, off the podium when that man, who is responsible for food inspection in Canada, was trying to answer a question.

Today we saw the minister shamed into another press conference and at least he answered a few questions, but he only gave excuses.

Time and time again on issues large and small, the government has shown a contempt for Canadians. Therefore, I ask again the question I posed last May. How can the Prime Minister condone such a crew of tainted ministers?

• (1850)

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I am pleased to rise in the House today to respond to the hon. member for Malpeque, though I must say that I find it quite ironic. The hon. member seems to have completely forgotten the days of the sponsorship scandal, which his party and Liberal government allowed under its watch. It was a scandal that saw millions of tax dollars wasted on egregious kickbacks and party favours to Liberal donors and friends.

On this side of the House, we respect the hard-earned tax dollars of Canadians. That is why our government has maintained the highest level of accountability when spending tax dollars.

Since taking office, our government has reduced the cost of travel by 15% and accommodations by nearly 8% for ministers from the high levels that were the norm under the Liberal Party when it was government.

We are a government that respects the Canadian taxpayer and has delivered results. Whether it be helping young Canadians with access to labour markets through our youth employment strategy or stimulating small business growth through the extension of the hiring credit for small businesses, our government is committed to ensuring that Canadians get value for their money. We respect their hard-earned tax dollars.

With respect to the comments regarding the ministers of the House, I will to reiterate what I said last evening: This government acts to protect Canadians. The health of Canadians is the government's first priority. We have increased the number of food inspectors by over 700 persons, by over 170 meat inspectors in fact. This is something that we have acted and moved forward on to protect Canadians and their health. The opposition members have voted against all of these increases.

Suffice it to say, the member has it wrong. I encourage the member to remember the sponsorship scandal, the reason why we are in government, because we are accountable and take account of Canadian taxpayers' dollars. The Liberals seem to have forgotten how to do that.

• (1855)

Hon. Wayne Easter: Mr. Speaker, clearly the parliamentary secretary has not addressed the question as she goes back through history and tries to mount an attack, but it does not hold water any more. There was a public inquiry. That was settled. There was not a Liberal elected person charged under that inquiry, but she wants to talk about scandal.

The fact of the matter is that this member is using the kind of doublespeak that we have seen all along. She tries to slough away the current E. coli crisis, when in fact we all know that the biggest beef recall in Canadian history is under way.

Something went wrong. What are those 700 inspectors doing? Are any of them in a primary slaughter beef plant? Were new people really added there?

What is really needed is for the Minister of Health and the Minister of Agriculture and Agri-Food to come together and give some assurances to Canadians so that consumers can have confidence in all the good beef coming from—

The Acting Speaker (Mr. Barry Devolin): The hon. parliamentary secretary.

Ms. Kellie Leitch: Mr. Speaker, the member opposite certainly has a lot of courage to stand up in this House and make those remarks about the Liberal Party, which totally disregarded Canadian taxpayers' hard-earned dollars during the sponsorship scandal.

On this side of the House we respect Canadian taxpayers and maintain a high standard in the use of taxpayers' dollars.

With respect to the specific plant he refers to, we have augmented the number of inspectors and veterinarians at that site. I encourage him to look at those facts when he makes comments, as he did in this House.

We will continue to stay focused on the creation of good paying, full-time jobs, continued economic growth and the things that Canadians are focused on, as well as making sure that food in this country is safe. That is why we augmented the number of inspectors and veterinarians at this plant. That is why we augmented the numbers overall. I encourage him to take a look at the facts.

Adjournment Proceedings

[*Translation*]

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

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

(The House adjourned at 6:58 p.m.)

Canada-U.S. Free Trade Agreement	
Mr. Keddy	10867
International Day of the Girl	
Ms. Sitsabaiesan	10868
Foreign Affairs	
Mr. Warkentin	10868
Aboriginal Affairs	
Ms. Sgro	10868
Leader of the New Democratic Party of Canada	
Mr. McColeman	10868
Conservative Members of Parliament	
Mr. Kellway	10868
Leader of the New Democratic Party of Canada	
Ms. Rempel	10869

ORAL QUESTIONS

Food Safety	
Mr. Mulcair	10869
Mr. Ritz	10869
Mr. Mulcair	10869
Mr. Ritz	10869
Mr. Mulcair	10869
Mr. Ritz	10869
Mr. Mulcair	10869
Mr. Ritz	10869
Mr. Mulcair	10869
Mr. Ritz	10869
Mr. Mulcair	10870
Mr. Ritz	10870
Mr. Rae	10870
Mr. Ritz	10870
Mr. Rae	10870
Mr. Ritz	10870
Mr. Rae	10870
Mr. Ritz	10870
Mr. Allen (Welland)	10870
Mr. Ritz	10870
Mr. Allen (Welland)	10871
Mr. Ritz	10871
Ms. Brosseau	10871
Mr. Ritz	10871
Ms. Brosseau	10871
Mr. Ritz	10871
Mr. Toone	10871
Mr. Ritz	10871
Mr. Gravelle	10872
Mr. Ritz	10872
Ms. Duncan (Edmonton—Strathcona)	10872
Mr. Ritz	10872
Ms. Nash	10872
Mr. Ritz	10872
Ms. Nash	10872
Mr. Ritz	10872
Mr. Garneau	10872
Mr. Ritz	10872
Mr. Valeriotte	10872
Mr. Ritz	10873

Mr. Easter	10873
Mr. Ritz	10873
Aboriginal Affairs	
Ms. Crowder	10873
Mr. Duncan (Vancouver Island North)	10873
Ms. Raynault	10873
Mr. Duncan (Vancouver Island North)	10873
Ms. Ashton	10873
Ms. Findlay	10873
Mr. Cullen	10874
Ms. Findlay	10874
The Environment	
Ms. Young (Vancouver South)	10874
Mr. Kent	10874
Port of Montreal	
Mr. Boulerice	10874
Mr. Poilievre	10874
Mr. Boulerice	10874
Mr. Poilievre	10874
Mr. Boulerice	10875
Mr. Poilievre	10875
Mr. Boulerice	10875
Mr. Poilievre	10875
Employment Insurance	
Ms. Foote	10875
Ms. Leitch	10875
Mr. Pacetti	10875
Ms. Leitch	10876
Air Transportation	
Ms. Chow	10876
Mr. Lebel	10876
Mr. Aubin	10876
Mr. Lebel	10876
International Trade	
Mr. Hoback	10876
Mr. Baird	10876
Fisheries and Oceans	
Mr. MacAulay	10877
Mr. Ashfield	10877
Employment Insurance	
Mr. Patry	10877
Ms. Leitch	10877
Veterans Affairs	
Mr. Cannan	10877
Mr. Blaney	10877
Health	
Mr. Lapointe	10877
Mrs. Aglukkaq	10877
Foreign Investment	
Ms. May	10877
Mr. Van Loan	10878
Business of the House	
Mr. Cullen	10878

Mr. Van Loan.....	10878
Points of Order	
Statements by Members	
Ms. May.....	10879
Mr. Van Loan.....	10879

GOVERNMENT ORDERS

Faster Removal of Foreign Criminals Act

Bill C-43. Second reading.....	10879
Mr. Giguère.....	10879
Mr. Dykstra.....	10881
Mr. Lamoureux.....	10881
Mr. Masse.....	10881
Mr. Leung.....	10883
Mr. Lamoureux.....	10883
Ms. LeBlanc (LaSalle—Émard).....	10883
Ms. Turmel.....	10883
Mr. Nicholls.....	10885
Mr. Masse.....	10885
Ms. LeBlanc (LaSalle—Émard).....	10885
Mrs. Sellah.....	10885
Mr. Blanchette.....	10886
Mr. Hawn.....	10887
Mr. Christopherson.....	10887
Mr. Hawn.....	10888
Mr. Ravignat.....	10888
Ms. Duncan (Edmonton—Strathcona).....	10889
Ms. May.....	10889
Mr. Nicholls.....	10890
Mr. Hawn.....	10891
Ms. LeBlanc (LaSalle—Émard).....	10891
Ms. Brown (Newmarket—Aurora).....	10892

Mr. Lamoureux.....	10892
Ms. Latendresse.....	10893
Mr. Lamoureux.....	10894
Ms. Duncan (Edmonton—Strathcona).....	10895
Mr. Giguère.....	10895
Ms. Crowder.....	10895
Mrs. Glover.....	10896
Mr. Larose.....	10896
Mr. Lamoureux.....	10897
Division on motion deferred.....	10897

PRIVATE MEMBERS' BUSINESS

Firefighters

Mr. Goodale.....	10897
Motion.....	10897
Ms. Bergen.....	10899
Ms. LeBlanc (LaSalle—Émard).....	10899
Ms. Bergen.....	10900
Mr. Julian.....	10901
Mr. Cuzner.....	10902
Ms. Leitch.....	10903

ADJOURNMENT PROCEEDINGS

Royal Canadian Mounted Police

Ms. Doré Lefebvre.....	10905
Ms. Bergen.....	10906

Employment Insurance

Mrs. Day.....	10907
Ms. Leitch.....	10907

Ethics

Mr. Easter.....	10908
Ms. Leitch.....	10909

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