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OFFICIAL REPORT  
(HANSARD)

**Monday, November 5, 2012**

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**Speaker: The Honourable Andrew Scheer**

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## HOUSE OF COMMONS

Monday, November 5, 2012

The House met at 11 a.m.

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*Prayers*

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### PRIVATE MEMBERS' BUSINESS

• (1105)

[*Translation*]

#### NATIONAL PHILANTHROPY DAY ACT

The House resumed from October 30 consideration of the motion that Bill S-201, An Act respecting a National Philanthropy Day, be read the third time and passed.

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I am pleased to continue the speech I began last week on Bill S-201.

As I said last week, I will be supporting Bill S-201 in its present form. However, I cannot stress enough that this bill to create National Philanthropy Day is not nearly enough and does not come close to meeting the needs in terms of what we can do to support philanthropy. I will not repeat everything I already said in that regard. I will get directly to the point.

As my party's critic for seniors, I have met with several associations and groups—intervention, support, political and advocacy groups—working on the ground that must rely on volunteers and the commitment of their members day in and day out.

During each of my consultations with groups, associations and organizations over the past year and a half, when it came to identifying the issues and challenges they face, the creation of National Philanthropy Day was never at the top of their list.

This does not necessarily mean that they opposed the creation of National Philanthropy Day, but it was definitely not the most pressing need facing the people working on the ground who provide such valuable services to the public. The vast majority of the time, the most urgent need identified by volunteers, groups and associations was financial support.

Volunteer work represents a large portion of the work done in this country. This work is unpaid, but it is no less important than the services offered by the public and private sectors. Unfortunately, these organizations need stable financial support.

They cannot fill out paperwork year after year and then, every third year, worry about whether or not they will receive the grant or amount of money they need to keep going. They are forced to plan for the very short term. They often implement projects that meet the real needs of their community, but then have to abandon these vital projects within a few years, after investing a great deal of time and energy into them, because grants provide very short-term funding and must be renewed, or depend on the government of the day. That is a real need, something that the government could do if it were serious about acknowledging philanthropy.

I would like to speak briefly about what a national philanthropy day could achieve, in real terms or otherwise. I have been a member of this House for more than one and a half years and, unfortunately, I am coming to the realization that all too often, bills are introduced to show Canadians that an issue is being taken seriously, or that the parliamentary system is useful. Unfortunately, when we dig a little deeper, we often realize that it is a smokescreen, that a big show is being put on that does not really do anything about an issue, but that lets us sit back and say that the issue was taken seriously and that action was taken.

There are many things we could do to truly support philanthropy in our country, but a national philanthropy day seems to be one of the least effective means of taking a stand. What will this initiative really do for our communities?

As a member of Parliament, I can see that cities and communities are struggling with unbelievable tax loads, with road networks that are in need of work and repairs, and with other significant burdens and tasks. These communities are waiting for support from the provincial and federal governments, but too often this support unfortunately never comes. These municipalities and regions are already struggling with many burdens, tasks and expenses.

The federal government is unexpectedly downloading more and more costs onto the provinces.

• (1110)

The expected health transfers are decreasing, and the age for old age security eligibility is changing from 65 to 67. Once again, the provinces will end up footing the bill. The provinces have had enough; they cannot take any more.

*Private Members' Business*

I agree with having a philanthropy day, but how will it be celebrated? Who will pay for the celebrations and awards given to philanthropists? Choosing a date on the calendar is not enough. What will this give us in a practical sense? Who will be able to organize activities to celebrate this new national day? People are wondering. The municipalities and provinces do not need another expense or another burden.

Will the federal government provide funding to those who want to celebrate this national day? I am not sure. I have not seen any specific details on this in the bill.

Everyone in this House recognizes the importance of philanthropy for our country, but we do not agree on how to support it. What measures need to be put in place? Beyond passing a bill and choosing a date on the calendar, how can we encourage and recognize philanthropy in tangible ways? This is something that is worth thinking about.

In this regard, my NDP colleague introduced or will introduce a bill that includes very tangible measures to support philanthropy. I hope that members of all parties will move beyond lip service and support this bill at second reading, even if it is just to seriously examine how we can provide tangible support for philanthropy. This is not a partisan issue. All members of the House agree that philanthropy must be encouraged, but the issue is how to do so. Everyone agrees that a national day is not nearly enough and is not a very tangible measure.

There are exceptional people in my riding and across the country who are very active and who give of their time and talent to their community and their country on an ongoing basis. I am thinking of George Nydam, an extremely active retiree who advocates for quality public transit in his riding; of Paulette Siag, the president of the Dollard-des-Ormeaux seniors' club, which has over 500 members; and of Colette Zielinski, another retiree and activist who heads up a group that provides services to people with arthritis.

These are just a few examples, but I could go on naming people for hours. I will not do so because my time is up, but I would like to end my speech by sincerely congratulating all those who get involved in order to support their communities and their country.

[*English*]

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, it is a pleasure today to rise to speak in support of Bill S-201 to establish a national day of philanthropy on November 15.

I want to talk about why philanthropy is important and what philanthropy is. Some people might just say, "Cut taxes, establish property rights, support the free market and things will take care of themselves in the world. Everybody will eventually get taken care of". I want to talk about why that view is insufficient.

When I think about that question, I also think about why I chose to be a member of the Liberal Party of Canada. The way I look at how government should work, what the role of government is in society, fits very well with the Liberal Party's view. My abbreviated explanation for why I feel I belong in the Liberal Party is that when I look back at my own life, I see that the things I have been able to do, the things I have been to accomplish, came from 50% hard work and 50% luck. That view of the combination of things that

led to what I have accomplished also leads me to believe that the government should act in a certain way.

Here in the Liberal Party, as with many other people, we believe in hard work. We believe in standing on one's own two feet. We believe in paying one's way and reaping what one sows. We believe in individual responsibility. Liberals also believe in nurturing strong families and in the self-reliance of strong, extended families.

We also see that in society we do not all have equality of opportunity. We do not have the same starting points in life, the same nurturing families or neighbourhoods. We do not have the same health. We do not have access to the same education. The Liberals have recognized all of that in their own lives, and how plain, dumb luck was important in contributing to the success or failure of certain parts of our lives.

Liberals also believe in the power of a market economy where goods and services have prices that carry information and that should reflect reality, and where resources are thereby allocated efficiently to maximize the growth of the economic pie. We believe we should not always be focused on cutting the pie into exactly equal slices.

We know that three things in a market can cause economic distortions and be a net detriment to the world. We believe we get what we pay for. We also know that markets are never perfect. There are externalities. A big one, for example, is the ability to pollute for free, which has distorted many economies including our own. There is also asymmetric information in economies where big companies have the advantage of knowing exactly what is going on in the world. They have the resources to do that. People shopping on the retail level do not have the same information and markets often do not work very well in those cases.

There are often different risk tolerances in the market. When people are in danger of not having shelter or not having food or facing their own mortality, decisions can be made, which are bad over the long term. That is another case where markets cannot work. People often do not have the time or the resources to be informed and participate in the market.

Certain things cannot participate in the market. Wildlife or the natural environment does not participate in the market, so it does not get a voice and it does not get to express the things it values in the marketplace. That is when the market can break down. Then sometimes there is unfair ownership of public goods. Art, science and other things of public value are not recognized by the market. That is another place where markets can break down.

Therefore, we know two things. We know we do not have equality of opportunity and we know we do not have markets that work perfectly. Markets never work perfectly. The idea that we can simply cut taxes, let people stand on their own two feet, establish private property rights and support a free market and that will solve everything and set up a good society does not work in practice.

*Private Members' Business*

•(1115)

What role does philanthropy play? What role does volunteering time or donating money have to play in making a better society? Why not have a government program to correct all the problems?

I think that goes back to what philanthropy and charity mean. It is very clear, when one looks at the roots of the words “philanthropy” and “charity”, that it is about love of God, love of man and loving one's neighbour as oneself. Philanthropy comes from a desire to express that love.

We can have the best government programs one could imagine, but without love, without a reason for wanting to care for the people around us, the people we live with, all of those programs are rather meaningless and our existence is rather meaningless. It is the love behind what we do that defines who are.

I have often asked people from different countries what their babies call their mothers when they are little. Everybody I have asked, from Africa, Asia and different parts of the world, say that their babies call their mothers “mama”. That is common to people speaking all sorts of different languages, and it is not surprising. I think that evolution of communication between mother and child really led to the development of human beings' ability to communicate and become civilized. I have always thought that perhaps humans should be defined as the animal whose babies call their mothers “mama”.

However, I think it is really the other way around. We are defined by the love mothers have for their infants, which we do not see anywhere else in the natural world. This is a love that is foreign to the economics here, the marketplace. It is a love that is a free gift, something that is not earned or even deserved. It is just given. I think that is what should define us as humans, which is why philanthropy is important.

That is why it is important for private individuals and governments to work together to make society a better place. It is why it is not enough to simply have government programs to try to solve every problem. It is important for people to donate what time and money they have to make their society a better place. It is also important for people to engage and participate in their democratic government to make it strong to serve the people of this country.

Wherever we see this true philanthropy that comes from the desire to express love, we should recognize it and honour it. That is the real reason I think we should establish a national day of philanthropy and why we should pass the bill.

•(1120)

**Mr. Daryl Kramp (Prince Edward—Hastings, CPC):** Mr. Speaker, I would like to thank my colleague, the member for Oak Ridges—Markham, the Parliamentary Secretary to the Minister of Canadian Heritage, for bringing forward Bill S-201, which would designate November 15 every year as National Philanthropy Day.

According to Statistics Canada, 80% of Canadians give to a charity, have given and in 2010 gave almost \$11 billion alone. Philanthropy is not just about donating money. His Excellency the Governor General recently described philanthropy as giving “time, talent and treasure”, noting particularly that two-thirds of the

meaning honestly had nothing to do with money. Very simply, it was giving of oneself.

Philanthropy can very simply be described as anything one can do to make the world a little better place. When Canadians give of their time, talent and money, they can and they have made Canada a better place. I know locally in my riding, Volunteer & Information Quinte, one organization, represents and comprises more than 150 agencies and various organizations.

I would like to mention a few today that I have had the personal pleasure to be involved with. There is Alternatives for Women. There is the Alzheimer Society; I participate in the annual walk as much as possible to demonstrate, of course, that it is so important not only to support the victims but the affected families. There is the Canadian Hearing Society and the Canadian Cancer Society. Locally I was privileged to act as the past president of the local Canadian Cancer Society, and every year we have thousands of people who participate in the cure for cancer walk in our riding, which I know we are all so pleased to support.

There is the Christmas Sharing Program that is out there for families who at that time of year need that special help. There is Operation Red Nose. Not every community has one, but we are so blessed in our riding to have a group of people who put together such a caring group of volunteers who decided they would help out at that troublesome time of year for some people. It has been a tremendous asset—certainly the contribution from Rick Watt, the organizer, and a number of his committee members. To the past chairs over the years and certainly the outgoing chair, Mary Hanley, and the present incoming chair, Mark Rashotte, I wish them well in their work this year again.

There is the CNIB; Family Space; Safe Communities; and Gleaners Food Bank. That is an organization, locally, that has had a far-reaching effect across our entire riding, and there are the food banks across our country. I know they have served the school breakfast programs and have been helping families across our country, certainly in my riding, going through some challenging times.

There is the Habitat for Humanity, which in many cases provides the dignity of having a home that would not otherwise be available for people. There is the Children's Aid Society; the Hastings and Prince Edward Counties Health Unit; the Heart and Stroke Foundation; the Multiple Sclerosis Society; and the number of children's day cares we have in our riding and the hundreds of volunteers who help out, helping the moms and pops feel more comfortable during their day at work, knowing their children are being looked after.

It is the Community Living and the Chamber of Commerce. I served as the president of a local Chamber of Commerce, and when I see the hundreds of members and hundreds of businesses that reach out, not only through the business itself but through their employees, as members of the Chamber of Commerce, I know they contribute tremendously to our area.

*Private Members' Business*

There is the Red Cross and the Sexual Assault Centre, and it is sad that we need that, but for those who have been victimized, what a wonderful resource it is, to be able to reach out and be assisted.

There is the Salvation Army, Sally Ann as most of us comfortably call it. When we see that kettle campaign every year, that is only the tip of the iceberg of all the wonderful work and volunteerism they do in our communities.

There is the Three Oaks shelter for abused women. Once again, it is unfortunate that in society we even need something like that, but it is a reality we have. When we have the people who help in those times of distress, it is tremendously encouraging.

We have the Trenton Military Family Resource Centre, and of course this has been more in vogue as we have had a number of repatriation ceremonies at Trenton, right next to me. I see the post-traumatic stress syndrome that is evident through a number of armed forces personnel. I am very pleased to see the volunteers there.

There is, of course, the United Way itself, which is really an umbrella financial organization that just absolutely makes it possible for a number of these groups to be able to participate. It raises a significant amount of funds. Those funds come through volunteers, companies, corporations and individuals.

● (1125)

There are the Victorian Order of Nurses, the Quinte Vocational Support Services, the Brain Injury Association, and Foundations itself, which is a group dedicated to assisting young people having challenges or looking for mentorship or fellowship. Some people classify it as a drop-in centre, but it does so much more. It provides a hot meal, a warm smile and a ready helping hand. There is the Diabetes Foundation and the various hospice organizations supported by many volunteers in all communities. At times of ultimate sadness, there are ways to reach out, help console and show the consideration necessary.

There is the Diabetes Foundation, as I mentioned before, and the Mental Health Support Network. In my area, there is the Quinte United Immigrant Services. It is a wonderful help not only to new Canadians who go there for advice and assistance but, as a member of Parliament who deals with a number of immigration cases, as do a number of my colleague, I find it a wonderful assistant to me in providing support, consideration and advice. There is Pathways to Independence. Having been a big brother myself over a number of years, I know Big Brothers Big Sisters reaches out and helps many people.

There are autism services and local hospital auxiliaries. I am sure many people go into hospitals and always find the auxiliary there to reach out, welcome, give directions and console at times of distress. There are, of course, all churches spread throughout the country. There are a significant number in my riding who are most active. They run many volunteer programs and are literally a cornerstone of our communities.

There are service clubs, such as the Legion, the Rotary, the Kiwanis, the Lions, the Women's Institute, the Kinsmen or the Elks. The list goes on. It is absolute volunteerism to the ultimate. There is Meals on Wheels for those who are not able to cook their own meals; they do not have the capacity, the commodities or the ability to do

so. There are senior citizens clubs that reach out to people they know need help, guidance and assistance. There are Scouts Canada, the Girl Guides and the Humane Society. People question why I would include Humane Society. To many people who live alone or have an animal, that animal is a very precious being, so the Humane Society reaches out in a number of ways.

There are thousands of coaches, sponsors and volunteers in many sporting, cultural and artistic organizations throughout the ridings in our country. I know many of them. I have been a coach myself at the various levels, whether provincial, national or local. I see the countless hours put in on semi-pro teams and kids' teams or teachers putting in the dedicated commitment to many young people after hours. There are many more I could name, but I am obviously limited in my time here today in listing all the local contributors, let alone those who reach out both nationally and internationally.

We have to remember that it is our young people. They might not be able to donate money, but they represent an important demographic because they are future of philanthropy. Though they make up a small number, they of course will ensure the future sustainability of our voluntary sectors. We all recognize that seniors are the most active volunteers, but as they age, they will begin to reduce their volunteer participation.

Our government has numerous programs and projects that encourage youth in their philanthropic endeavours, because when people are inspired to take action, they can make an incredible impact not only in their communities but around the world. Whatever way it is manifested, philanthropy plays an important role in our country. It is at the heart of who we are as a nation; it is part of our identity; it is at the core of our values; and it is the spirit of giving of every type, from donating to volunteering. It defines our people and our country. Therefore, why do we need to legislate a national philanthropy day? As the Prime Minister has himself said, volunteers need to be acknowledged and honoured for their work. This day would be a day to do so.

● (1130)

I am happy to support this legislation highlighting the actions of so many generous Canadians across the country. I tip my hat and my hand today to all of those who contribute so much to making our country what it is.

[*Translation*]

**Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, I am pleased to rise here today to speak to Bill S-201, An Act respecting a National Philanthropy Day, which comes to us from the upper chamber.

National Philanthropy Day was first celebrated on November 15, 1986. Canada was the first country to officially recognize this day in 2009, following a declaration by the Minister of Canadian Heritage.

*Private Members' Business*

Since then, Parliament has tried six times to have November 15 officially declared National Philanthropy Day. However, none of those six attempts ever succeeded, because the bills all died on the order paper as a result of either prorogation or elections. I think it is safe to say that the seventh attempt will succeed and November 15 will be officially declared National Philanthropy Day in Canada.

It is important to note that, even though approximately 70% of Canadians made charitable donations in the past year, a national philanthropy day will increase public awareness of the importance of volunteer work and the donations that can be made to various community and non-profit organizations. Sometimes, even a \$5 donation can make a difference at the end of the year; such donations add up.

I am confident that most Canadians also regularly participate in charitable activities. In Canada, 2 billion hours of volunteer work are done each year, which is equivalent to approximately 1 million full-time jobs. This shows that volunteer work is truly essential. A national philanthropy day is a very good way to thank these volunteers and organizations and to get the federal government to officially recognize, through legislation, the major impact that they have on our society. It is of the utmost importance to thank them.

It is important to set aside a day to take the time to thank those who give of their time and money. Canada needs these people and these donations. Volunteers play an invaluable role in our everyday lives and enhance the wellness of our communities. They help the charitable sector to make a great contribution to the social and economic well-being of our communities across the country.

It is important to note that Canadians' generosity goes beyond our borders. We know that Canadians play a very active role internationally. Many Canadians go to other countries to help people on the ground, to stand up for a cause, to help build or renovate homes, or to provide help after a tragedy, and we know there are many tragedies. Outside the country, Canadians are known as people who do not hesitate to give many hours of their time without expecting anything in return. What is important for these people is the feeling of satisfaction gained from helping to make things better. It is really important not to underestimate the importance of volunteer work, particularly in the midst of an economic crisis, when social and economic needs are even greater than usual. We know that communities are experiencing increasingly hard times. This bill will recognize the importance of all the work that is being done.

It is also important to note that most Canadians said that, in 2012, they intended to donate \$480 or more, which is a fairly substantial amount, to some philanthropic cause. It is thus very important not to lose these donations.

• (1135)

Obviously, designating this day will help encourage volunteering and giving. I think that is a realistic objective.

That is why we recognize the importance of this bill, which would permanently designate every November 15 as National Philanthropy Day, as declared by the Minister of Canadian Heritage and Official Languages.

We support this initiative but want to point out that we must obviously do more to support volunteers and encourage philanthropy. The bill is not an end in itself.

With that in mind, the member for Repentigny introduced Bill C-399. I think that this bill is a good complement to the bill with respect to recognizing volunteer work.

My colleague's bill amends the Income Tax Act to grant a \$500 to \$1,500 tax credit in respect of travel expenses to individuals who perform a minimum of 130 hours of volunteer services and make at least 12 trips in order to do so during the taxation year.

**Some hon. members:** Hear, hear!

**Marie-Claude Morin:** I think that the bill from the member for Repentigny is worthy of applause. Although he is not here right now, he knows that I strongly support his bill.

This bill would provide a tangible way to recognize that volunteers are pillars of civil society. I think that Bill C-399 and Bill S-201 are two good starts to recognize the work being done by our volunteers. Obviously, during times of fiscal restraint, Bill C-399 will also be necessary to support ongoing volunteering in the country.

A number of organizations in my riding could benefit from official recognition of their philanthropy and a tax credit for the volunteers who give of their time to help those in need.

I worked for a long time in community services. I often talk about it in the House because this is something that is very important to me. I assure the House that communities benefit a great deal from this giving of time and money.

I salute my former colleagues in the Saint-Hyacinthe community services sector. I stand here today on behalf of them. Without volunteering and donations from the people of Saint-Hyacinthe—Bagot, my riding, a number of community organizations would unfortunately have to shut down, and it is the public that would ultimately suffer.

I am thinking in particular of Comptoir-Partage la mie, a food bank that serves the needy in Saint-Hyacinthe. This organization has a minuscule budget and not one employee. It is run entirely by volunteers. Without donations and volunteers, this organization could not provide food aid to the growing number of people in Saint-Hyacinthe who cannot make ends meet. That was highlighted last week by the Food Banks Canada report. That is the reality; people have do not have a choice.

I am also thinking of Parrainage civique—MRC d'Acton et des Maskoutains, an organization that matches volunteers with people with intellectual disabilities. The services provided by this organization are key to ensuring that people with an intellectual disability are appropriately integrated into the community. It is run almost entirely by volunteers. Without these volunteers, without access to these services, people with intellectual disabilities would have a great deal of difficulty or more obstacles in their lives.

*Private Members' Business*

The bill will highlight the work of volunteers. I would like to take this opportunity to thank all the volunteers and community organizations in my riding for their work.

In closing, I would like to raise a small concern about this bill. It is a fine proposal but, as I was saying, it is not an end in itself. Not only should we be acknowledging the work of volunteers by thanking them, but we must do more. We must remember that the government has a certain responsibility to help organizations that are helping the most disadvantaged. Furthermore, the government has a role to play when it comes to housing and the fight against poverty and homelessness, for example.

• (1140)

[English]

**Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC):** Mr. Speaker, it is a pleasure to rise today and speak to Bill S-201, which proposes making November 15 of every year National Philanthropy Day. Our debate today demonstrates our support for those Canadians who are currently striving to make Canada a better place. As our Governor General recently said, philanthropy creates a society, community and a country that can achieve much more than the sum of its parts.

Philanthropy is an act of citizenship that is an integral part of our Canadian society. Many important Canadian institutions and organizations were founded through philanthropic activity. People working together for a common good, whether through donating money or volunteering their labour, is a defining value of our country. Many organizations in my own riding promote and support the greater community. I will list just a couple to begin with.

The Children's Aid Society, whose board I was a proud member of for several years, protects the rights of and stands up for foster children who do not have any families. Young children are placed in foster homes and the board of the Children's Aid Society supports the workers who dedicate their time working with them, overseeing them and providing policy and direct support for many of these children who are in the most need in our society.

There programs support those who cannot get out and shop for themselves. For example, Meals on Wheels supports those people who cannot help themselves.

When I was an elementary school principal, there was a tremendous program started in my school by a teacher named Dorothy Alt, called the volunteer reading program. She was able to activate over 140 volunteers, many of them senior citizens, bringing them into the elementary school to work with our first-grade students, teaching them how to read. In this program, the volunteers would come in and be trained. They would spend hours and hours working with literacy professionals learning how to teach children how to read. This program produced some of the best literacy results in the country. Not long after it was implemented, our school was listed in the top 40 schools in the country by *Today's Parent* magazine, based primarily on the results of this literacy program, started by a wonderful teacher who dedicated her time and enlisted an army of volunteers in a small community.

There are stories like that taking place from coast to coast to coast. There is the in-from-the-cold program supporting homeless people.

There are breakfast and lunch programs at our schools that support children who do not come to school having eaten a healthy meal. There are programs at hospitals across the country raising money for equipment, nurses auxiliaries and hospital auxiliaries. There are coaches who work with young men and women across the country providing hours and hours of volunteer time for the betterment and future of our country.

There are volunteer firefighters for whom our government recently was able to pass a bill providing them with a tax credit in their support across the country. My grandfather was a volunteer firefighter for over 40 years. He put in many hours protecting both lives and private property in his community. He thought that was a worthwhile experience. There is also the Terry Fox Run, which has raised millions of dollars across the country using volunteers from one coast to another, with corporations and individuals donating money every year to this program. Its leader never completed his journey but we are dedicated to completing it for him by solving cancer and finding a cure for that plague of these last two centuries.

All of these activities, these noble pursuits, could not take place without those who dedicate their time or money in giving of themselves to try to meet a need that exists in society. That is what this day is all about. That is what this bill is all about, Bill S-201, making November 15 every year National Philanthropy Day to celebrate those who give of their time and themselves.

We have many people working for a common good, but this is not limited to the volunteers and all of these organizations. We have examples, great people in our society who also give up their time.

• (1145)

It goes right to our head of state, Queen Elizabeth II. This year is only the second time in the history of our country when we have been able to celebrate a Diamond Jubilee. The first time was in 1897 for Queen Victoria. The second is this year, with our noble Queen, Elizabeth II.

Philanthropy and service go hand-in-hand and Her Majesty has dedicated her whole life to the service of others and this remains a remarkable example for the rest of us in Canada and throughout the Commonwealth. She champions public voluntary service around the world. Her Majesty is currently the patron of more than 600 charities worldwide and 33 are in Canada. These include the Canadian Cancer Society and the Canadian Nurses Association. The sense of service has also been transferred to other members of the royal family.

The Queen and members of her family lend support to noteworthy Canadian causes such as environmental preservation, volunteerism and community service. They associate themselves with worthy causes and support organizations through the Duke of Edinburgh Awards, the Prince of Wales Charities in Canada and the Save the Children Fund. I, for one, am proud of the work that our royal family does in showing leadership to all of us of how to dedicate our time and money in the service of others.



Literally millions of Canadians follow this example and serve their communities in raising money for charities, donating their time and their hard-earned tax dollars for the good of others. In my riding of Cumberland—Colchester—Musquodoboit Valley we are fortunate to have many people who give their time and effort for their community. I listed several organizations previously.

One recent project took place in Truro where we opened a new hospital last week. It was a \$185 million project that was funded in part by the largest community fundraising effort in the history of my riding. The local community raised a total of \$26 million toward this project. That amount totals to over \$300 for every man, woman and child in the community. I wish to personally congratulate the chair, Chris MacDougall, and the other members of the To Our Health campaign for this outstanding effort in the support of our community. I would also like to congratulate all those who donated, the corporations, the individuals, the children who conducted penny parades and many other projects, toward building a hospital which is for the good of not only this generation, but many generations to come.

These projects happen across Canada each and every day. It is time that we set November 15 aside every year so we can celebrate those who give their time, those who give their money and those who take the time to work for these organizations to ask people to give money. We need to celebrate these people and support them. Without them, we would not have what I believe is the greatest nation in the world. It is because of this important role that volunteers, fundraisers, those who donate and others play in making our nation the best country that I support designating this day in honour of their generosity.

• (1150)

[*Translation*]

**The Deputy Speaker:** The hon. member for Portneuf—Jacques-Cartier. She has just seven minutes.

**Ms. Éleine Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, I am disappointed, but pleased nonetheless to rise in the House today to speak to Bill S-201, An Act respecting a National Philanthropy Day. The first National Philanthropy Day was celebrated on November 15, 1986, and in 2009, Canada was the first country to officially recognize this day.

The purpose of Bill S-201 is to make the 15th of November of each and every year National Philanthropy Day. Passing this bill would be one way for parliamentarians to recognize the crucial role that philanthropy plays as an important pillar for the welfare of our society. I am proud to join my colleagues in supporting this bill.

I grew up in a family that understood the importance of community involvement and volunteerism. When I was a teenager, my parents, Christine and Alain, encouraged me to give my time to causes that were important to me. Thanks to them, I was able to see the value of volunteering a few hours a month for my community. I also learned about the benefits of volunteering by watching my parents, who have now been involved in Scouts Canada for almost 30 years. Over the years, they have helped over 100 young children enjoy wonderful experiences that they never would have had if it were not for volunteers like my parents.

### *Private Members' Business*

The importance of volunteering and philanthropy for our society must not be underestimated, especially in the current context of economic austerity, in which the socio-economic needs of our communities are growing a little more each day and the services they have access to are becoming scarce. Volunteers who generously give their time, or Canadians who make charitable donations, actively contribute to the quality of life and vitality of our communities, and meet the needs of the most vulnerable in our society.

Officially recognizing November 15 as National Philanthropy Day will allow us to honour and thank the many volunteers who generously dedicate themselves to their communities, as well as the major donors and philanthropists from coast to coast to coast, and will encourage more and more people to follow their lead.

In my role as a member of Parliament, every day I see first-hand the extraordinary work that the volunteers in my riding, Portneuf—Jacques-Cartier, do on the ground, and I am sure that all hon. members have seen the same thing in their own ridings.

On October 26, I had the opportunity to attend the volunteer gala in Saint-Augustin-de-Desmaures, just as I did last year. Like similar galas in many municipalities across the country, this event is organized every year by the mayor and city council to thank volunteers and recognize their tremendous service to the community. About 40 community, sports and cultural organizations were represented at the event on October 26, and many individuals were specifically honoured for the tremendous contribution they make as volunteers in the municipality of Saint-Augustin-de-Desmaures.

I was very pleased to see the number of people who are willing to volunteer their time, expecting nothing in return. They simply want to ensure that their community is a place where everyone can access services and enjoy a better quality of life. All of the volunteers at the gala contribute in their own way to the vitality and vivacity of their municipalities and provide essential services to their communities. These volunteers demonstrate remarkable generosity and dedication, and I am pleased to have the opportunity to pay tribute to them here today and to highlight the importance and value of their contributions to the riding of Portneuf—Jacques-Cartier.

Of course, I could say exactly the same thing about the volunteers in every municipality of the regions of Portneuf and Jacques-Cartier, but unfortunately, like everyone else, I do not have enough time here this morning. In fact, I have even less time left than I thought when I began speaking. I have enough time to say that one thing is clear for me today: selflessness and altruism are deeply ingrained in the hearts of the people of Portneuf—Jacques-Cartier. Creating a national philanthropy day would be a nice way to thank them and all other Canadians who donate their time or money in order to support the charitable organizations in their communities.

*Private Members' Business*

Although I am in favour of designating November 15 as National Philanthropy Day in Canada, I believe that much more needs to be done to support the country's volunteer and philanthropic movement. Bill S-201 is certainly a step in the right direction, but we can and should go even further to support our volunteers. Recent studies have shown that Canada's current economic situation is having a negative impact on charitable donations.

• (1155)

Despite the increased need for the services offered by charitable organizations, the number of people who are currently making donations has not increased, nor has the amount of money being donated across the country.

With regard to volunteer work, some witnesses who recently appeared before the Standing Committee on Canadian Heritage said that many of the volunteers they know are no longer able to be involved because they do not have the financial resources to pay for the costs associated with their volunteer work, for example, transportation and parking costs. Every day, we talk to different people who work in non-profit organizations in our communities, and they say that there is a desperate need for money for their general operating budgets, as well as for resources to provide direct assistance to people who decide to get involved in their organizations.

As parliamentarians, we have the responsibility to implement measures to support the volunteer sector, while encouraging others to do the same. As a number of my colleagues have already mentioned, that is why the hon. member for Repentigny introduced Bill C-399 to amend the Income Tax Act in order to provide a tax credit to individuals who perform a minimum of 130 hours of volunteer service in their community and make at least 12 trips in order to do so during the taxation year.

This is one way to encourage and recognize volunteer work. I would like to offer my sincere congratulations to my colleague for his initiative, and I hope that members of all parties will support this bill, which is not at all partisan and would help Canadians in each of their ridings across the country.

In the meantime, since Bill S-201 is filled with good intentions and seeks to celebrate philanthropy and volunteer work in our communities, I will be very pleased to vote in favour of it.

[English]

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, I would like to take the opportunity to thank the House and all the members who have spoken to the bill and indicated their support for it.

The bill having reached this stage is a tribute to Senator Terry Mercer from the other place. He has made numerous attempts to get this legislation passed. I know he would want me to thank the House and all members for their support.

Volunteer groups across Canada would appreciate this recognition, as would people who are donors. The bill is all about donors and volunteers across Canada, those millions of folks whom make Canada the most caring country in the world.

I hope every Canadian has had the benefit at some stage in their lives of the help of a volunteer, have had the benefit of their work,

whether it is a hockey coach, a basketball or soccer coach who has made a difference in their lives, or a scout or girl guide leader who have taught many life lessons or a food bank volunteers who have helped provide the necessities of life.

The bill, as my last colleague to speak said, is a very non-partisan bill and it shows how we can all work together. I am confident we will all work together in the end and pass the bill. I hope we can work together in making the spirit of the bill felt across Canada as well.

It is encouraging that the bill, it appears, will pass before November 15, which is National Philanthropy Day, and that will be welcomed by the legions of volunteers across Canada.

I was a bit baffled last week, in view of the support from all parties for the substance of the bill, when I asked for unanimous consent to have it passed at third reading and an NDP colleague, perhaps acting on orders from on high in the party, refused consent for that to happen.

I will try again in a minute and perhaps members will see their way to support that measure. If not, I know the bill will pass and I know I will still have their support for the substance of the bill. I do not really see what the partisan advantage, or any advantage, a party gets from not giving consent to that at this stage, but those are the games perhaps that get played around this place.

I would be remiss if I did not express my appreciation to my Liberal colleague, the hon. member for Westmount—Ville-Marie, who was kind enough to make the switch that allowed the bill to come back so soon and have a chance of passing before November 15, National Philanthropy Day.

I am proud to have been the sponsor the bill in the House. I am pleased for Senator Mercer and countless others from both houses who have really tried to push the bill along and allowed us to be about to declare that November 15 every year will be National Philanthropy Day, an important day for us to mark.

Before I finish, I would like to see consent for the following motion: That, at the conclusion of today's debate on Bill S-201, An Act respecting a National Philanthropy Day, all questions necessary to dispose of the bill be deemed put and that the bill be read a third time and now pass.

• (1200)

**The Deputy Speaker:** Does the member have unanimous consent for this motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**Mr. Kevin Lamoureux:** Mr. Speaker, I have a point of order. I was watching the government benches and I heard everyone from the government side say "yes". Members in the Liberal caucus did say "yes". I do not know where the "no" came from. Mr. Speaker, could you provide clarification?

**The Deputy Speaker:** That is not a point of order. In fact, the member is asking me to review my decision. I heard "no". There was no unanimous consent. However, the time provided for the debate has now expired.

*Government Orders*

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

**Some hon. members:** Agreed.

(Motion agreed to, bill read the third time and passed)

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## GOVERNMENT ORDERS

[English]

### NUCLEAR TERRORISM ACT

The House resumed from October 15 consideration of the motion that Bill S-9, An Act to amend the Criminal Code, be read the second time and referred to a committee.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, I am happy to stand in support of the bill and to start today's discussion of Bill S-9.

I will be splitting my time with the fantastic member of Parliament from Nanaimo—Cowichan. Notwithstanding the fact that I was instructed to use those precise terms, I happily stand by them.

We are back to amending the Criminal Code but this time for a good cause. Bill S-9, the nuclear terrorism act, would amend the Criminal Code in order to implement the criminal law requirements of two international counterterrorism treaties, the Convention on the Physical Protection of Nuclear Material, as amended in 2005, and the 2005 International Convention for the Suppression of Acts of Nuclear Terrorism.

The nuclear terrorism act introduces four new indictable offences into part 2 of the Criminal Code, making it illegal to possess, use or dispose of nuclear or radioactive material or a nuclear or radioactive device, or commit an act against a nuclear facility or its operations, with the intent to cause death, serious bodily harm or substantial damage to property or the environment; to use or alter nuclear or radioactive material or a nuclear or radioactive device, or commit an act against a nuclear facility or its operation, with the intent to compel a person, government or international organization to do or refrain from doing anything; to commit an indictable offence under federal law for the purpose of obtaining nuclear or radioactive material, a nuclear or radioactive device, or access or control of a nuclear facility; and to threaten or commit to do any of the above.

In addition, the bill introduces into the code other amendments that are incidental to these four offences but are nonetheless important. It introduces a new section into the code to ensure individuals who, when outside of Canada, commit or attempt to commit these offences may be prosecuted in Canada. It amends the wiretap provisions found in the code to ensure that they apply to the new offences. It also amends the code to make four new offences primary designated offences for the purposes of DNA warrants and collection orders.

Finally, it amends the double jeopardy rule in Canada such that, notwithstanding the fact that a person may have been previously tried and convicted for these new offences outside Canada, the rule against double jeopardy would not apply when the foreign trial did not meet certain basic Canadian legal standards. In that case, a

Canadian court may try the person again for the same offence of which he or she was convicted by a foreign court.

For a long time now, but particularly in the post-cold war era, it has been well understood that with the proliferation of nuclear weaponry and nuclear power generation around the world, a new and heightened regime of nuclear safety and security must be developed. A scenario in which nuclear weapons or materials fall into the hands of terrorists has prompted many to focus on the development of such a regime or framework. It is clearly understood that such a regime must be international in scope and must be grounded in the deep and good faith co-operation of states around the world. That regime needs to be put in place with considerable urgency.

This understanding forms the basis of the two aforementioned conventions that await Canada's ratification. The first of these, the Convention on the Physical Protection of Nuclear Material, dates back to 1980. Its importance is signified by the fact that it stands, still, as the only internationally legally binding undertaking in the protection of nuclear material.

In July of 2005, a diplomatic conference was convened to strengthen the provisions of the convention by doing a number of things, including expanding international co-operation between and among states with respect to rapid measures to locate and recover stolen or smuggled nuclear material, mitigate any radiological consequences, such as sabotage, and prevent and combat related offences.

With respect to the other convention, in 1996 an ad hoc committee of the General Assembly of the United Nations was mandated by the General Assembly to develop an international convention for the suppression of terrorist bombings, and subsequent to that, the International Convention for the Suppression of Acts of Nuclear Terrorism. This later convention was adopted by the General Assembly in April 2005. This convention on nuclear terrorism imposes an obligation on state parties to render the offences set out in the convention as criminal offences under national laws and to establish jurisdiction, both territorial and extraterritorial, over the offences set out in the convention.

● (1205)

Both of these conventions await ratification by Canada, which is first dependent on the codification of the offence provisions of these conventions into Canadian criminal law.

We on this side of the House recognize the need and urgency to put in place a regime to counter nuclear terrorism. Moreover, New Democrats are committed to multilateral diplomacy and international co-operation, especially in areas of great common concern such as nuclear terrorism. Thus, we need to work with other leading countries that are moving forward toward ratifying these conventions.

We also believe that since Canada has agreed to be legally bound by these conventions, it is important to fulfill our international obligations. For these reasons we will vote in favour of the bill at second reading in order to further study it at committee. However, a few concerns need to be set out first.

*Government Orders*

The first has to do with the origin of the bill. I would urge those who embrace the anachronistic and undemocratic institution of the Senate on the grounds of tradition to employ the Senate in the traditional way, that being as the chamber of sober second thought and not as the place of origin of legislation. It is for those of us in the chamber who, for better or worse, were sent here by Canadians to do that work.

Second, as with so much legislation that the government puts forward through whichever chamber, we must be careful that we do not overreach in the name of anti-terrorism. On this point, our experiences with the Liberals' Anti-terrorism Act and the government's recent Bill S-7 are instructive. The provisions of that act and that bill run contrary to the fundamental principles, rights and liberties enshrined in Canadian law.

Moreover, perhaps more importantly, we have found that without such extreme provisions, without changing the legal landscape of Canada, without breaching the rights and civil liberties of Canadian citizens, we have successfully protected the safety and security of Canada and Canadians from terrorist attack and that the offending provisions have proven over the course of time to constitute an unnecessary, ineffective infringement.

I would note that this issue arose in the course of the bill's study in the Senate. No doubt the intention of the drafters at the Department of Justice was to adhere as closely as possible to the terms of the convention. However, it has been suggested that some of the new Criminal Code offences are broader in scope than the offences found in the individual international agreements. We must be sure that the overreach of these new sections will not result in undue criminalization or go against the Canadian Charter of Rights.

I anticipate that the justice committee will play a very valuable role in ensuring that the lessons of previous anti-terrorism legislation are applied to Bill S-9.

Last, I come to what I believe is a very important point in this discussion, that being the matter of delay. The implementation of the bill or some amended version thereof is a prerequisite for the ratification of both international conventions. Both of these conventions set out in their respective preambles the urgency with which the international community must act to implement a regime to control nuclear weapons and materials and to ensure they are not accessible for terrorist purposes.

For example, the preamble to the convention on nuclear terrorism talks about the deep concern of the parties to this convention of the worldwide escalation of acts of terrorism in all its forms and manifestations, and that acts of nuclear terrorism may result in the gravest consequences and may pose a threat to international peace and security. It also notes that existing multilateral legal provisions do not adequately address those attacks and that the "urgent need to enhance international cooperation between States" for these purposes needs to be moved forward.

Therefore, the question sitting out there is this. Why has it taken the legislation so long to get to the House for debate when both conventions have been open for ratification since 2005?

While there are other laggards in the international community, it is our expectation that Canada show leadership on issues such as these.

●(1210)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great interest to my hon. colleague and was especially interested in terms of the larger picture. Certainly we need to deal with the offences when someone is trying to deal in nuclear materials and the whole issue of nuclear terrorism. However, we see such a proliferation of arms already around the world that we need to have a proactive instead of a reactive response on the issue of nuclear proliferation. Reactive is just not good enough, no matter how many bills and legislation we bring forward. We are dealing with many countries, some of whom are unstable, that have used nuclear weapons or have access to nuclear waste or nuclear materials.

I ask my hon. colleague this. What does he think in terms of the big picture with respect to Canada playing a proactive role internationally to reduce access to nuclear weapons in every single country?

●(1215)

**Mr. Matthew Kellway:** Mr. Speaker, we on this side of the House have noted that Canada is falling behind both in its international reputation and participation in multilateral efforts to curb the proliferation of weapons. It is happening at a time of tremendous importance for countries like Canada to do the opposite and show international leadership on these matters. There are states around the world that are failing. Many of these states have a great deal of weaponry and those weapons are falling into the hands of people who should not have weapons. That is great cause for concern for the safety and security of folks around the world, including Canadians.

[*Translation*]

**Mr. Tarik Brahma (Saint-Jean, NDP):** Mr. Speaker, my colleague from Beaches—East York mentioned a number of important points. In one part of his speech, he focused on something puzzling. In fact, the term "urgent" is used several times in these conventions. Yet, we have been waiting since 2005 for a bill to be introduced that really deals with this problem and that amends the Criminal Code, so that Canada can ratify these conventions.

One of the arguments trotted out by the Parliamentary Secretary when the bill was first introduced was that, at the time, there was a minority government in power.

To my knowledge, all members of the House agree with the general principle of this bill. Therefore, I will ask my colleague to speculate about why the government, which has been in power since February 2006, did not move more quickly on this bill.

*Government Orders*

[English]

**Mr. Matthew Kellway:** Mr. Speaker, my response is a bit of a continuation of the response I gave to the last question in that what is happening is that Canada is failing to take its full place in the international community and show leadership on such issues. It seems to me that it was the urging of the international community at both the Washington nuclear security summit in 2010 and the Seoul nuclear security summit in 2012 that seems to have prompted the government to finally take action and put together a bill that would see the criminal codification of offences under those respective conventions put into place in Canada. It is interesting to read the Seoul communiqué that came out of the summit in 2012 and the very stark terms it spoke about of the urgency for countries around the world to ratify these agreements.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I thank the very hard-working member for Beaches—East York for sharing his time with me. He has done a tremendous amount of work in the House around the F-35 file and his speech today reflects his commitment to looking at some of these matters.

I also want to acknowledge the member for Gatineau and the member for Toronto—Danforth who spoke previously and very ably outlined some of the technical aspects of the bill. I will read from the legislative summary so that people who are watching are clear about the bill we are speaking about. It reads:

Bill S-9, An Act to amend the Criminal Code (short title: Nuclear Terrorism Act), is a 10-clause bill that introduces four new indictable offences into Part II of the Criminal Code, which deals with offences against public order. Adding these new offences, with respect to certain activities in relation to nuclear or radioactive material, nuclear or radioactive devices or nuclear facilities makes it illegal to

possess, use or dispose of nuclear or radioactive material or a nuclear or radioactive device, or commit an act against a nuclear facility or its operations, with the intent to cause death, serious bodily harm or substantial damage to property or the environment;

use or alter nuclear or radioactive material or a nuclear or radioactive device, or commit an act against a nuclear facility or its operation, with the intent to compel a person, government or international organization to do or refrain from doing anything;

commit an indictable offence under federal law for the purpose of obtaining nuclear or radioactive material, a nuclear or radioactive device, or access or control of a nuclear facility; and

threaten to commit any of the other three offences.

The bill would fulfill Canada's treaty obligations under the Convention on the Physical Protection of Nuclear Material, also known as CPPNM, and the International Convention for the Suppression of Acts of Nuclear Terrorism, ICSANT. This includes extending international measures beyond protecting against proliferation of nuclear materials to now include protection of nuclear facilities and it reinforces Canada's obligation under UN Security Council Resolution 1540 from 2004 to take and enforce effective measures to prevent the proliferation of nuclear materials as well as chemical and biological weapons.

In a case where the implementation of a treaty requires amendment to Canadian legislation, the treaty is ratified only when such amendments or new legislation has been passed. As the member for Beaches—East York very ably pointed out, Canada has not ratified even though it has signed on and it has been five years. The question is why the government did not take steps before. I know the parliamentary secretary mentioned in his speech that it was because of a minority Parliament, but there is broad agreement in the

House about the need to ratify this treaty and for Canada to fulfill both its domestic and international obligations.

To date, Canada has not ratified either the ICSANT or the CPPNM amendment. This is because Canada does not yet have legislation in place to criminalize the offences outlined in the ICSANT or some of the offences outlined in the CPPNM amendment. The amendments Bill S-9 introduces into the Criminal Code represents Canada's efforts to align its domestic legislation with what is required by both conventions. If these amendments become law, Canada will presumably be in a position to ratify both the ICSANT and the CPPNM amendment. One would hope that Canada would move expeditiously to do that once this law has passed through both Houses.

I will quote from a handbook for parliamentarians supporting nuclear non-proliferation and disarmament because the bill has a larger context. It is important to note the larger context and why it is important for Canada to move ahead and ratify these treaties. This handbook was just released at the interparliamentary union last week in Quebec City. There was an address from the United Nations Secretary-General, a message dated July 2012, that was at the outset of this book. It reads:

The rule of law is coming to nuclear disarmament, and parliamentarians have important contributions to make in advancing this historic process.

● (1220)

Inspired or assisted by the efforts of the Inter-Parliamentary Union, parliaments are showing an increased interest in promoting nuclear disarmament. This should come as no surprise. Parliaments represent the people, and across the world today we are seeing a groundswell of opinion among diverse sectors of civil society—doctors, lawyers, religious leaders, mayors, human rights activists, women's groups, environmentalists, economists and educators in countless fields—demanding concrete steps to control and eliminate these deadly, costly, wasteful weapons.

The core role of parliaments in ratifying treaties and adopting implementing legislation gives them tremendous potential to extend the rule of law even more deeply into the domain of disarmament.

This is part of what Canada can do in terms of fulfilling some of those international obligations. There is an important context, though, for this, and again in the Supporting Nuclear Non-Proliferation and Disarmament handbook, they quote from the 7th World Summit of Nobel Peace Laureates who concluded that:

The failure to address the nuclear threat and to strengthen existing treaty obligations to work for nuclear weapons abolition shreds the fabric of cooperative security. A world with nuclear haves and have-nots is fragmented and unstable, a fact underscored by the current threats of proliferation. In such an environment cooperation fails. Thus, nations are unable to address effectively the real threats of poverty, environmental degradation and nuclear catastrophe.

They go on to talk about the economic dimensions. I think this is also an important note about why it is so important for Canada to move forward. It goes on to state:

In December 2010, Global Zero released an analysis indicating that approximately US \$100 billion per year was being spent globally on nuclear weapons, with almost 50 per cent of that being spent in the United States alone. In comparison, the biennial United Nations budget for 2012/2013 is US \$5.1 billion, or 5 per cent of the yearly global nuclear weapons budget. The costs of meeting the Millennium Development Goals—of basic education, primary health care, minimum food, clean water, and environmental protection (including climate change prevention and alleviation)—are estimated at US \$120 billion per year, just slightly more than the nuclear weapons budget.

*Government Orders*

We can imagine what a different world we could live in if all the money that was being spent on nuclear weapons was actually being spent on health care, education, poverty reduction measures and climate change.

The handbook goes on to say:

Allocating such massive budgets to weapons systems designed in the hope they will never be used not only steals economic resources from other vital programmes, it also drains the social capital required to stimulate economies. Dollar for dollar, investing in nuclear weapons creates far fewer jobs than virtually any other industry; nuclear weapon systems are high-tech and have virtually no economic flow-on to other industries or other economic activities. In addition, the intellectual activity devoted to modernizing and developing nuclear weapon systems steals such intellect from areas of social and economic need. The nuclear-weapon corporations might get richer, but everyone else gets poorer.

In the same handbook, it reads:

UN Secretary-General Ban Ki-moon, in a letter addressed to all parliaments in February 2010, noted that:

“At a time when the international community is facing unprecedented global challenges, parliamentarians can take on leading roles in ensuring sustainable global security, while reducing the diversion of precious resources from human needs. As parliaments set the fiscal priorities for their respective countries, they can determine how much to invest in the pursuit of peace and cooperative security.”

I have a quote that reads:

Dwight D. Eisenhower, from a speech before the American Society of Newspaper Editors, 16 April 1953:

It is “The opportunity-cost of militarism...”

I think it is timely for us to remind ourselves of that in the context of this debate today. Mr. Eisenhower went on to say:

Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children. This is not a way of life at all in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron.

The New Democrats are supporting getting this bill to committee for study because it is a very technical bill. There was one clause that needed to be amended at the Senate. We want to ensure that the bill reflects Canada's obligation under these international conventions.

● (1225)

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I congratulate my colleague for Nanaimo—Cowichan for her speech. The Anti-Personnel Mines Convention is from another era, an era when Canada was a leader on the issue. We are now living with the shame of being a follower and having to make up for lost time. Fortunately, we are now taking action.

After listening to my colleague's speech, I have the following question. Does she believe that simple amendments to the Criminal Code and the government's measures are enough to ensure compliance with the terms of the convention? Changes to the Criminal Code can be useful, but they must be accompanied by precautionary measures and we must take concrete measures internationally that go beyond mere amendments to the text.

[*English*]

**Ms. Jean Crowder:** Mr. Speaker, that is why it is very important for this bill to go before the committee for us to study it in detail and look at whether we would be in compliance with the two

conventions I mentioned, or whether we would go beyond the conventions and there is more in this bill than absolutely necessary.

The bill also presents an opportunity for the government to educate Canadians about the whole issue around nuclear weapons and the need to move toward nonproliferation. There was a study commissioned by the United Nations and presented to the first committee of the General Assembly at its 57th session in 2002 that actually recommended that states undertake a whole series of measures around education, including looking at their own policies and legislation in the context of nuclear nonproliferation and disarmament.

Perhaps Bill S-9, once passed, would be an opportunity for the government to set aside some funds to look at educating Canadians about the broader issues around nuclear weapons use.

● (1230)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, it has been very interesting to see that Canada has not moved with the urgency needed on this bill. However, we also see internationally that many of our allies seem to have a bit of an ambivalent attitude toward the issue of access to nuclear materials. For example, depleted uranium has been used in armour-busting shells. It has been very convenient for the armies of the U.S. and NATO, in particular, to use depleted uranium. We saw over 300 tonnes of it dumped in the first Gulf War. As a result, there have been massive increases in child cancers and deformities there. Yet, under the U.S. Nuclear Regulatory Commission, a general licence was established for people to be able to use uranium from depleted uranium shells as long as they committed not to leaving it anywhere. There seems to be a very cavalier attitude to something that is very dangerous, particularly as we have seen the health effects of depleted uranium.

It is not just about getting rid of large nuclear weapons, but also about ensuring that we pull these very dangerous toxic materials out of any kind of use, whether military or civilian.

**Ms. Jean Crowder:** Mr. Speaker, I will refer back to the 2012 Seoul Nuclear Security Summit and some key facts. There is an urgency around the matter, as the member for Timmins—James Bay pointed out.

*Government Orders*

There were 11 areas of priority importance in nuclear security and a call for action on a number of key critical areas, including strengthening the physical protection of nuclear facilities and enhancing emergency response capabilities in the case of radiological accidents while comprehensively addressing nuclear security and nuclear safety concerns, strengthening the management of spent nuclear fuels and radioactive wastes, and strengthening the protection of nuclear materials and radioactive sources in transport. Moreover, there was a call for encouraging the establishment of a system to effectively manage and track such materials on a national level, including preventing the illicit trafficking of nuclear materials, and building nuclear forensics capacity to identify the source of illicitly trafficked nuclear materials. Finally, there was a call for strengthening the nuclear security culture, including encouraging the participation of industry, academia, the media, NGOs and other civil actors in the discussions on nuclear security.

There are other points of action, but from this nuclear summit where some 53 countries were involved, it is clear that some urgent action is needed in the world. One would hope that Canada would become a leader rather than a laggard.

[*Translation*]

**Mr. Tarik Brahma (Saint-Jean, NDP):** Mr. Speaker, I will be sharing my time with the hon. member for Beauport—Limoilou, who usually shares his thoughts and comments with me. This time, I will be the one sharing my time with him.

I am pleased to speak to Bill S-9, the Nuclear Terrorism Act, which would amend the Criminal Code in order to make it consistent with the requirements stipulated in two international conventions that we signed in 2005: the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism.

I will begin by making a remark that some of my colleagues have already made. This bill was introduced by the Senate. According to Canada's parliamentary process, it should be introduced by elected parliamentarians and not by senators. The NDP would prefer that most bills follow the parliamentary process and be introduced by elected members, in other words by the House of Commons and not by the Senate.

I do not want to repeat what most of my colleagues have already said. I will simply say that everything to do with nuclear weapons and the spread of fissile materials on the planet is cause for great concern not just for Canadians, but for everyone else living on this planet. I may be stating the obvious, but it bears repeating from time to time.

As far as this bill in particular is concerned, it begs a legitimate question. The hon. member for Beaches—East York spoke about this a few minutes ago. These conventions emphasize that urgent action is needed when it comes to the protection of fissile materials and nuclear weapons; it is a constant in these conventions. Nonetheless, the global perception of Canada's position is that Canada wants to wait seven years, not five, to take action. Indeed, we signed these conventions in 2005 and it is now 2012. We will not be able to ratify these conventions before 2013. When the word "urgent" is used so many times in these conventions, why wait so long to introduce bills that should be given priority?

One of the consequences is that Canada is losing international credibility and giving the impression that it does not take these issues seriously, which is not the case. Every time we meet our constituents in our ridings or elsewhere, we can see that people are very concerned about global security in general and nuclear security in particular. The public is concerned about the fact that terrorists can get access to nuclear materials to create bombs.

The parliamentary secretary's main argument when she introduced Bill S-9 was that the government has a majority. It has been in power since February 2006, but it had a minority. As far as I know, and based on what we have been hearing since the bill has been before the House of Commons, there is a general consensus: we have no choice but to ratify these conventions.

• (1235)

If we do not, it would go against Canada's long-held policy and philosophy.

This argument has not convinced me. We have to wonder why the government waited so long to introduce a bill that is so important at the international level.

If we look at the list of countries that have already ratified, we can see that internationally, globally, we come across as a bad student in terms of promoting nuclear security, when that is not the case and that is not the perception among members of the public.

There is another thing. If Canada had been a good student, if it had been proactive and had ratified these two conventions within a reasonable time frame, and if it had amended the Criminal Code to be able to ratify these conventions, the other countries would have believed that Canada is an international leader and that these concerns are important to it.

Each time Canada has the opportunity to show the world that it wants to be proactive and that it takes these things seriously, I think it is important to speed up the process.

This delay in implementing the legislative changes reminds me that, in October 2010, Canada withdrew its bid for a seat on the UN Security Council. While there may not be a direct link, one cannot help but regret that decision. Once again, this gives the impression that Canada is backing away from its international commitments. In reality, the ratification of these two conventions is not merely a possibility; it is our moral obligation towards our international partners.

I would like to come back to a very interesting speech on this matter given by the hon. member for Toronto—Danforth. This is not meant to denigrate other speeches, but given that the member for Toronto—Danforth knows international treaties so well, his perspective was a little different from that of others.

*Government Orders*

He talked about a number of issues, particularly the fact that, under the current process, there is a real risk of going further than just taking the measures needed for ratification, for two reasons: this could lead to amending the Criminal Code in a way that is too restrictive; and the government could anticipate future amendments to these conventions to prevent us from ending up in the situation we are in at present, which is having to wait five, six or seven years before ratifying treaties.

Under these circumstances, there is a risk in wanting to do more than the bare minimum. It is important to avoid speculating about what these conventions could become and to avoid adding any provisions that are not strictly necessary to the ratification of these two international conventions. That will be the committee's job.

• (1240)

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, the hon. member for Saint-Jean said that the government could have introduced this bill much sooner and that the parliamentary secretary's explanation for this was that the Conservatives did not have a majority government at the time. Those are excuses. There were times when the NDP held the balance of power under the minority governments.

If a similar bill to ratify these conventions had been introduced earlier by the government, would the NDP have supported it, thereby allowing this bill to be passed a long time ago?

**Mr. Tarik Brahma:** Mr. Speaker, the hon. member for Abitibi—Témiscamingue is absolutely right.

The NDP's position is clear: we are in favour of having a better discussion and better integration with the international community, and we are in favour of combating every threat to international peace.

As stated in United Nations Security Council resolution 1570, the conventions are one aspect. The NDP would never have gotten in the way of passing this bill.

As my colleague said, it makes absolutely no sense that it took this long for this bill to be introduced.

• (1245)

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank the hon. member for Saint-Jean for his speech.

He addressed some important issues. Again this boils down to the government's inaction with regard to introducing this bill, which in the end was introduced in the Senate. That is not necessarily all bad considering some very specific technical aspects.

However, let us not forget that a convention was agreed to and negotiated before this government came to power. This convention was negotiated multilaterally. I was a member of the Standing Committee on International Trade, where the government's modus operandi is to sign bilateral treaties.

Considering the success that was achieved before the government came to power and how much time this government has taken since then to legislate and ratify this convention, does my colleague believe that Canada could conclude other similar multilateral negotiations on other subjects?

**Mr. Tarik Brahma:** Mr. Speaker, my colleague from Beauport—Limoilou raises a very interesting point, namely that we cannot tell what the future holds because of the rather unpredictable nature of the Conservative government.

Having said that, it is an excellent idea for us to always participate in the negotiation of all international conventions and in all discussions. But it is unfortunate that we are not more proactive. That is what is rather sad and disappointing about Bill S-9. It is an example of Canada's failure to be proactive. This follows on the heels of our failure to win a seat on the Security Council. Not being proactive has consequences for our international commitments and our reputation abroad.

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague from Saint-Jean for sharing his time with me so that I am able to speak to this bill, which I will have the honour to study with my colleagues on the Standing Committee on Justice and Human Rights, failing unforeseen circumstances. I truly appreciate this privilege because this bill is actually very important for a number of reasons.

I will begin by examining a practical aspect that directly affects us almost daily. We must not forget that we live in a world where nuclear and radioactive materials are very present.

Bill S-9 talks a lot about nuclear materials and civilian or military applications. These very specific applications are not under the direct control of mere individuals. The bill also covers radioactive substances that have civilian applications in our day-to-day life, such as medical applications or other civilian applications, where radioactive materials are used in measuring devices. Members will recall that some models of smoke detectors once used substances that emitted radiation, which was banned for obvious safety reasons.

This type of substance is much more common than people think. As a result, it is very important to go beyond the existing provisions of the Criminal Code that already impose sanctions for the improper or criminal use of this type of substance and extend them to cover terrorist activities. These activities go well beyond the simple desire to harm an individual or group of people. They are used to pressure and terrorize in order to force a country or group of people to basically change their behaviour and be subject to a regime that is completely unacceptable for a democratic state.

In addition to this first clarification, another concept that the NDP supports and wants to implement is respect for and the implementation of key international agreements governing various activities. I even asked a question in this regard. Long gone are the days when Canada demonstrated leadership, when Canada successfully adopted and implemented a treaty to prohibit landmines.

The example of the landmines treaty is important in that, even if a convention of this type is adopted, it can still be limited in terms of what it can accomplish by the non-compliance of some states in the world that prefer to avoid restricting their potential for action.



*Government Orders*

And so, beyond the perfectly valid amendments to the Criminal Code, we must ask the government this question and hope that it goes much further and truly demonstrates an ability to act to convince—if not compel—the community of nations to ratify the nuclear terrorism treaty so that it has the force of law not only within each of the different countries, but so that the countries co-operate to prevent things from getting out of control and to prevent the occurrence of any terrorist activity that we are seeking to prohibit through amendments to the Criminal Code.

● (1250)

I repeat that I am very honoured to be able to debate this bill today and to discuss the amendments proposed in the Standing Committee on Justice and Human Rights. We must ask ourselves a number of questions on the proposed amendments and their scope. When the bill was introduced in the Senate, a serious flaw was pointed out related to the creation of a device using nuclear and radioactive materials, which can be harmful to people. This omission is very serious. Nuclear terrorism experts are concerned that a traditional nuclear bomb could be built, even if it is quite beyond the scope of terrorist organizations. They especially worry that an explosive device or radiological dispersion device could be built, as it is much simpler to build and would be harmful to a number of people.

I am very pleased that this is now included in Bill S-9. It is good to widen the scope, but my colleague from Toronto—Danforth wondered about the multiplier effect of the crimes targeted by this bill. We will have to look into the individual effect and the scope of these actions, and whether the amendments made to the Criminal Code are in line with the constraints imposed by our society to preclude the arbitrary power of the state.

In the Standing Committee on Justice and Human Rights, I had to examine some bills that were not charter-proof, in whole or in part. That is very disappointing; aside from the waste of time they represent, it is a serious problem for all Canadians. They could be unwitting victims of harsher laws, which do not fully achieve the desired objective and could potentially invalidate certain sections. There could be some very unfortunate consequences.

During our review in committee, my colleagues and I will ensure that the proposed changes are not invalidated by the Criminal Code because they are too broad in scope, or because they do not provide enough safeguards regarding the charter, which would result in Canada no longer being able to fully implement the requirements of the international treaties to which it is a signatory.

One issue raised in the Senate is the case of a protest taking place at the electrical generating facilities of a nuclear plant. It could be a protest organized by environmentalists to prevent employees from entering the facilities to keep the plant operating at full capacity. Under the proposed sections, could these people be charged with carrying out a terrorist activity? We are talking about a peaceful protest whose objective may be highly questionable, but still legitimate from a freedom of expression and a freedom of mobility point of view.

So, I am going to review the bill with 11 of my colleagues to ensure that we do not find ourselves in the totally unacceptable situation of the law being invalidated because it goes too far.

● (1255)

There is a major concern. The changes to the Criminal Code are perfectly legitimate and they are an important first step. However, once we review them, we will have to ensure that all the preventive and concrete measures taken by Canada in the future, because of its place on the international stage, will restrict the proliferation of nuclear weapons, which is another issue dealt with in these treaties.

[*English*]

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, one thing I noticed about the bill is it is in reference to some acts of the United Nations, which, as a signatory, Canada is required to change its laws to finally be in compliance with these United Nations resolutions. There is a bunch of initials for the two of them, which I will not try to repeat.

Why does the hon. member think it has taken the government seven years, after signing these things, to actually come forward to change the laws of Canada to outlaw nuclear terrorism? It is not a big bill. It is only nine pages. Why does the member suppose the Conservative government, which has been in place almost all of those seven years, has taken so long to do this?

● (1300)

[*Translation*]

**Mr. Raymond Côté:** Mr. Speaker, I thank the hon. member for his very relevant question.

Indeed, that is somewhat disturbing. I hope this is not related to some form of excessive control. I am inclined to think that the government had little interest in following up on the treaty that was signed. The negotiation and the conclusion of that treaty took place before this government took office.

I do not want to impute motives to government members, but given the Conservative government's general attitude, we know that when an idea is not its own, it can often drag its heels and even actively oppose such an initiative.

I salute the government for taking action and finally introducing this bill. Better late than never. However, in this case, it is really late.

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, I come from a medical background. I am a nurse by training. We recently had a shortage of radioactive isotopes used in medicine. Therefore, I can understand why people working in nuclear medicine are worried and want to know whether the process will make the transportation of these materials and their accessibility more complex.

My colleague sits on the committee that will review this bill after the next vote. Will he pay particular attention to the transportation and accessibility of nuclear materials used in medicine, to ensure that the bill does not make access to these materials more complicated and that patients receive the medical care they need?

*Government Orders*

**Mr. Raymond Côté:** Mr. Speaker, I thank my colleague for her question. This is a very legitimate concern. In his testimony, the Minister of Justice said that his department made sure that, regarding all the uses for civilian purposes, the handling, use and transportation of radioactive substances will not have harmful effects. Still, we will verify this aspect.

Since the Criminal Code is going to be amended, will there be changes to the regulations and standards that will make operations much more difficult? For the time being, we do not really have an answer. As the Minister of Justice pointed out, in addition to the Criminal Code amendments, the government has taken some regulatory measures to ensure greater safety.

Unfortunately, there are other activities in the country about which the government has been negligent and which have created deplorable and even dangerous situations for people. I certainly do not want to see that happen here. I thank the hon. member for raising this issue.

[*English*]

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, I am pleased to rise today to speak to Bill S-9, the nuclear terrorism act, which would amend the Criminal Code to implement obligations imposed on state parties to two international conventions: the International Convention for the Suppression of Acts of Nuclear Terrorism, which I will refer to as the “suppression convention”; and the amendment to the Convention on the Physical Protection of Nuclear Material, which I will refer to simply as “the amendment”.

My remarks this morning will be divided into three parts: first, a discussion of the convention and the amendment; second, a discussion of Bill S-9 and how it relates to these international obligations; and third, a discussion of the contemporary context in which this debate occurs, namely, the climate of increasing nuclear proliferation in which we find ourselves.

To begin with, the suppression convention and the amendment contribute to the development and harmonization of national laws aimed at securing nuclear materials and combatting the threat of nuclear terror. In particular, Bill S-9 would add four new offences to the Criminal Code thereby prohibiting acts in relation to the possession, use and transfer of radioactive or nuclear devices or related materials as well as the protection of nuclear facilities.

Bill S-9 would also classify the commission of these new offences as “terrorist activity” and empower Canadian courts to exercise jurisdiction in cases concerning the commission of these offences extraterritorially such that the particular offence would not need to have occurred inside Canada for Canada to invoke Canadian prosecutorial initiatives.

In particular, the passage of Bill S-9 would enable Canada to ratify these conventions, a goal to which the government recently committed at the 2012 Nuclear Security Summit in Seoul.

Members of the House may remember the political environment in which the summit occurred, back in March, with the launch by North Korea of a satellite that threatened South Korean airspace. It is in this context that the Minister of Foreign Affairs correctly observed that:

What's going on in North Korea, and frankly what could be going on in Iran, causes us all concern but I think that's an inspiration and a motive for us to see that nuclear materials that already exist are secured or even destroyed....

What the minister observed then is no less true now.

Bill S-9 is of critical importance. Indeed, the need for the legislation has long been known. In fact, the 2005 government of Prime Minister Paul Martin, under which I served, signed the suppression convention at the time. While the subsequent election precluded our legislative efforts to fully ratify and implement its obligations, I am pleased that the current government has taken up this task.

However, it is regrettable that seven years have passed in the interim. Certainly, the minister's current support for the promotion of an international framework to govern the prevention of nuclear terrorism is to be applauded. Yet, it remains as inexplicable as it is somewhat irresponsible for the government to have delayed this long, particularly on such a compelling international commitment of the first order.

Before us today is not the convention but rather Bill S-9, legislation introduced in the other place to implement principles embodied in these two international conventions agreed to, as I mentioned, by the Liberal government in 2005. Just as the Liberal government supported the promotion of a global framework for the protection of nuclear material and the prevention of nuclear terrorism then, we continue our support of this effort now. I would urge all colleagues to send the bill to committee for appropriate study and review.

I will support Bill S-9 at second reading as it implements Canada's international policy commitments in this regard. To echo the words of Senator Roméo Dallaire, nuclear weapons constitute, as he put it, “the most extreme massive violation of human rights imaginable” and serve as a violation of our human right to peace and security in the world.

The consequences of fissionable material falling into the hands of a rogue state or non-state terrorist organization are as dangerous as they are prospectively unimaginable. Bill S-9 reflects this imperative to ensure the security of nuclear materials and facilities in this regard. By amending the Criminal Code, and particularly by implementing extraterritorial jurisdiction, the bill would provide the Attorney General with the necessary enforcement tools. These tools find expression in four new criminal offences created by Bill S-9.

First, Bill S-9 would make it an indictable offence to make a device or possess, use, transfer, export, import, alter or dispose of nuclear or radioactive material or a device with the intent to cause death, serious bodily harm or substantial damage to property or the environment. It would also criminalize the commission of an act against a nuclear facility or an act that causes serious interference or disruption of a nuclear facility's operation.

*Government Orders*

• (1305)

A second offence makes it an indictable offence to do any of these same acts with the specific intent to compel a person, government or international organization to do or refrain from doing something. In other words, where the first offence speaks of intent to cause death, this offence speaks to coercion and threats with a nuclear connection.

Third, Bill S-9 would make it a separate indictable offence to commit any indictable offence with the intent to obtain nuclear or radioactive material, or to obtain access to a nuclear facility.

Fourth, the legislation makes it an indictable offence to threaten to commit any of the aforementioned new offences.

Moreover, Bill S-9 would include these four new offences within the definition of “terrorist activity” in section 83.01 of the Criminal Code. As such, the commission of these offences would trigger other provisions of the code in respect of related offences, such as electronic surveillance and DNA collection.

Bill S-9 has benefited from an extensive debate in the Senate and I trust that members of the House will agree to send it for further study by the committee in our House, where more of the technical details would be scrutinized.

I will now turn my attention to the context in which the debate occurs, namely the question of nuclear proliferation and disarmament and Canada's role in this regard.

Indeed, as important as it is, Bill S-9 simply standing alone would not be enough. Despite our best efforts, nuclear materials and facilities will always be vulnerable. Indeed the protection of these stockpiles is only necessary as long as they actually do exist. As long as nuclear weapons and highly enriched uranium are developed by states and pursued by terrorist organizations, they will pose a threat to human security. It is in this regard that the government's leadership has been lacking.

Indeed, as members of this place may recall, the Canadian delegation in Seoul was subject to heavy criticism by both the U.S. and the EU for having not lived up to earlier undertakings to begin the phasing out of the use of highly enriched uranium in the production of medical isotopes. Simply put, Canada should be at the forefront of the move toward arms control and international nuclear disarmament. Measures such as those in Bill S-9 must be viewed as preliminary measures, as part of a larger and developing framework of non-proliferation.

Indeed, I am concerned that perhaps the government's *modus operandi* when it comes to domestic criminal justice is slightly orienting its approach to foreign policy and that it may be presuming that the mere criminalization of a behaviour is enough to combat it. We know that complex and multifaceted problems such as proliferation require so much more than this.

Certainly, Bill S-9 would contribute to the prevention of nuclear terrorism by enabling law enforcement to prosecute terrorists before they achieve their intended death and destruction. Given that a single nuclear attack under any circumstance is simply not acceptable and that the risk of nuclear terrorism will never reach zero as long as weapons and devices exist and can be accessed by such terrorists and

non-state actors, the bill would be inherently limited as an instrument of prevention and must be viewed as just the first step.

Let me be clear. I unequivocally support the creation of these new offences and recognize the important role of domestic criminal law enforcement in combatting the problem of nuclear weapons. Also, as I have stated elsewhere, I support sending the legislation to committee. My purpose here is only to emphasize the importance of international collaboration and international legal regimes in pursuit of non-proliferation and the ultimate goal of disarmament, which must be the end objective here.

As Senator Dallaire put it during debate in the other place, “we [should] discuss how this legislation fits into the broader stance Canada has taken and needs to take against nuclear weapons”. Simply put, we must be steadfast in our insistence that dangerous and genocidal regimes can never be trusted with nuclear weapons under any circumstances.

Diplomatic and legal institutions exist that must underpin Canadian policy in this regard. For instance, Canada should take a leading role in the push for a comprehensive nuclear weapons convention that would require countries with nuclear weapons to gradually destroy them and remove all fissile material to UN control. We should be supporting the United Nations Secretary-General's comprehensive set of proposals with respect to nuclear disarmament.

Moreover, we must pursue international legal remedies against regimes that engage in genocidal threats, particularly those that underpin those threats with nuclear weaponization.

• (1310)

We must view nuclear weapons for the use to which they could perhaps be dangerously put in support of these regimes' genocidal intent. We must insist that they be kept out of the hands of those states that flagrantly disregard international law, threaten the peace and security of the international community, and threaten the rights of their citizens. Indeed, as has been observed, states that violate, and massively violate, the rights of their own citizens are most likely to violate the rights of others.

The prime example of this threat in the modern context is that of Khomeini's Iran. I use that term to distinguish it from the people and public of Iran who are otherwise the targets of mass domestic repression. In Khomeini's Iran the steady progression toward nuclear capabilities demonstrates the importance both of domestic criminal law enforcement, as we have been discussing, as well as multi-lateralism and international legal regimes.

Bill S-9 deals with the domestic problem. With regard to the Iranian nuclear threat, however, we must continue to engage internationally as well.

*Government Orders*

I have described the Iranian threat in terms of a fourfold threat: the nuclear threat, the incitement threat, the terrorism threat, and massive domestic repression. Let there be no mistake about it that Iran is in standing violation of international legal prohibitions respecting its nuclear weaponization program. Iran has already committed, as an all-party committee of the foreign affairs committee in this House determined, the crime of incitement to genocide prohibited under the genocide convention itself.

Iran has been characterized as a leading state sponsor of international terrorism, and indeed its terrorism in 2012 alone, spanning five continents and some 22 terrorist acts with Iranian footprints, has served to further affirm that proposition. Finally, as I mentioned, Iran is engaged in such massive domestic repression that the latter effectively constitute crimes against humanity against its own people.

This brings me to the particular issue of the manner in which Canada must address the whole question of nuclear proliferation with regard to Iran. Here the international context and our role in that context becomes particularly important.

I would like to suggest that Canada support the prospective P5-plus-1 negotiations with Iran, with whatever diplomatic strategy may develop in the context of those negotiations, and put forward the following requirements with respect to combatting nuclear proliferation in general, but in particular with regard to Iran's nuclear weaponization program.

First, Iran must as a threshold requirement verifiably suspend its uranium enrichment program, allowing the international community to counter the Iranian strategy, the three Ds of delay, denial and deception, used by Iran to accelerate its nuclear weaponization program rather than, in fact, move toward disarmament.

Second, Iran must ship its supply of enriched uranium out of the country, where it can be reprocessed and then made available to Iran under appropriate inspection and monitoring for use in civil nuclear programs.

Third, Iran must verifiably close and dismantle its nuclear enrichment plant at Fordow, embedded in a mountain near Qom, which Iranians initially denied even existed but where a zone of impenetrability will soon develop unless that facility is in fact dismantled.

Fourth, Iran must suspend its heavy water production facilities at Arak. It is sometimes forgotten that an essential component for producing plutonium could also be water, which is a nuclear component that North Korea uses for its own nuclear weapons. Simply put, the path to nuclear weaponization need not be travelled by uranium enrichment alone. The suspension of uranium enrichment, however necessary, will not alone ensure that Iran is verifiably abandoning its nuclear weaponization program.

Fifth, Iran must allow the International Atomic Energy Agency inspectors immediate and unfettered access to any suspected nuclear site, as Iran is a signatory to the nuclear non-proliferation treaty. Iran is thereby bound by its obligations not to pursue nuclear weapons but also to open its nuclear sites and installations.

● (1315)

Sixth, Iranian authorities need to grant the IAEA access to the parts and military complex near Tehran, where it has been reported that Iran has conducted high explosives testing, possibly in conjunction with the development of a nuclear weapon.

Finally, Iran needs to allow the International Atomic Energy Agency to install devices on centrifuges to monitor Iran's uranium enrichment levels.

These are the kinds of threshold approaches that Canada can assist in framing and thereby assist in combating proliferation. As I said, a foreign affairs committee of the House has determined that Iran engages in state sanctioned incitement to genocide. The convergence of the two makes the threat even more dangerous than it might otherwise be.

There are a number of remedies that Canada could engage in that it has not yet done, both to combat the nuclear proliferation dimension and genocidal incitement. In other words, there are juridical remedies that we have not sufficiently explored.

First, we could simply ask the United Nations Secretary General to refer this to the UN Security Council for deliberation and accountability as a matter that "threatens international peace and security", which is under the jurisdiction of the UN Secretary General.

Second, any state party to the genocide convention, including Canada, could initiate tomorrow an interstate complaint against Iran, a state party to that genocide convention, before the International Court of Justice.

Third, Canada, or any other country, could ask the UN Security Council to refer the matter of Iran's state sanctioned incitement to genocide, underpinned by its nuclear weaponization program, to the UN Security Council for purposes of inquiring into individual criminal liability. There are other remedies, but I will limit it in this regard.

Finally, before I conclude my remarks, I would like to return to one specific technicality relating to Bill S-9 and to link it to the problem of Iranian nuclear weaponization. As members of this place may know, despite making reference to the matter, the government has failed to take any action to list the Iranian Revolutionary Guard Corps as a terrorist organization under the Criminal Code. Simply put, the IRGC has emerged as the epicentre of the Iranian four-fold threat to which I referred, and has played a central role in Iran's domestic repression, international terrorism, incitement to genocide and nuclear proliferation.

*Government Orders*

The United States has already labelled it a terrorist group, while the UN and the European Union have imposed various sanctions against the IRGC and its leaders. It is regrettable that Canada has yet to take the step of listing it as a terrorist entity here in the Criminal Code, a step that would combat the nuclear proliferation, genocidal incitement, as well as the international terrorism. Indeed, the IRGC, acting through Hezbollah and the terrorist proxies of Iran, was implicated in the attempted assassination of the Saudi ambassador in Washington, and in July's terrorist attack targeting Israeli tourists in Bulgaria that resulted in seven deaths, as well as a series of international terrorist attacks during 2012.

Of course, the international juridical remedies I outlined must be pursued against the IRGC and its individual members and leaders. Indeed, I have long called for the listing of the IRGC as a terrorist organization, and I mention it now in relation to Bill S-9 to highlight one particular aspect of the bill that needs to be more closely studied at committee with related amendments as may be moved in this regard.

Another important feature of the bill is its military exclusionary clause, which would ensure that none of the newly created offences would apply to "activities undertaken by military forces of a state in the exercise of their official duties, to the extent that those activities are governed by other rules of international law".

My concern is that activities by or in relation to the IRGC could be argued to fall into this category insofar as the IRGC could be characterized as a military force of a state and not as a terrorist organization. Clearly, the actions of the IRGC can be demonstrated to be in violation of international law, thus precluding protection under this clause. Still, so long as they are not expressly designated as a terrorist organization under the Criminal Code, this legal loophole will still loom over our discussions.

• (1320)

Again, we must situate Bill S-9 within the larger context of nuclear proliferation and the Iranian nuclear threat in particular, and thereby scrutinize the bill to ensure that it could have the intended effect of preventing nuclear terror. Accordingly, I reaffirm my request for the government to list the IRGC as a terrorist organization. I further suggest that the effect of the military exclusionary clause be more closely considered in committee to ensure that Bill S-9 would not be precluded from achieving effective prevention.

Canada has a tradition and reputation for taking the lead in multilateral efforts of this kind. Our nation is rich in effective soft power resources, and under previous governments we have demonstrated that multilateral leadership can achieve solutions to the seemingly most intractable problems of international co-operation and the pursuit of human security. I remind the House of our nation's leading role in the negotiation of the 1997 Ottawa treaty banning the use of anti-personnel landmines, where Canada mobilized governments and non-governmental organizations to achieve the signing of that landmark global treaty. We should also recall that Canadian leadership was effective then in changing the behaviour of governments and militaries, ultimately proving that disarmament is an achievable goal. Canada should be pursuing that

goal today with respect to the overall context of proliferation, particularly as it relates to Iran.

• (1325)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great interest to my hon. colleague. Certainly the issue of the proliferation of nuclear weapons in the Middle East is of grave concern to all of us in the House.

The concern we have is that Canada has historically played a major role in multilateral negotiations to ensure that we maintain some manner of security with regard to nuclear weapons.

In regard to the current situation in Iran, we have a government that has decided to shut down our embassy, leaving us very much on the outside because we are not one of the large players but a smaller player. Therefore, our ability to have influence has been somewhat compromised.

What does my hon. colleague think of the decision by the present Conservative government to shut down the embassy at a time when we really need to ensure that we have as many people on the ground as we can to influence decisions because this issue is so serious?

**Hon. Irwin Cotler:** Mr. Speaker, there are several responses to that question.

On the matter of the closing of the embassy, as I said and wrote at the time, I supported the four considerations that led the government to consider closing the embassy, namely the question of the nuclear weaponization program, the incitement to genocide, the terrorist character, and the massive domestic repression.

As to the specific issue of the closing of the embassy, it is quite interesting and timely that yesterday evening I attended the annual meeting of the International Center for Human Rights in Iran, a Canadian-based NGO composed largely of Canadian Iranians. The predominant view last night was that while it may cause a certain inconvenience to Canadian Iranians in regard to certain consular activities, on the whole they supported the decision because of their great concern that the Iranians were using their Iranian embassy here in Canada for illegal activities to intimidate Iranian Canadians here as well as their families back in Iran. As well, the Italian government, which has been given the representative capacity of pursuing Canadian concerns, can do that, which the Canadian embassy in Iran was effectively being precluded from doing with any kind of effective diplomatic engagement.

Having said that, none of that affects our need and responsibility to engage in the whole framework of multilateral negotiations. Therefore, whatever position one takes on the closing of the embassy, that should not deflect us away from or preclude our appreciation of the fact that Canada can play a role with respect to the multilateral negotiations to combat the nuclear weaponization program in Iran, which underpins as well its state-sanctioned incitement to genocide and leverages its massive domestic repression and terrorism. It can do so through the framework I outlined earlier with regard to the eight points that Canada can play a role in.

*Government Orders*

[*Translation*]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, since the hon. member was here at the time, I would like him to tell us about the government's vision when these treaties were ratified or presented for the first time, in 2005.

**Hon. Irwin Cotler:** Mr. Speaker, at the time, we did support these treaties and, at the same time, we supported their ratification.

• (1330)

[*English*]

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, I want to thank my colleague to my left who identified some potential failings with this bill that need to be addressed in committee. In particular, I would like his comments on the apparent failing of this bill to identify as terrorists state organizations acting as the military, which may in fact be performing roles that we in Canada would define as terrorism and, in the case of Iran, may be terrorizing an entire region of the planet. This bill would appear to exempt those kinds of state-sponsored terrorism from any actions that Canadians could take in our own Criminal Code and actions to deal with those state-sponsored terrorists in other nations.

I would ask the member to comment.

**Hon. Irwin Cotler:** Mr. Speaker, that would underpin my entire approach to saying that the Canadian government must list the Iranian Revolutionary Guard Corps as a terrorist entity. As all studies have shown in this regard, as I mentioned in my remarks, the IRGC has emerged as the epicentre of the fourfold Iranian threat that I described and is particularly engaged both in the matter of nuclear proliferation and international terrorism. Should it be characterized as a military organization rather than as the terrorist entity it is, then it could somehow find a loophole to be protected against the application of this legislation.

In that regard, we must therefore move with all deliberate speed, which I have been suggesting for years, to list the IRGC as a terrorist entity under Canadian law. In fact, when the Canadian government closed the embassy in Iran, I listed four initiatives that could have been taken, apart from closing the embassy, which would have had compelling impact: number one, listing the IRGC as a terrorist entity; number two, holding Iran accountable for its state-sanctioned incitement to genocide; number three, holding to sanction those engaged in massive human rights violations; and number four, engaging, as I said, in a much more active way in combatting the nuclear proliferation program in Iran.

Those are the activities we still must undertake, and they are more important than the issues of simply closing the embassy in Iran because they would have substantive effect in terms of our combatting overall the fourfold threat that Iran represents, in particular its nuclear proliferation threat that is underpinned by its genocidal incitement threat, as well as its international terrorist conduct, in which not only the Iranian Revolutionary Guard Corps but its terrorist proxy Hezbollah also has been engaged. While we have put Hezbollah on the terrorist list, we might encourage our European counterparts to do the same.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I would like my colleague to comment on the need for legislation at

this time, from his perspective, and where we should go from here to deal with this very important issue.

**Hon. Irwin Cotler:** Mr. Speaker, this legislation represents a first step on the domestic level with regard to the implementation of our obligations under international treaties, which now finally, belatedly, will be both ratified and implemented.

However, it represents only a first step and it deals only with the domestic criminal law enforcement step. It does not deal with the overall, multilateral involvement that is required of us in terms of combatting the overall nuclear proliferation danger, as well as all the others I have mentioned.

We need to go beyond this legislation, which is effectively, importantly, a domestic law enforcement tool that does not deal with the important, compelling, international, multilateral arms control and disarmament initiatives we need to be taking.

• (1335)

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, I will be sharing my time with the member for Timmins—James Bay.

The bill fulfills Canada's treaty obligations to the UN under the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism, including extending international measures and beyond protecting against proliferation to now include the protection of nuclear facilities. Also, it reinforces Canada's obligation under the UN Security Council Resolution 1540 taken in 2004, to take and enforce effective measures to prevent the proliferation of nuclear materials as well as chemical and biological weapons.

At the outset, let me say that we generally support the bill. We think it is about time that the government actually lived up to its obligations under the UN, but we have some reservations about the scope of the bill.

I also want to point out that the government with its law and order agenda has an overarching propensity to deal with law and order as its prime focus. This is just one of 14 bills, I believe, that have reached the House dealing with crime or crime and punishment, or defining crime. There are many of them. There were bills about megatrials, human smugglers, mandatory minimums, military justice, the gun registry, citizens' arrest, criminal and electronic communications, human smugglers, elder abuse, accountability of offenders, RCMP accountability, the faster removal of foreign criminals, terrorism and nuclear terrorism, which would lead one to believe that perhaps Canada is going through a spate of crime that is out of proportion to everything, because these bills are out of proportion to what we are doing here in the House of Commons.

*Government Orders*

However, that is not true. The facts suggest otherwise, that crime is on the decline in Canada and has been on the decline since before the government took office. Focusing on laws to scare Canadians into thinking that crime is on the rise and making the criminal justice system harsher and less flexible is not the way to go. On this side of the House, we believe that a flexible and more systematic approach to crime is a better of dealing with it.

The bill is necessary and we agree it is necessary to adopt these laws, to abide by our agreements with the United Nations, to deal with the Convention on the Physical Protection of Nuclear Material, et cetera. However, let us talk about what things are still missing from the government's agenda while this bill is front and centre.

The government is making illegal certain acts of terrorism involving nuclear materials. Bravo. Canadians generally are glad that, if people try to use nuclear or radioactive material for terrorism, they will be doing something against the law and if they are caught and convicted they will face serious penalties. However, we note there are no mandatory minimums here.

What is the government doing about other things that are terrifying Canadians? In my riding of York South—Weston there was a recent spate of killings and maimings using handguns. Last week one person was killed and two others injured in handgun violence. Over the summer, there were six funerals of Somali youth who were gunned down in acts of violence all over the city of Toronto. Of course there were the horrific shootings at a block party on Danzig Street in Scarborough, which left two dead and 23 injured. What action has the government taken to stop the flow of illegal guns at our border?

It is all well and good to pass laws making terrorism and nuclear terrorism illegal, but if our citizenry is being terrorized by other things, what are we doing about that? What actions are being taken to get the guns that are already there off the street? There is no bill before us on that topic.

The government passed Bill C-19, which cancels and will destroy the long gun registry, so less will be known about what guns are out there, and people are fearful. People in my city are fearful about what that will mean for their personal safety. They are more fearful than they were before the Conservative government took power.

In my riding of York South—Weston the bill does nothing to prevent another thing that is the single biggest crime in my riding right now, the theft of cellphones and other electronic mobile devices. Kids are being mugged and people are being injured, and yet nothing is happening from the government. The solution is simple. Make it illegal to activate phones reported as stolen, and I brought forward such a motion in the House of Commons.

• (1340)

So far the government is silent on things that are terrifying people, that are making people feel they are less safe than they were yesterday. Yet, we are here discussing nuclear terrorism.

It also takes aim at the risk of the environment being threatened by nuclear terrorists. Again, bravo. Canadians are worried about the environment. They are worried about the climate changes that have been felt most recently from Hurricane Sandy doing damage to both the U.S. and Canada.

What else is the government doing about the environment? The definition of the environment in Bill S-9, this bill, is almost identical to that found in the new environmental assessment act. Essentially,

“environment” means the components of the Earth, and includes (a) land, water and air, including all layers of the atmosphere; (b) all organic and inorganic matter and living organisms; and (c) the interacting natural systems that include components referred to in paragraphs (a) and (b).

Bravo, again.

If a nuclear terrorist threatens any of these elements of the environment, they can be charged with an offence, and if convicted, they can face serious time. However, if they do something, the environmental effects of these actions cannot hurt any living organism, including humans. That is not so for the way that the government treats its own projects.

The definition of environmental effect in the new environmental assessment act is only about those impacts on fish, migratory species and birds. If a federal project harms the environment in such a way that human health is threatened, apparently the government does not care. Human health is no longer protected by the Environmental Assessment Act.

Bill S-9 protects human health. It therefore protects the environment better against harm than the environmental assessment act. Nuclear terrorists are treated more harshly than government projects or other projects that are of large scale and large effect and that can in fact harm the environment. Most of those projects are not nuclear terrorism, so nothing is wrong with harming human health, says this Conservative government.

Bill S-9 is a necessary part of living up to our obligations to the UN. We like the UN. We wish we were part of the Security Council. We wish we lived up to all of our obligations. One of those obligations is the Convention on the Rights of Persons with Disabilities, which the government signed on March 11, 2010. On that date the government promised, as a result of signing that convention, to report back to the UN within two years. It still has not done it.

There has been no report on what it has done so far to help persons with disabilities. So far, the government has done things to harm persons with disabilities. One of the things that treaty with the UN says very clearly we are supposed to be doing is making it possible for persons with disabilities to have equal access to information, equal access to the Internet. Yet, the government, in its last bill, removed community access funding. It therefore cut off thousands upon thousands of disabled individuals from having access to the Internet, which they had grown used to under that plan, and it is no longer available to them.

*Government Orders*

The government has apparently failed the disabled, and failed, again, one of the very important things we have signed with the UN. We agreed with the UN. We thought we would make life better for the disabled, with every measure we took and with everything we did. Yet, we have the government acting in opposition of that promise to the UN.

In addition, the bill does nothing to deal with one of the most pressing needs in my riding, and that is affordable housing. The bill is all about safety and security, but safety and security is one of the things that is most missing in my riding with regard to persons living in supported housing in the city of Toronto.

Fifteen years ago, the Liberal government got itself out of supported housing, and the federal government has done nothing to move back into that role. The City of Toronto is facing a \$750 million deficit in terms of repairing these buildings, and thousands upon thousands of people are on waiting lists. Yet, we can do nothing about it. This is part of the safety and security of individuals in my riding in the city of Toronto, and in Canada as a whole.

However, the most important thing facing us is nuclear terrorism, according to the government. We have done absolutely nothing to assist those people in this country to feel more secure in where they live.

● (1345)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, these obligations go back to 2004, and no steps have been taken to ratify them until now.

The government seems to have a very mixed attitude toward the United Nations. It has tried to get on the Security Council, and they were turned down, many said, because of the government's attitude on key issues. We have heard backbenchers attack the United Nations. We have seen the Minister of Foreign Affairs ridicule it.

I would like to ask the hon. member if he is concerned about Canada's long-standing tradition of multilateralism being undermined by a government that seems to be very hostile towards our most important international body?

**Mr. Mike Sullivan:** Mr. Speaker, as for Canada's role in the world, one way of putting it is that we have always punched above our weight. However, since the government took office, we are less able to have an influence in the major and underlying issues facing this planet. Nowhere was that more evident than when we were rejected for a spot on the Security Council.

I am a supporter of the United Nations. I prefer to think that the United Nations is a place we can go to have large-scale discussions about the ills that face the world. Canada should be a part of that process.

More and more, since the government has taken office, we seem to be pushing ourselves to the outside of the UN. We do not want to make speeches at the UN. We do not want to abide by our commitments. It has been seven years since the commitment to the UN was made. It has been almost three years since the commitment on the persons with disabilities was made, and there has been no report from the government on that commitment.

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):**

Mr. Speaker, I was concerned as I listened to the member touch on a whole host of issues that are not directly related to this bill. However, I guess he has the right to do that.

I want to speak specifically to the issue of the flow of illegal guns into this country. The member was basically accusing the government of having done nothing on that, in spite of the fact that we have put increased resources into that at the border. We have increased sentencing for gun crimes because we felt that was an important thing to do in this country. We have armed officers at the border in order to protect them better, as well, and we have been screening arrivals and making sure people are checked so that the flow of guns is stopped.

The member also mentioned that the gun registry was shut down and seemed to somehow try to link that to handguns. I do not know if the member is aware, but the handgun registry has been in place for decades and it continues. The long gun registry does not affect handguns. If the member is talking about handguns in his riding, he should be clear and should not be misleading his constituents into thinking that somehow the government has not done anything with the handgun registry.

I have a specific question. It is the member's opinion that people feel they are less safe today than they were years ago. I am just wondering, if that is the case, why have the NDP members opposed every initiative we have brought forward in order to protect people and make them feel more safe in their own homes and communities?

**Mr. Mike Sullivan:** Mr. Speaker, the problem with the actions that the government has taken is they do not make people feel more safe. That has been the problem.

The government has taken action to remove a long gun registry, which in fact police were using every day. It has taken steps to make penalties for using guns harsher. I am not aware of too many criminals who read the law before they take a gun and shoot somebody. That is not what goes on in the minds of criminals.

What is necessary in order to make people feel safer is safer and more secure housing, and safer and more secure streets, which may mean we need some proactive way to get at the proliferation of handguns.

When I go into a high school and half of the children there admit to owning a handgun or knowing someone who does, there is something wrong with our society. When the proliferation of handguns is that pervasive that high school students think nothing of owning a handgun, there is something wrong.

● (1350)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, as always, it is a great honour to rise in the House of Commons, the house of the common people of Canada, and to represent the people who elected me in the region of Timmins—James Bay, whom I have great respect for. I take my role in this debate very seriously. We are discussing something of great importance that cuts across all party lines. It is an international concern about dealing with the proliferation of nuclear materials that could be used in terrorist attacks and in illegal ways.



*Government Orders*

Bill S-9 is an attempt by Canada to ratify commitments that were made at the United Nations, eight years ago, on the Convention on the Physical Protection of Nuclear Material. That was amended at the 2005 International Convention for the Suppression of Acts of Nuclear Terrorism. It is unfortunate that we did not move to ratify this earlier, but we are dealing with it now, so let us get down to business.

Ensuring that all countries are in compliance with the legal codes necessary to deal with those who would attempt to misuse or get access to nuclear materials is, of course, a major issue domestically. However, there is no such thing as being reactive when it comes to nuclear materials. It only takes one case, which could have catastrophic implications. There is the need to be proactive and multilateral, for Canada to take a place on the world stage, where we once were recognized for trying to get rid of weapons. It is the ease of access to materials that is like playing the dangerous game of Russian roulette.

I will talk a bit about the bill, but I want to talk about two issues that have recently come to light with regard to how nuclear materials are being used. One is on how they are clearly being used in an illegal manner, and the other is how they are being used perfectly legally. I will talk about the illegal manner.

There was the recent assassination of the Russian Alexander Litvinenko, who was poisoned with polonium-210. Mr. Litvinenko was a critic of Vladimir Putin, and a major investigation was undertaken. It was interesting that at the time British authorities were quoted in the media saying, "we are 100% certain who administered the poison, where and how", yet nobody was ever extradited for this, and life went on. The British doctors who dealt with Mr. Litvinenko when he was dying said that his murder represents an ominous landmark, the beginning of the age of nuclear terrorism.

After the fall of the communist regime that had become very much a corrupt oligarch, there have been attempts and hope throughout the last 20 years for Russia to move forward. However, there are real concerns about what is happening there right now. Three young women were recently convicted of the crime of embarrassing the Russian ruler with a piece of theatre. Yekaterina Samutsevich, Nadezhda Tolokonnikova and Maria Alyokhina were all arrested, convicted and sent to penal colonies. Yekaterina Samutsevich was finally released, but the other two young mothers, in their early 20s, are now serving hard labour in penal colonies for the crime of having embarrassed the oligarch Putin. This happened in 2012.

What is also very sad and shameful is that, along with Mr. Putin attacking these young women artists, he was actually backed by the patriarchs of the Russian Orthodox Church who felt they had also been embarrassed. For a church that has been persecuted by the Soviet Union, we would have hoped the leadership of the church would have called on Mr. Putin not to use the power of the state to try to crush artists. It is the role of the artist to perhaps say what the media and other people are unwilling to say. Yet, two young dissident women are suffering right now in a penal colony in Russia, in 2012. Very little has been said internationally, and Mr. Putin carries on. The murder of Mr. Litvinenko, the lack of action to find out who did it and the fact that it involved nuclear material is very concerning.

● (1355)

For the young women of Pussy Riot, we do need parliaments and political leaders to stand up and say that the right of dissent, the right of art must be protected around the world, even in the world of Vladimir Putin.

I will now turn to another issue in terms of nuclear proliferation, something that is perfectly legal right now but certainly does not meet the tests of international law, and that is the use of depleted uranium by NATO and U.S. military forces.

Obviously, depleted uranium is being used as tank busters and were used to a great extent in the first Gulf war, in Afghanistan and in the invasion of Iraq. It makes it very easy to blow up a tank with a large depleted uranium shell but uranium is extremely toxic and poisonous to the atmosphere. It destroys the landscape because it poisons it forever. We are now seeing, in areas like Afghanistan and Iraq, the effects of this, particularly in Fallujah. There are real concerns about catastrophic levels of birth defects and abnormalities being reported by media following the U.S. attack on Fallujah in 2006. Dr. Samira Alani, the pediatric specialist in Fallujah, said that she personally has logged over 700 birth defects in children who were born with severe abnormalities and children who died as a result of exposure to some form of radiation. The only radiation we can think of is the use of these depleted uranium shells. That is unconscionable.

What is also unconscionable is that as we are talking about trying to limit access to these materials because they could be used in terrorism, we see that the U.S. nuclear regulatory commission has established a general licence for the use of depleted uranium. Everyone can get a general licence as long as they promise they will not lose any of the stuff.

Nationally and internationally, we need to get our heads around this and say that we must get uranium away from being used in nuclear forces because all over the world we are seeing countries, which have access to weapons-grade uranium and nuclear materials, that are unstable. Some former regimes have collapsed and some of the new people should not have access to this material. The potential is catastrophic. It has been one of the great fortunes of the world that over the last 50 years these weapons have not been used, even accidentally, and we should all be grateful. It has to go back to the fact that there still is a lack of action at the international level to insist that we move toward removing these weapons and materials so that they cannot be used incorrectly.

The New Democratic Party supports moving the bill to committee and feels that it is important to do so. Obviously, people who are attempting to trade in nuclear materials need to be punished to the full extent of the law. However, it is the role of multilateral engagement that Canada has traditionally played the role of honest broker in the world in order to bring the various parties to the tables to say that we need to start, not only lowering the level of intercontinental ballistic missiles but we need to deal with issues like depleted uranium shells. We need to start taking the materials out of circulation in order to protect the common good.

*Statements by Members*

As we have been waiting eight years for this legislation to come forward, we accept it and will move forward with it, but we are calling upon the government to understand that reactive does not work when it comes to nuclear issues. The only real response of any credible nation in the world today in 2012 is to be proactive. We are calling upon the government to take the proactive lead to move toward multilateral disarmament on nuclear issues, including the depleted uranium shells that are still being used.

I look forward to carrying on this debate. This is the kind of discussion that belongs in our House and what we should be spending our time on as members of Parliament.

**The Deputy Speaker:** The member for Timmins—James Bay will have five minutes of questions and comments when the debate resumes.

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## STATEMENTS BY MEMBERS

• (1400)

[*English*]

### CLARITY ACT

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker,

Remember, remember the fifth of November  
Gunpowder, treason and plot  
I see no reason why gunpowder treason  
should ever be forgot

On this day, in 1605, Guy Fawkes was apprehended trying to blow up Parliament and the sovereign. It was an act for which he paid a gory price.

We have a metaphoric and modern-day Guy Fawkes. The Bloc Québécois, and, it would seem, the NDP attempt to undermine the lawful order of this realm by removing essential elements of the Clarity Act, which provides a rigorous process should any province wish to secede from our nation; namely, a clear referendum question and the need to achieve a decisive majority vote.

They say that history often repeats itself and, in today's case, the schemers will be exposed in this House or foiled.

However, luckily for them, they will meet their demise at the ballot box and not on the scaffold.

God save Canada.

\* \* \*

[*Translation*]

### VETERANS

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Mr. Speaker, this being Remembrance Week, I would like to pay tribute to all veterans who have served our country with honour. Regardless of the mission they have participated in, the Canadian Forces have always been proud to answer the call.

I would also like to take the time to acknowledge the tremendous support shown by the families of our military personnel, who live in fear of losing a loved one. Many soldiers return with physical or

psychological injuries that have a serious impact on their families. We must not abandon them.

Over the past year, the government has spent millions of dollars on propaganda about the War of 1812 instead of investing that money in improving the services provided to veterans. Every week I get phone calls from veterans who are having tremendous difficulty getting the services to which they are entitled. I think the way the Conservative government is treating veterans is unacceptable. It also makes me sad to see that those who fought on the front lines are now having to fight with their own government.

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[*English*]

### REMEMBRANCE DAY

**Mr. Brad Trost (Saskatoon—Humboldt, CPC):** Mr. Speaker, with Remembrance Day approaching, it is appropriate that we acknowledge those who fought for our country. Specifically, I want to take note of Herbert E. Kopperud of Humboldt.

Mr. Kopperud enlisted in November of 1942, joining the Queen's Own Cameron Highlanders of Canada. In a demonstration of where his heart lay, he surrendered his sergeant's rank so he could fight overseas with his unit instead of remaining as an instructor.

Mr. Kopperud served as a private in England, Holland, Belgium and Germany before returning as a member of the South Saskatchewan Regiment.

In 1946, he married the lovely, now late, Jean Cooper. Together they farmed after purchasing land with the help of the Veteran's Land Act. They also raised five wonderful daughters, all of whom are still with us: Margaret, Dianne, Lynne, Joyce and Florence.

In the winter months, Herbert built houses. His motto was, "Get the roof on before it snows".

An avid hunter and fisherman, he is a life member of the Royal Canadian Legion.

It is because of Mr. Kopperud and those with whom he served that we have the Canada we know and love.

He will be 95 this January.

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### INTERNATIONAL FEDERATION OF ACTORS

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, I am delighted to extend my congratulations to Ferne Downey, who has recently been named president of the International Federation of Actors.

Many of us here in the House met Ferne at ACTRA's annual reception on October 15 but may not have heard of her remarkable achievement.

She becomes president at a challenging time for the global performing arts community, as we debate the WIPO treaty and questions of performers' moral rights in the Internet age.

Ms. Downey spent the past 30 years as a performer on radio, television, film and on stage.

As ACTRA's national president since 2009, Ms. Downey played an integral role in ensuring that the voices of Canadian performers were heard and respected.

Now, Canadians can be proud that one of our own is the highest ranked global advocate for performers. Her appointment is a testament to Canada's growing arts and entertainment industry, which contributes \$85 billion to the GDP today, more than mining, fisheries and forestry combined.

I ask all members to join me in congratulating Ferne Downey and wishing her well in her efforts at the FIA.

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#### ELMWOOD—TRANSCONA

**Mr. Lawrence Toet (Elmwood—Transcona, CPC):** Mr. Speaker, three things are happening in my riding of Elmwood—Transcona.

Last Friday, I had the pleasure to announce much needed improvements to the East End Leisure and Cultural Centre in Elmwood as part of the community infrastructure improvement fund. This project will enhance the life experience of our youth.

Also, CN Rail recently announced that Transcona will be its national training centre, which will see approximately 250 employees visiting our riding each week from across Canada to receive training.

Finally, New Flyer Industries will develop and build four electric buses and a high-capacity charging station with the financial support of over \$3.4 million through Sustainable Development Technology Canada.

All of this has been done without a job-killing carbon tax, as the NDP would like to impose on Canadians. From investing in our youth to supporting clean energy in my riding of Elmwood—Transcona, Canada's economic action plan is working.

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• (1405)

[*Translation*]

#### CONSTRUCTION OF PRIVATE AIRPORT IN NEUVILLE

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, I had the enormous pleasure of taking part in the Quebec NDP convention, which was held this past weekend in Montreal. The exceptional participation of nearly 600 delegates made it a historic convention for our party.

At the convention, the delegates joined with the Fédération québécoise des municipalités and the Federation of Canadian Municipalities in supporting the people and the town of Neuville in their fight against the construction of a private airport in their region. The delegates unanimously passed a resolution calling on the government to amend the Aeronautics Act in order to respect provincial and municipal jurisdictions and ensure adequate consultation any time private airports are built.

It is absolutely inconceivable that a handful of rich developers can completely ignore provincial laws and municipal regulations and build an airport anywhere they like, which is what is happening in Neuville. It is time for the Minister of Transport, Infrastructure and

#### Statements by Members

Communities to stop ignoring the demands of the municipalities and to start doing his job. Canadians deserve better than the contempt and indifference demonstrated by the transport minister and his government. They deserve a government that delivers, and that is exactly what they will have in 2015, when the NDP will finally replace this government, which is unworthy of Canadians' trust.

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[*English*]

#### VETERANS WEEK

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Mr. Speaker, I would like to thank all the constituents of Stormont—Dundas—South Glengarry for participating in my annual “support the troops” campaign.

Every year, during Veterans Week, I encourage all my constituents to show their pride and admiration for the work of our Canadian Forces by putting a “support our troops” sign on their lawn. We began this program five years ago and I still see some original signs on constituents' lawns or in their windows. I do know our men and women who serve so proudly in our armed services appreciate these signs.

I believe the “support our troops” program gives all constituents an opportunity to visibly demonstrate how much they appreciate the great work our servicemen and women do around the world.

It gives me great pride, driving through my riding and seeing my constituents show their honour for our Canadian Forces.

I encourage all my colleagues to start campaigns like this one. I look forward to spending Veterans Week in my riding honouring our veterans and current Canadian Forces personnel alongside my constituents.

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#### HAY EAST 2012

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, rain shortages, coupled with record high temperatures, have left many farmers in my riding of Renfrew—Nipissing—Pembroke in the Ottawa valley and on both sides of the river, including the Pontiac and throughout Ontario, short of livestock feed.

Hay East 2012, a farmer and farm organization-led initiative, was created by western farm organizations that remember when eastern farmers sent hay west in 2002. We applaud the efforts of farmers, like Hay West organizer Wyatt McWilliams, for helping farmers today.

I am proud to say that the federal government, in partnership with Hay East and other levels of government, is providing \$3 million to help transport hay to those farmers in need. This builds upon our government's targeted tax deferral for livestock producers in Ontario and Quebec.

*Statements by Members*

The rural Ontario Conservative caucus continues to stand up for farmers everywhere, assessing the needs of these provinces and considering every option under existing programs. A farmer-friendly Conservative MP is always a farmer's best friend.

\* \* \*

[Translation]

**NORMAND ROBERT**

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, I would like to pay tribute to Normand Robert, a pillar of the Rivière-du-Nord community. As a community organizer at the Saint-Jérôme health and social services centre, Normand was a strong advocate for the poor and the marginalized. In good weather and in bad, our bearded activist would travel around town with his backpack, calling on one organization after another.

He was always very vocal about the fact that community groups are essential components of the public health care system, an incredible web of support. He is the type of man who would question conventional wisdom and challenge those who believe that poverty exists elsewhere. Normand knew that street people cannot wait for the government to suddenly be struck by compassion and that sometimes you have to rattle the cage.

That is the kind of humanist Canada needs. The community of Saint-Jérôme recognized his exemplary commitment by presenting him with the Coup de coeur award at the 23rd homelessness awareness night.

\* \* \*

• (1410)

[English]

**ARCTIC COUNCIL**

**Mr. Ryan Leef (Yukon, CPC):** Mr. Speaker, the north is key to Canada's future prosperity. That is why it is so important that, when Canada takes over the Arctic Council chair in 2013, we have a strong northern voice at the table.

As a born and raised northerner, the minister for the Arctic Council knows that this is fundamental to Canada's national identity. Northerners now have a strong voice at the table, evidenced by the productive round of meetings in the north this past week.

However, one member of this House does not agree that a northerner should have that position of Arctic Council chair. The member for Western Arctic was in the news saying that he did not think putting an Arctic minister in this position was appropriate. Only a member of the NDP could suggest having an Arctic minister as chair of the Arctic Council to speak with and for Arctic people is a bad idea.

I am happy to be part of a Conservative government that is engaging northerners on this key initiative and is committed to helping the north reach its true and prosperous potential. We will continue to bring a strong, united voice for Canada to the international scene.

**CASTLEGAR, B.C.**

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, my community of Castlegar, B.C., won the top award at the Communities in Bloom National Conference held in Edmonton last month. Castlegar came first in Canada in the 6,501 to 10,000 population category for 2012.

Many dedicated volunteers worked tirelessly to make this happen. I would especially like to single out Darlene Kalawsky, our Communities in Bloom volunteer coordinator, as well as Gail Hunnisett, Roxy Riley, Pam Johnston, Kari Burk, Mielle Metz, Denise Talarico, Kathy Gregory, Mac Gregory, Angie Zibin and Marilyn Pearson for their extraordinary effort.

That is not all. The city itself, under the leadership of Mayor Lawrence Chernoff and members of council, played a major role in this project, especially the public works employees.

Our Castlegar Communities in Bloom team is but one example of those countless volunteers who labour day in and day out to improve the quality of life in our rural communities. Bravo, Castlegar.

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**MEMBER FOR ROSEMONT—LA PETITE-PATRIE**

**Mr. Costas Menegakis (Richmond Hill, CPC):** Mr. Speaker, recently NDP president Rebecca Blaikie admitted that the decision to create a New Democratic Party in Quebec is complicated by the fact that some Quebec New Democrats are supporters of left-wing sovereigntist parties at the provincial level.

We know the member for Rosemont—La Petite-Patrie donated to Québec solidaire, the most left wing separatist party in Quebec. In fact, we know he donated 29 times to Québec solidaire, while donating only 14 times to his own party. We also know that he even made donations to Québec solidaire after he was elected as a member of this Parliament.

The member for Rosemont—La Petite-Patrie can put this controversy to bed today by embracing Canada in question period. Will he do so?

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**RUTH GOLDBLOOM**

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, this summer we said goodbye to an exceptional Canadian. Ruth Goldbloom was 4' 11" of sunshine. She was the most formidable fundraiser for charities, universities and arts and culture Nova Scotia has ever seen, and one of Canada's best.

An Officer of the Order of Canada, Ruth was the first chairwoman of the annual Metro United Way campaign. She was the driving force responsible for preserving Pier 21 and making it a celebration of Canada's openness and diversity and our national immigration museum.

A bundle of boundless energy, Ruth was still tap dancing earlier this year at the age of 88.

Ruth Goldbloom demonstrated how much difference one person can make. It is a privilege to pay tribute to her.

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

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, it has been months, and the NDP leader has not yet explained what he meant when he said of course he had a cap and trade program that would produce billions, or what his party meant by the \$21 billion in revenue from carbon cited on page 4 of the NDP's platform.

My constituents and many Canadians are wondering what the NDP leader is trying to hide. Is he ashamed to come clean with his sneaky tax plan that would raise the price on everything including gas, groceries and electricity? Is he ashamed to tell hard-working families that he wants to take more of their hard-earned money out of their pockets? Is he ashamed that this plan was already rejected by the Canadian public in 2008 and in 2011?

It is about time that the NDP leader confess and admit he has a sneaky carbon tax plan that would cost Canadians billions of dollars.

\* \* \*

• (1415)

**TAXATION**

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, a recent report shows the Conservatives collected over \$8 billion in government user fees last year alone. In fact, since 2000, user fees have more than doubled, while corporate taxes have been cut in half, shifting the tax burden once again onto the back of the beleaguered Canadian taxpayer.

They are not finished yet. Even though Canadians are still struggling from a devastating recession, the Conservatives are hitting them right in the pocketbook with a vast array of new taxes on everything under the sun. Passport fees have gone up, and so have fees for nautical charts and maps, fees imposed on new Canadians and even fees for international youth exchanges. Add it all together and it amounts to a great big fat Conservative tax grab.

Canadian taxpayers are sick of bankrolling the Conservatives' obsequious tithing to their corporate puppet masters. Gouging Canadians for exorbitant service fees is no way to balance the budget.

\* \* \*

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

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** Mr. Speaker, the NDP spent this past weekend debating policy positions, but oddly, what was not discussed was the NDP leader's plan to impose a \$20 billion carbon tax on gas, groceries and electricity.

On page 4 of its costing document from the last election, it is written in black and white that it has a plan for this new tax.

During his leadership race, the NDP leader laid it out clearly that he wanted to impose this job-killing carbon tax to generate billions of dollars in new revenues.

It is curious. The NDP could have spent the whole weekend on inward-looking policies, but it refused to talk about its billion-dollar job-killing carbon tax.

While the NDP leader continues to try to hide behind his new job-killing carbon tax for Canadians, our Conservatives will continue to oppose this new tax on Canadians.

**ORAL QUESTIONS**

[English]

**FOREIGN INVESTMENT**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, another week goes by, another Friday night special, a late-night decision on foreign investment by the Conservatives. This time it is the approval of the \$15 billion takeover of Nexen by the Chinese government that was delayed.

What investors and Canadians are looking for is some sort of certainty, predictability, a clear set of rules. Conservatives have been leaking that the criteria and the process will be changed shortly.

Is this true? Will they be changing the entire process before the new Nexen deadline?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, the government and the minister are taking a thoughtful review of this important transaction.

The minister is looking to find out whether it is in the best interests of Canadians, and he is taking the time necessary to get it right. He is taking into consideration the views of stakeholders. They will be considered, including those that are being put forward by Canadians.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, what form will that consultation of Canadians take?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, the Minister of Industry hears regularly from Canadians from coast to coast to coast. He is looking at this transaction, which is a large transaction, to make sure that it is in the best interests of Canadians. That is something that is tremendously important. This is a big deal, and he is taking the time necessary to get it right.

[Translation]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, this should not be such a difficult question.

India is an important market, a growing economy. The Prime Minister is there right now.

What are the criteria for investing in Canada? What will be his response to Indian investors? What criteria are used to determine the net benefit to Canada? What will be his response to the Indian government? Why are the Conservatives not providing a clear answer to the question?

*Oral Questions**[English]*

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, Canada has received a lot of foreign investment. We welcome foreign investment where it is in the best interests of Canada.

Foreign investment helps create jobs and opportunities. The government's policies of keeping taxes low and keeping regulations low have been a real magnet for jobs, investment and opportunity.

What the leader of the NDP wants to do is bring in more regulation and a large carbon tax. Let me say, that will be something that would not be welcomed in India or in anywhere else that looks at Canada.

\* \* \*

*[Translation]***GOVERNMENT SPENDING**

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, the Prime Minister went to India with his limousine and his entourage. He blames the RCMP for this decision. It is true that it would look bad for him to take responsibility for this when he is telling everyone to tighten their belts.

India is the largest democracy in the world. Were there no vehicles there to the Conservatives' liking? Perhaps they did not like the colour. How much did it cost to transport the Prime Minister's limousine and was orange juice included?

• (1420)

*[English]*

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, the RCMP is responsible for decisions relating to the Prime Minister's security. The deployment of RCMP assets is based on operational considerations, including the safety of officers and the safety of the Prime Minister.

I rely on the RCMP, and I trust its judgment.

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, let us get this straight. Conservatives are raising fees on services, raising taxes on health benefits, cutting old age security, cutting vacation pay, and yet austerity does not seem to apply to the Prime Minister, who brought his own limos for his visit to India. The only time this has been done before is in places like Haiti, war-torn countries.

This is not about security. Can we please get a straight answer to this simple question? How much is it costing to send the Prime Minister's personal limos to the Taj Mahal?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, we have the comments of the member opposite saying this is not a security decision. Frankly, the RCMP in fact has made that decision. It has made it related to the Prime Minister's security.

The deployment of RCMP assets is based on operational consideration, including the safety of the officers and the safety of the Prime Minister.

**CORRECTIONAL SERVICE CANADA**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, in indicating on Friday that the government was doing a complete reversal of its previous position at the Ashley Smith inquest, the government did not tell us what exactly has changed in the government's position.

There have now been a number of reports from the correctional investigator, indicating that the Ashley Smith death was not alone, was not a singular act, and in fact there are dozens of people who have died while in custody and who have committed suicide.

I would like to ask the government: Can it please explain to the House what exactly has changed over the last few days that has caused the government to change its position at the coroner's inquest?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, this tragedy continues to show that individuals with mental health issues do not belong in prison but in professional facilities.

At the same time, our government continues to take concrete steps on the issue of mental health in prison. We have taken action to improve access to mental health treatment and training of staff.

Some of the behaviour by the correctional service seen in these videos is absolutely unacceptable, and that is why the government has directed the Correctional Service of Canada to fully co-operate on this issue.

*[Translation]*

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, the Government of Canada has had access to the videos in question for five years. The government has been well aware of the situation for five years. It was only on Friday that the Conservatives admitted that the videos contained something unacceptable, despite the fact that they have been aware of the problem since they came to power and certainly since the death of Ms. Smith.

What really changed? The government is guilty of a certain amount of hypocrisy.

*[English]*

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, it is clear to anyone viewing these videos that the behaviour by some officials at the Correctional Service of Canada is absolutely unacceptable. That is why the government has directed the Correctional Service of Canada to be fully supportive of this investigation.

**Hon. Bob Rae (Toronto Centre, Lib.):** Let us be clear, Mr. Speaker. There is not a correctional minister or a senior official at the Correctional Service of Canada who has not had access to those videos. It was entirely possible for them to view those videos for five years. In fact, they must have seen the videos, because for such a long time they told the inquest and everybody that the videos could not be shown because they were so serious.

Now Canadians have seen them and now we understand what the problem is.

I would like to ask the government, how can it justify this level of inaction over five years in which the correctional investigator has said that the situation is unacceptable?

*Oral Questions*

**Hon. John Baird (Minister of Foreign Affairs, CPC):** This is a tragedy, Mr. Speaker. It shows that more could be done on mental health. That is why since 2006, we have ensured that there is faster mental health screening, that there has been extended mental and psychological counselling.

We have ensured that no prison cells contain harmful objects, and we have had improved staff training. Obviously we are all deeply troubled by what these videos have shown, and that is why the government has directed the Correctional Service of Canada to fully co-operate.

\* \* \*

• (1425)

[Translation]

**ETHICS**

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, for over three weeks now, we have been trying to get answers from the Minister of Intergovernmental Affairs about his exceeding the election spending limits. But the minister continues to think that the law does not apply to him. He is content to look the other way, even though his campaign manager was rewarded with a job for circumventing the system. What happened to ministerial accountability? The minister is refusing to answer, but he must answer.

If he is not able to supervise his own election campaign and his own employees, how can we believe for a single second that he is able to manage his own department?

**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 minister has already indicated that the official agent would proactively respond to all questions, in co-operation with Elections Canada.

[English]

The New Democratic Party officials have likewise been very busy. On Saturday they met in Quebec to discuss whether or not they should have a provincial party, but according to a Global News story, the party president, Rebecca Blaikie, said that the decision was complicated by the fact that some Quebec New Democrats are supporters of left-wing sovereigntist parties at the provincial level.

Could the member clear up all the complications?

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, there is nobody in Quebec with the New Democrats who supports illegal activities, unlike those on that side.

Now we have the member for Labrador who has been caught again. This time he cashed a cheque from Pennecon and then tried to cover his tracks by coming up with after-the-fact personal receipts. That is wrong. He financed his campaign with zero interest loans from his in-laws. That is wrong. He blew past the spending limit. That is wrong. He hid \$18,000 in flights. That is wrong. He has been hiding out from accountability besides, which is totally wrong.

I would like to ask the member, will he stop acting like a turtle, act like a minister of the Crown and stand up and take accountability?

**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, at no time did I suggest that the supporters of the NDP were breaking the law when they contributed to the separatist cause in Quebec. That is not a criminal offence; it is a political position.

All I ask is for the hon. member who has contributed to that position on 29 occasions to rise in this House and say whether or not he is a federalist.

What is against the law is the \$340,000 of illegal union money that the member has been defending ever since his party accepted it. Shame on him.

\* \* \*

[Translation]

**FOREIGN INVESTMENT**

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the Conservatives' lack of respect for democracy has reached a new low.

We were all concerned to see that a journalist from the *Selkirk Record* lost her job because a Conservative MP deviated from the Prime Minister's official talking points on Nexen. Freedom of the press is a fundamental pillar of a strong democracy.

Why are the Conservatives refusing to allow Canadians to speak freely about Nexen? Why push a scorched earth policy on those who want to search for the truth, an important tool in our society?

[English]

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, this proposed transaction will be scrutinized very closely. The views of a variety of stakeholders will be considered, including those submitted by Canadians. We welcome foreign investment that is in the best interests of Canadians.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, we have received tens of thousands of emails and letters about Nexen, including from Conservatives, who agree with the NDP position on this and say that the Conservatives should be listening to the public. The Winzowski affair takes this to a whole new level. The member for Selkirk—Interlake said that he was “strongly opposed to this deal” but also that “there is little that can be done to stop it”.

Why are Conservatives not allowing public consultation and are so afraid of dissenting voices, and why must a journalist lose her job because of the mess the Conservatives have created on Nexen?

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, to be clear, the NDP is opposed to every initiative to increase trade. In fact the NDP trade critic says they are opposed because “unions do not want it”. On this side of the House we listen to Canadians and will act in the best interests of Canadians.

*Oral Questions*

● (1430)

**SERVICE CANADA**

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, during the worst recession in a generation, eligibility for EI has hit a 10-year low, and for those who do qualify, service is falling. Two-thirds of EI calls and 50% of CPP calls are not being answered on time. Last week, the minister said that if there were a need, she would bring on more staff, but in reality she is getting rid of staff.

Why will she not keep her promise, fix her department and give people the help they need?

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, the report continues to show that 8 out of 10 individuals in Canada qualify for employment insurance. Let us be very clear: This government is focused on making sure that those who are unemployed have an opportunity to have a job. We have created 820,000 net new jobs since the downturn of the recession. We have a number of items that we put forward, whether they be the targeted initiative for older workers or apprenticeship grants, or an opportunity for individuals to support the hiring credit for small businesses. These are all things that the opposition members vote against time and again.

[Translation]

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, the Conservatives' changes are not working.

There are not enough staff to answer people's questions at peak periods. That is the problem. It is a perfect example of the Conservatives' mismanagement. The vast majority of calls about employment insurance and old age security are not being answered within the prescribed time limit.

When will the minister stop cutting services to the public and start providing the necessary resources to get the job done?

[English]

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, Service Canada continues to improve and update its operations to ensure that Canadians receive service effectively, efficiently and, in the best case scenario, in a way that uses taxpayers' dollars effectively. Unlike the NDP, which wants to put in place a \$21 billion carbon tax, increase taxes and therefore not provide opportunities for Canadians, we are focused on what Canadians need: efficient and effective service.

\* \* \*

[Translation]

**VETERANS AFFAIRS**

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Mr. Speaker, the Conservatives like to pull out all the stops when there is a photo op, but when the cameras disappear, they completely ignore our veterans.

In fact, 70% of the families of veterans who apply to the government for help with funeral expenses are turned down. Those who receive government assistance are only given \$3,600, even though funeral expenses are often more than double that amount.

Why have the Conservatives abandoned these families in their hour of need?

**Hon. Steven Blaney (Minister of Veterans Affairs, CPC):** Mr. Speaker, our government has enormous respect for the men and women who risk their lives for our country.

That is why, every day, members rise to support the measures we put in place for our veterans. I am obviously referring to Conservative members, because the NDP are all talk.

The funeral and burial program is provided to veterans through the Last Post Fund. It is provided to all veterans in need who have been injured in the line of duty.

[English]

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Mr. Speaker, that is patently false. The Last Post Fund does not supply the needs of all veterans. The fact is that we asked last week in the House of Commons when the government would ensure it for every single hero of our country who wore the uniform. When veterans pass on, it is the final chance that a grateful nation has to thank them and their families for their service.

I would like to ask the minister again, does he believe that every veteran who serves this country deserves a proper and dignified burial service?

**Hon. Steven Blaney (Minister of Veterans Affairs, CPC):** Mr. Speaker, on this side of the House, for six years we have improved the quality of life and services provided to veterans. We have heard no on the other side. Opposition members sit on their hands when it comes time to do things for veterans.

Regarding the funeral and burial program, this is an important program delivered by the Last Post Fund to all injured veterans in need. We will keep improving all the services we provide to veterans.

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**CORRECTIONAL SERVICE CANADA**

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, the correctional investigator is concerned that the lessons learned from the death of Ashley Smith are being ignored. That is his word, "ignored". We heard a list earlier in question period by the Minister of Foreign Affairs of very laudable things the Correctional Service of Canada has done, but it omits the basic recommendations by the correctional investigator, like a review by mental health professionals of all serious incidents or ensuring that mentally ill patients do not spend long periods of time in segregation.

Will the minister now assure the House that the Correctional Service of Canada has the capacity to address the mental illness needs of those in prison and will he make sure that the basic recommendations are fully implemented?



•(1435)

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, this tragedy continues to show that individuals with mental health issues do in fact need special attention and special assistance. Our government continues to take concrete steps on the issue of mental health in prison. Since 2006, we have invested nearly \$90 million in mental health for prisoners. We have taken action to improve access to mental health treatment and training for staff.

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#### VETERANS AFFAIRS

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, while the Prime Minister tours India in an armoured limousine, the Conservatives are rejecting 66% of all applications made by veterans for help with funeral and burial costs. It is a national disgrace.

Would the minister consider appointing an independent panel to review the funding of the Last Post Fund to make recommendations on the appropriate levels of support for our brave veterans when their families deal with their funerals and burial costs? Would the minister consider this approach?

**Hon. Steven Blaney (Minister of Veterans Affairs, CPC):** Mr. Speaker, coming from a party that cut the funeral and burial benefits, the member should be ashamed to ask this question. For six years this government has brought unprecedented benefits for veterans. We brought in the ombudsman and the new veterans charter—

**The Speaker:** The hon. member for Avalon.

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#### ETHICS

**Mr. Scott Andrews (Avalon, Lib.):** Mr. Speaker, with the Minister of Intergovernmental Affairs, first it was about inexperienced campaign workers, workers meeting the bus. Then the excuse was, “Sorry, I’m a rookie at this kind of stuff, I don’t know the rules”. Then out of nowhere last week the minister knew the rules. It was not about inexperienced campaign workers. He told them, “Don’t accept corporate donations. Don’t be tricked, don’t be fooled”. Then, in the same breath, he forgot to tell them that there was a spending limit.

Is there anything else he would like to add while he is digging this hole?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** I have something I would like to add, Mr. Speaker. That member across speaks for a party that in the last month has been caught making illegal robocalls, and that has almost half a million dollars in illegal loans that have now become donations over the limit, for which it has no explanation whatsoever. Of course, this builds on the grand legacy the Liberals left after 13 years in office of that \$40 million. I ask him, where is the \$40 million?

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#### ABORIGINAL AFFAIRS

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, intentional flooding in the spring of 2011 forced Manitoba first nations from their homes. A year and a half, and millions of dollars later,

#### Oral Questions

more than 2,000 people are still in Winnipeg hotels. Perhaps the Conservative member for Selkirk—Interlake could spend a little less time trying to get unflattering reporters fired and a lot more time working with the government on a permanent solution to this unacceptable situation.

Will the government commit today to moving the Lake St. Martin community to higher ground?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we are working very closely with the leadership from Lake St. Martin and with the province on this important community situation. We have put 60 trailers in place in order to have people move in. It has now been several months and we have exactly 11 of those homes occupied. There is a great reluctance to move to higher ground.

We continue to work with the chief and council and with the province. Their health and safety is our first concern.

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[Translation]

#### THE ENVIRONMENT

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, an Environment Canada study has found that contaminants are accumulating in the snow near oil sands operations. These results confirm those of previous research that the Conservatives prefer to ignore. Science should be based on facts, even if it goes against their ideology.

Why are Environment Canada's scientists not allowed to talk about this study?

[English]

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, it was precisely the advice of the scientific community that led us to set up, design and have a monitoring plan for the lower Athabasca River in the area of the oil sands that is peer reviewed by the scientific community. It is being implemented jointly by the Government of Canada, Environment Canada and the Government of Alberta.

I can assure my colleague that this world-class plan will result in an improved understanding of the cumulative effects of the long-term environmental side effects of oil sands development.

•(1440)

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, I appreciate the minister's answer but we have actual facts here. The study was kept secret and the scientists who did the research were muzzled.

Instead of providing information about water contamination to the public, Conservatives concocted spin and downplayed the findings they found inconvenient. Spin will not protect our waterways nor will it protect the Canadians who drink from them.

*Oral Questions*

How can the minister look at this study and still agree to further weaken environmental protection in the budget bill?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, if I can correct my colleague, the incident mentioned was in fact reported in 2011 by the scientists who conducted the study at an international conference in Boston. The results of follow-up monitoring have confirmed that water in the Athabasca River absolutely shows lower levels of contaminants than those that pose a concern for aquatic life.

This government can balance environmental stewardship and our recovering economy.

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**FISHERIES AND OCEANS**

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, it is clear that ignoring science puts our ecosystems and our very way of life at risk. Canadians do not need to look very far to find that evidence.

Justice Cohen pointed to a serious lack of scientific capacity at Fisheries and Oceans Canada as a factor in putting wild salmon at risk. Fish stocks are down across the country and the Conservative plan is to further gut environmental protections.

Will the minister implement the recommendations of the Cohen report before it is too late?

**Hon. Gail Shea (Minister of National Revenue, CPC):** Mr. Speaker, we have invested significantly each year in west coast salmon research. We have also provided funding to upgrade about 26 hatcheries along the Fraser and other rivers throughout British Columbia. We are investing in science.

Recently the Council of Canadian Academies presented a report that said, "Fisheries research in Canada was ranked first in the world by top-cited researchers...accounting for 8.6 per cent of the world's papers".

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, this is not complicated. How long can it possibly take for the Conservatives to understand the findings, which are so clear?

Wild salmon are in crisis. The report's recommendations are a road map to saving them. However, instead of acting on the recommendations, the Conservatives are further gutting environmental protections in another omnibus budget bill.

That minister is going in the wrong direction. When will she commit to implementing these recommendations?

**Hon. Gail Shea (Minister of National Revenue, CPC):** Mr. Speaker, this is a very expansive report and it has very serious implications on a very important resource for British Columbians. We will carefully review the recommendations. We will work with our stakeholders and partners to take steps to ensure that the salmon fishery in British Columbia is sustainable and prosperous for years to come.

It was this government that called the commission of inquiry.

**HEALTH**

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, we are all aware of the devastating effects that autism spectrum disorder has on far too many Canadians. Tragically, all children who have this disorder will experience social difficulties and mental health problems at some point in their lives. Fortunately, there is cutting-edge research going on here in Canada that will hopefully provide new and effective treatments.

Can the Minister of Health please update the House on how our government is supporting this important research?

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, our government is committed to supporting research that will help Canadians with autism and their families. That is why today we announced funding for a new chair for autism research, Dr. Jonathan Weiss from York University. This will not only improve our understanding of autism by looking for new approaches to treatment, it will also support the next generation of Canadian researchers. We will continue to make strategic investments in health care.

\* \* \*

• (1445)

[Translation]

**EMPLOYMENT INSURANCE**

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, new Statistics Canada data shows that only 40% of unemployed workers collect employment insurance benefits. In other words, over half of these people are not getting a service for which they pay. This is the lowest access rate in 10 years. It is outrageous. The EI fund belongs to workers and employers, not to the Conservatives.

Why restrict access to employment insurance even more for those who need it most and who paid for this program?

[English]

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, as I mentioned before, this report continues to show that around eight out of ten individuals in Canada qualify for employment insurance. What is scandalous is that the New Democrats continue to vote against opportunities for Canadians to be employed. Whether it be the hiring credit for small businesses, apprenticeship grants or the targeted initiative for older workers, the New Democrats just want to tax Canadians and ensure they have no opportunity for employment, as opposed to supporting great initiatives for employment.

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Mr. Speaker, I think the member is making it up as she goes along.

*Oral Questions*

[Translation]

This weekend, in the Magdalen Islands, 2,000 people protested against these reforms, which directly target the regions that depend on seasonal work. This is 2,000 people out of a total population of 12,000. Can the minister begin to understand? In all, it is over 800,000 unemployed workers that the Conservatives are letting down. Statistics Canada recently announced that access to employment insurance was at its lowest level in 10 years.

Why reduce access to the employment insurance fund, which belongs to workers and employers?

[English]

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, let us talk about making it up as we go along. As I just said and will say for the third time, which is sort of like *Groundhog Day*, eight out of ten Canadians have qualified for employment insurance. That number is a little different from what the member opposite stated.

Let us be clear on what the facts are. We have a number of initiatives that we have put forward to ensure Canadians are employed. In fact, 820,000 net Canadians are newly employed. The opposition members continue to vote against these things and want to increase taxes, in fact with a \$21 billion carbon tax. Just think what that would do to the economy.

[Translation]

**Mr. Tarik Brahmī (Saint-Jean, NDP):** Mr. Speaker, the NDP is proud to oppose this reform, and it will continue to do so.

We are in a tough economic situation. There are fewer and fewer full-time permanent jobs and increasingly more temporary and unstable jobs. Tightening the EI eligibility criteria is unjustified. Statistics Canada recently announced that women and people aged 25 to 44 were the hardest hit.

Why is the minister attacking workers in such uncertain economic times?

[English]

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, let us talk about the facts again. Ninety per cent of the new jobs created have been full-time jobs. To be very clear, with respect to youth employment, the youth employment strategy is a \$50 million investment to ensure that young Canadians have opportunities for jobs. That is what we put on the table in budget 2012 and the opposition members voted against those opportunities.

The facts are very simple. We want to ensure that Canadians are employed. The opposition members obviously do not.

**Mr. John Rafferty (Thunder Bay—Rainy River, NDP):** Mr. Speaker, Conservative mismanagement of employment insurance means fewer and fewer Canadians are qualifying. There are 1.35 million Canadians out of a job and 60% of them do not qualify. This is the real story.

Conservative changes to EI would only make the problem worse. Hard-working Canadians have paid for EI their entire working lives.

When will the government start helping unemployed Canadians get the protection they have already paid for?

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, as I have mentioned already in the House, in fact three times today, eight out of ten Canadians do qualify for employment insurance. I guess—

**Some hon. members:** Oh, oh!

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

**Ms. Kellie Leitch:** Mr. Speaker, as I have mentioned, over 820,000 net new jobs have been created by the economic action plan since the downturn of the recession in July 2009.

Whether it be the targeted initiative for older workers, apprenticeship grants or the youth employment strategy, all of which are helping to create jobs for Canadians, the opposition continues to vote against these.

\* \* \*

[Translation]

## THE ENVIRONMENT

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Mr. Speaker, the minister is telling us that the Navigable Waters Protection Act deals only with navigation. Using the same logic, he says that the Fisheries Act only deals with fish.

Is he aware of the regulations governing mining discharges, under the Fisheries Act, that allow mining companies not only to kill fish but also to kill entire lakes? In other words, the Fisheries Act affects the entire environment.

Will the minister soon be claiming that the regulations governing automobile emissions affect only automobiles and not the environment?

● (1450)

**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, the hon. member certainly knows how to complicate things.

Public servants at Transport Canada consulted the provinces and territories in order to create the list of waterways. None of the provinces or territories expressed any problems or concerns. I understand that the opposition wants to create problems. No studies were needed in 98% of the projects. We have saved money for all Canadian taxpayers. All departments apply the regulations that fall within their portfolios.

*Oral Questions**[English]***PUBLIC SAFETY**

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, last week Hurricane Sandy tore through the U.S. causing enormous suffering and \$20 billion in damages. I then received the government's two-sentence answer to my order paper question regarding disaster risk reduction and preparedness in Canada. Apparently my answer requires "extensive manual research and analysis".

Why has the research not been done? Why did the Minister of Public Safety not deign to answer any of my questions, which are fundamental to the health and safety of Canadians?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, let us just put that into context. The question that was posed by the member cost taxpayers in excess of \$1,300, just to examine whether an answer was possible. In order to—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The hon. Minister of Public Safety has the floor.

**Hon. Vic Toews:** Mr. Speaker, the question cost taxpayers in excess of \$1,300 just to examine whether an answer was possible. In order to answer the 55 subquestions, it would cost untold tens of thousands of dollars.

\* \* \*

**FINANCIAL INSTITUTIONS**

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, Canadian businesses pay \$5 billion a year just to process credit card payments. These costs are then passed on to consumers. Now, credit card companies have announced that fees are set to increase again, this time by 33%. This will have a major impact on small businesses in Canada, and it underscores how the government's toothless voluntary code of conduct has failed to reign in credit card fees.

Why do Conservatives refuse to regulate this industry, and protect consumers and small businesses?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, imagine what a \$21 billion carbon tax would add to the cost of businesses.

This is certainly something that has concerned businesses and it has concerned our government. That is why we put in place a code of conduct that, if I recall, the NDP did not even support.

We need to make sure that businesses know exactly what they are signing on to when they sign agreements with the credit card companies, as do consumers. We would appreciate a little support in the House in protecting businesses.

*[Translation]*

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, small and medium-sized businesses are not protected by the code. The Conservatives' voluntary code of conduct does not work.

In addition to a 33% increase in processing fees, the cost of foreign-card transactions would double in 2013. Moreover, Visa will be issuing ultra-premium cards for frequent users, which will cost

merchants even more in fees. There is no end to it. The Conservatives must take action, at last, to protect small business and stop hiding behind their so-called code of conduct.

When will there be regulations to protect the profit margins of Canada's small and medium-sized businesses from abuse by the credit card companies?

*[English]*

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, as I said, we do have a code of conduct that was put in place, with no help from anyone on the other side of the House, that actually does put in a lot of protections for businesses. The debit and credit card protectors must be upfront about fees. The businesses now know that, whereas they did not before. They also have to know upfront what the rates are. Small businesses can actually cancel contracts without penalty if those fees change.

Those are common sense changes in the code of conduct, not common sense enough for dippers, I guess.

\* \* \*

● (1455)

**ETHICS**

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Mr. Speaker, the more Canadians learn about senior Liberal, Joe Fontana, the graver concerns become. First, there was the senior Liberal's alleged misuse of \$20,000 taxpayer dollars. Now we have learned that a charity run by that senior Liberal issued tax receipts totalling \$72 million in 2011, despite receiving only \$72,000 in donations three years earlier. Those numbers do not add up.

Will the parliamentary secretary please advise the House as to what our government is doing to crackdown on tax cheats?

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, our government strongly condemns those who would use charities as a way to steal money to enrich themselves. Sadly, those who steal once often steal again.

While we will not stand by and watch anyone fleece the taxpayers, Canadians want to know what the Liberal Party of Canada has to say about the issue.

Will the Liberals assembled here, including the member for Papineau, join with us in condemning this activity or is their silence a representation of protection?

\* \* \*

**HEALTH**

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, last week we learned that 90% of cancer patients and their families suffer severe hardship, often bankruptcy, to pay for prescription drugs and home care.

*Oral Questions*

In the 2004 health accord, former Prime Minister Martin and the premiers agreed to fund and develop a national pharmaceutical strategy for medically necessary drugs. The current government abandoned that strategy, forcing patients to go on social assistance to get their medication.

Is the government saying that Canadians should go bankrupt to stay alive? If not, what is its plan to help them?

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, unlike a previous government that balanced its books on the backs of provinces and territories, we have committed to long term, stable funding that will see—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The hon. Minister of Health has the floor.

**Hon. Leona Aglukkaq:** Mr. Speaker, as I said, unlike previous governments that balanced their books on the backs of provinces and territories, we have committed to long term, stable funding that will see health transfers reach historic levels by the end of the decade.

Since we have formed government, health transfers from Ottawa to the provinces and territories have grown by nearly 35%. Our investments will help preserve Canada's health care system so it is there when Canadians need it.

\* \* \*

**CITIZENSHIP AND IMMIGRATION**

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, when they sought asylum in Canada, all Adel Benhmuda and his family were looking for was a fair process. Instead, he was deported and tortured in Gadhafi's Libya. The Canadian Federal Court has ruled that they were subjected to an unfair process and their application was prejudged.

The minister has been pushing for extraordinary powers to block people from entering Canada, but will he use the power he currently has to comply with the Federal Court and ensure that this family is given a fair hearing?

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Mr. Speaker, no I will not personally intervene in this problem because that would be in violation of the Immigration Refugee Protection Act which ensures that decisions on applications for permanent residency on the grounds of humanitarian compassionate applications are made by delegated, independent, highly-trained professional decision-makers in the public service.

I would like the New Democrats to stop asking ministers of the government to intervene in what is a non-political process where decisions are taken by independent public servants. What is it they do not understand about the rule of law?

\* \* \*

**AGRICULTURE AND AGRI-FOOD**

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, this has been a difficult growing season for farmers in Ontario and Quebec. Lower crop yields due to reduced rainfall in

certain areas have left farmers without enough feed for their livestock.

Earlier this summer, Hay East, a grassroots initiative to help transport hay from the west to Ontario and Quebec, was created.

Could the Minister of Agriculture and Agri-Food tell the House what our government is doing to help farmers in Ontario and Quebec?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, I am proud to say that our government is supporting Hay East. Governments are providing up to \$3 million to help transport hay to those farmers in need. This builds upon our government's robust suite of business risk management programs and our targeted tax deferral for livestock producers in Ontario and Quebec.

\* \* \*

● (1500)

[Translation]

**CANADA REVENUE AGENCY**

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, we really did not need another example of the Minister of National Revenue's poor management of her departmental portfolio, but unfortunately, she has given us one anyway.

The Conservative blunder with regard to the changes to the child tax benefit for single-parent families has hit families twice as hard as expected. The Conservatives have taken over \$50 million away from families that really need it.

How could such an error have occurred without anyone in the department noticing?

[English]

**Hon. Gail Shea (Minister of National Revenue, CPC):** Mr. Speaker, we certainly do regret when these kinds of unfortunate errors occur and the impact they have on Canadian families.

I have expressed my strong concern to the Commissioner of the CRA and I have asked the taxpayers' ombudsman to conduct an investigation into this issue to ensure things like this do not happen.

I can announce, however, that cheques will begin to flow to identified families by November 20.

*Routine Proceedings*

[Translation]

**FIREARMS REGISTRY**

**Mrs. Maria Mourani (Ahuntsic, BQ):** Mr. Speaker, the Quebec government clearly indicated its intention to create a provincial firearms registry and announced that a bill would soon be introduced in the National Assembly of Quebec. All the Quebec government needs to move forward on this is the data in the federal government's possession, which a court order prevents it from destroying. Yet, last Friday, the Parliamentary Secretary to the Minister of Public Safety said: "All of the data has been destroyed."

Can the Minister of Public Safety tell us whether or not the registry data pertaining to Quebec has been destroyed?

[English]

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, our Conservative government is proud to say that, as of Wednesday night, all contents of the long gun registry have been destroyed, except those related to Quebec.

\* \* \*

**PRESENCE IN GALLERY**

**The Speaker:** I would like to draw to the attention of honourable members the presence in the gallery of the Hon. Ben Stewart, Minister of Citizens' Services and Open Government for British Columbia.

**Some hon. members:** Hear, hear!

**ROUTINE PROCEEDINGS**

[English]

**GOVERNMENT RESPONSE TO PETITIONS**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 52 petitions.

**Mr. Sean Casey:** Mr. Speaker, I would ask consent for the following motion. I move that the House recommend that the Minister of Veterans Affairs strike an independent task force to conduct a root and branch review of the Last Post Fund and provide recommendations to the government on ways to enhance and improve access to funding to help cover burial costs of veterans.

**The Speaker:** Does the hon. member have the unanimous consent of the House?

**Some hon. members:** Yes.

**Some hon. members:** No.

\* \* \*

**COMMITTEES OF THE HOUSE**

## JUSTICE AND HUMAN RIGHTS

**Mr. Dave MacKenzie (Oxford, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the 14th report of the Standing Committee on Justice and Human Rights in relation to Bill C-37, an act to amend the Criminal Code.

The committee has studied the bill and has decided to report the bill back to the House without amendment.

## PUBLIC SAFETY AND NATIONAL SECURITY

**Mr. Kevin Sorenson (Crowfoot, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Public Safety and National Security in relation to Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts.

\* \* \*

[Translation]

**AIR PASSENGERS' BILL OF RIGHTS**

**Mr. José Nunez-Melo (Laval, NDP)** moved for leave to introduce Bill C-459, An Act respecting the rights of air passengers.

He said: Mr. Speaker, I feel very privileged to be able to introduce this bill today. I would also like to thank my hon. colleague, the member for Sudbury, for his support.

The title of this bill is, "An Act respecting the rights of air passengers". It will place obligations on air carriers to provide compensation and other assistance to passengers when a flight has been cancelled or delayed, when boarding has been denied, or when an aircraft has remained on the ground for a period of more than an hour at an airport.

This bill was inspired by what has already been done in Europe, but it is primarily a show of respect for travellers.

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

\* \* \*

● (1505)

[English]

**SODIUM REDUCTION STRATEGY FOR CANADA ACT**

**Ms. Libby Davies (Vancouver East, NDP)** moved for leave to introduce Bill C-460, An Act respecting the implementation of the Sodium Reduction Strategy for Canada.

She said: Mr. Speaker, I am pleased to introduce my bill, an act respecting the implementation of the sodium reduction strategy for Canada. The bill addresses a critical public health issue in our country. Right now we are facing an epidemic of sodium related diseases driven by the high sodium content in pre-packaged foods, which accounts for approximately 75% of our sodium intake.

The bill would help Canadians make healthier choices and reduce the sodium in their diets. It would implement the recommendations of Health Canada's sodium working group, as set out in its sodium reduction strategy for Canada.

I thank all the organizations that asked us to bring this issue forward and help create the bill. They told me that reducing the amount of sodium in our food would substantially decrease the incidence of cardiovascular disease events and, in turn, the deaths of thousands of Canadians each year.

*Routine Proceedings*

I also thank my colleague from Saint-Bruno—Saint-Hubert for being here today to second my bill and who, as a physician, understands the importance of preventive health measures, such as reducing sodium intake. That is why the bill is so important. It would improve the health of Canadians and it would save lives. I hope that all members will support the bill.

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

\* \* \*

#### **CBC AND PUBLIC SERVICE DISCLOSURE AND TRANSPARENCY ACT**

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC)** moved for leave to introduce Bill C-461, an act to amend the Access to Information Act and the Privacy Act (disclosure of information).

He said: Mr. Speaker, it is truly an honour for me to rise today and table a private member's bill amending the Access to Information Act and the Privacy Act. The bill's title is "the CBC and public service disclosure and transparency act".

If adopted, the bill would remedy a defect in the current section 68.1 of the Access to Information Act and, in so doing, it would replace the blanket exception with a discretionary exemption, based on an injury based test. The bill would also provide that specific salaries of the highest levels of management in the public service would be subject to access to information requests.

I believe the bill successfully addresses concerns raised by many constituents with respect to taxpayers' rights to information and is a step in the right direction toward enhanced government transparency and accountability.

I encourage all members to support the CBC and public service disclosure and transparency act.

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

\* \* \*

#### **DISABILITY TAX CREDIT PROMOTERS RESTRICTIONS ACT**

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC)** moved for leave to introduce Bill C-462, An Act restricting the fees charged by promoters of the disability tax credit and making consequential amendments to the Tax Court of Canada Act.

She said: Mr. Speaker, I am honoured to rise today to table my private member's bill, An Act restricting the fees charged by promoters of the disability tax credit and making consequential amendments to the Tax Court of Canada Act.

A person is judged by how they help the less fortunate. Unfortunately, as can be with any government program, there is always the possibility of abuse.

Since 2005, when the federal government began issuing refunds retroactively for the disability tax credit, there has developed a growing collection of consultants offering to provide so-called help to disabled Canadians in securing these credits. Disabled Canadians, who are often in a vulnerable position, are being misled into signing away as much as 35% or more of the refund that they are entitled to receive, simply for the consultant to fill out a two-page form.

Concerns have been raised by those in the medical profession who feel they are being pressured to fill out forms fraudulently by some of these consultants.

Currently these consultants are totally unregulated. My private member's bill seeks to regulate these consultants by restricting the fees they can legally charge to disabled Canadians.

I urge all members to support this bill. Let us make sure the support this Parliament has voted to assist disabled Canadians ends up in their pockets.

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

\* \* \*

• (1510)

[*Translation*]

#### **HOUSE AFFAIRS**

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, there have been discussions among the parties and I believe you would find unanimous consent for the following motion:

That, notwithstanding any standing order or usual practices of the House, during the debate this day on the motion to concur in the Seventh Report of the Standing Committee on Government Operations and Estimates, the Chair shall not receive any quorum calls, dilatory motions, or requests for unanimous consent; and that at the end of the time remaining for the debate, or when no member rises to speak, all questions necessary to dispose of the motion be deemed put and a recorded division be deemed requested.

[*English*]

**The Speaker:** Does the Leader of the Government in the House of Commons have the unanimous consent of the House to propose this motion?

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

*Routine Proceedings*

(Motion agreed to)

\* \* \*

**PETITIONS**

## FOREIGN INVESTMENT

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, I present a petition today from my constituents concerning the Canada-China foreign investment protection and promotion agreement. My constituents are expressing their concern that there has not been a public consultation and no parliamentary debate on this agreement, and that this is a treaty that locks us in for 15 years. They are very much concerned about the effect of state-owned enterprises on our sovereignty and on Canada's democracy. They call on the government to decline to ratify this agreement.

## ACCESS TO MEDICINES

**Mr. Phil McColeman (Brant, CPC):** Mr. Speaker, I am pleased today to present this petition from constituents in my riding who are asking that the House of Commons pass C-398, without significant amendment, to facilitate the immediate flow of generic medicines to developed countries.

*[Translation]*

## HOUSING

**Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, I have the honour today to again present a petition signed by people of all ages and social classes from across Canada. They want a national housing strategy and they support my private member's Bill C-400. I am pleased to present this petition today.

*[English]*

## AGRICULTURE AND AGRI-FOOD

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, I have two more petitions to file today in respect of the government's former prairie shelterbelt program, particularly the tree farm at Indian Head. These petitioners come from a broad cross-section of Saskatchewan: Zehner, Edenwold, Pilot Butte, Qu'Appelle, Quill Lake, Wadena. They also come from other areas in the province, like Elrose, Eston, Swift Current, Wilkie, and North Battleford. They basically make the point that the tree farm and the shelter belt program has been an integral part of prairie agriculture for more than 111 years. They believe the Government of Canada should find the resources to maintain the program ongoing into the future.

*[Translation]*

## EMPLOYMENT INSURANCE

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, today I have the honour to present two petitions. Stella Cormier, one of my constituents, circulated these petitions. She has done a great job of expressing people's concerns about the changes to employment insurance that this government intends to make. Like me, she is very concerned about the future of seasonal industries, employees and employers. She circulated these petitions and had hundreds of people sign them. These people are very worried and are asking the government to change this policy, which will penalize them.

## PENSIONS

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I am honoured to present a petition here today signed by 109 people who oppose the government's plan to push back the age of eligibility for old age security. The petitioners are calling on the government not only to maintain OAS in its current form, but also to take concrete action now to seriously combat poverty among seniors.

● (1515)

*[English]*

## EXPERIMENTAL LAKES AREA

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I present a petition in regard to Canada's Experimental Lakes Area and what the government is doing regarding closing down the research section. The petitioners are asking for the government to reverse its decision, recognizing the importance of the ELA to the Government of Canada's mandate to study, preserve and protect our aquatic ecosystems.

\* \* \*

**QUESTIONS ON THE ORDER PAPER**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, the following questions will be answered today: Nos. 879, 880, 886 and 889.

*[Text]*Question No. 879—**Hon. Dominic LeBlanc:**

With regard to government resources deployed in Libya since February 15, 2011: (a) how much, broken down by initiative and program, was spent or is earmarked specifically for institution-building and good governance programs; (b) how was the Stabilization and Reconstruction Task Force (START) involved; and (c) how much money was spent in Libya through START?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, in response to (a), a total of \$3,697,178.79 was committed through the Stabilization and Reconstruction Task Force, or START, for institution-building and good governance, in the following areas: supporting transition in Libya through assistance to the constitutional framework, \$653,353; Libya capacity deployments, \$169,653.79; support to democratic transition in Libya, \$1,174,172; empowering Libyan women to advocate for inclusive political processes, \$700,000; and electoral assistance in Libya, \$1,000,000.

In response to (b), START was actively involved from the outset of the Libyan crisis and deployed a stabilization officer to Malta to support Canada's whole of government objectives in Libya, including the evacuation of Canadian citizens from Libya, by providing stabilization/reconstruction and humanitarian policy advice to the ambassador and commander of the Canadian Forces military task force.



*Routine Proceedings*

Following the second contact group on Libya in Rome on May 5, 2011, the United Kingdom established an International Stabilisation Response Team, ISRT, to assess Benghazi and the surrounding areas in order to identify the immediate challenges to stabilization in Libya. A START officer participated in the post-ISRT assessment debriefing and contributed to the analysis in the ISRT report.

The Stabilization and Reconstruction Task Force, or START, funds partner organizations that execute projects in the areas of institution-building and good governance. In Libya, START funds a Forum of Federations project that provides technical assistance for the development of Libya's post-transition constitution and a CANADEM project that provides for the delivery of Canadian technical assistance in response to immediate and medium-term needs of the transitional government in Libya.

In addition, START funds three projects through its democracy envelope. These include an International IDEA-run project that supports Libyan electoral institutions and constitutional processes, and the participation of women; a project run by the International Foundation for Electoral Systems, IFES, that specifically fosters the political engagement of women; and another IFES project that provides technical assistance in support of the Libyan High National Election Commission in the run-up to the June 2012 elections.

The above are in addition to other streams of START programming in Libya, which include the provision of tactical trauma kits; funding for the United Nations Department of Safety and Security for the protection of humanitarian aid workers; deployment of a sexual and gender-based violence expert to the commission of inquiry to increase its capacity in this area; and the clearance of landmines and other explosive remnants of war, and the disposal of these and other dangerous munitions, for example, MANPADS. START, in partnership with Suncor Energy, also sponsored a seminar in Tripoli on the principles of responsible investment in conflict-affected environments, to highlight business and human rights and corporate social responsibility tools, such as the Voluntary Principles on Security and Human Rights, designed to provide concrete guidance on how to engage in these conditions.

In response to (c), in total, Canada allocated \$8.5 million to post-conflict stabilization efforts in Libya through START.

Question No. 880—**Hon. Dominic LeBlanc:**

With regard to the results of a request for proposals to build large vessels for Canada, announced by the National Shipbuilding Procurement Strategy Secretariat on October 19, 2011: (a) what is, to date, the total economic impact of this announcement in Atlantic Canada, broken down by province; and (b) how many jobs were created in Atlantic Canada as a direct consequence of this announcement, broken down by province?

**Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC):** Mr. Speaker, on June 3, 2010, the Government of Canada announced the national shipbuilding procurement strategy, NSPS. Estimated at \$35 billion, the strategy has three components. For large ship construction, Canada will establish a strategic relationship with two Canadian shipyards, selected through an open and fair national competition, and designate them as sources of supply, one for combat vessels and the other for non-combat vessels. For smaller ship construction, Canada will set aside the individual projects for competitive procurements amongst Canadian shipyards other than the shipyards

selected to build the large ships and their affiliated companies. For ship repair, refit and maintenance, these requirements will be competed through publicly announced request for proposals.

On October 19, 2011, Irving Shipbuilding Inc., or ISI, was selected to build the Royal Canadian Navy's combat vessels for the next 20 to 30 years. ISI has its primary office at the Halifax Shipyard.

On February 13, 2012, an umbrella agreement was signed with ISI. The umbrella agreement is a long-term strategic sourcing arrangement that defines the working relationship and administrative arrangements under which the government will negotiate fair and reasonable individual shipbuilding contracts. Since the signing of the umbrella agreement, the government has been engaged in negotiations with the shipyard on the Arctic offshore patrol ships, AOPS. On June 27, 2012, a \$9.3 million ancillary contract was signed with ISI for the AOPS project.

For its part, ISI has been actively recruiting senior personnel and establishing partnerships. The shipyard has also participated in numerous supplier engagement seminars across the country.

As the government is only months into a 30-year working relationship, the economic impact of the national shipbuilding procurement strategy has yet to be measured. However, a May 2011 Conference Board of Canada report prepared for the Greater Halifax Partnership, entitled "Canada's National Shipbuilding Procurement Strategy: Potential Impact on Nova Scotia and other Regions" provides estimates with regard to the economic impact of the strategy.

A copy of the Conference Board's report is available at: <http://www.greaterhalifax.com/site-ghp2/media/greaterhalifax/CBOC%20-%20EIA%20Final.pdf>.

Question No. 886—**Mr. Kennedy Stewart:**

With regard to recent changes for application to the Postdoctoral Fellowship Program of the Natural Sciences and Engineering Research Council of Canada: (a) what was the rationale for the change in policy to only allow one application over their lifetime rather than two; (b) when was the proposal for a policy change presented to the Minister; (c) when did the Minister agree to it; (d) what consultations took place regarding this change and who was consulted; and (e) what are the costs savings for implementing this policy change?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, in response to (a), more than 75% of applicants apply only once to the program. This change streamlines the application and review process, making the competition more efficient over the eligibility period of two years.

*Routine Proceedings*

In response to (b) and (c), NSERC is an agency of government and is responsible for its operational policies. A proposal was not presented to the minister. This change was approved within NSERC, based on recommendations by peer review volunteers.

In response to (d), the change was suggested by selection committee members, most of whom are from academia, and was discussed with the members of the Committee on Grants and Scholarships, COGS, NSERC's main advisory committee for grants, scholarships and fellowships programs.

In response to (e), there are no financial cost savings for implementing this change. The benefits will be felt primarily by the volunteer researchers who donate their time to serve on NSERC's PDF selection committees who will see their review burden decrease. They told us that having 100 awards for 1,300 applications is not an efficient use of their time. Limiting the number of applications an individual may submit to the program will not impact the current budget projections or the number of anticipated awards available.

**Question No. 889—Mr. Glenn Thibeault:**

With regard to the mobile broadband services (700 MHz) spectrum auction announcement made on March 14, 2012: (a) what is the estimated cost to the government to conduct the 700 MHz spectrum auction; and (b) what is the estimated revenue that the government will receive from the 700 MHz spectrum auction?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, in response to (a), as of October 9, 2012, the estimated cost to conduct the 700 megahertz spectrum auction is \$4,000,000 over two years. This includes salary, specialized software to conduct the auction and other supporting, operating costs.

In response to (b), Industry Canada does not estimate the potential revenues generated from spectrum auctions. However, the department has proposed minimum opening bids for each spectrum license, totalling \$897,324,000. As each auction is unique and dependent on a number of external factors and circumstances, it is difficult to predict auction revenues with any accuracy. The objective of the auction is not to maximize revenues but rather to maximize the benefits to Canadians by getting the spectrum into the hands of players, in a competitive market, who will make further investments.

\* \* \*

[English]

**QUESTIONS PASSED AS ORDERS FOR RETURNS**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speakers, if Questions Nos. 876, 881, 885, 887 and 890 could be made orders for returns, these returns would be tabled immediately.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

[Text]

**Question No. 876—Hon. John McCallum:**

With regard to ministerial revenue, broken down by department for each fiscal year from 2006-2007 to present, what are: (a) all sources of ministerial revenue and the amount the department received from each source; and (b) each individual exchange that resulted in the government receiving more than \$100,000, (i) the

specific good or service provided by the government, (ii) the exact amount for which the good or service was sold?

(Return tabled)

**Question No. 881—Hon. Dominic LeBlanc:**

With respect to Advance Contract Award Notices (ACAN) the government has submitted since January 1, 2006, broken down by year and by government department: (a) how many were submitted; (b) how many received a response from another bidder stating they also fulfil the requirements; (c) how many ended with the contract being awarded to the original bidder following another bidder stating they fulfilled the requirements; (d) how many ended with the contract being awarded to a bidder other than the original; (e) which specific ACANs resulted in the situation described in (c); and (f) which specific ACANs resulted in the situation described in (d)?

(Return tabled)

**Question No. 885—Mr. Pierre Dionne Labelle:**

With regard to the use of French by Canada Border Services Agency: (a) how many officers at the various border crossings are able to work (i) only in English, broken down by border crossing, (ii) only in French, broken down by border crossing, (iii) in both official languages, broken down by border crossing; (b) what was the amount spent on French as a second language training for border services officers from 2008 up to 2013, broken down by year; (c) what was the amount spent on English as a second language training for border services officers from 2008 up to 2013, broken down by year; (d) how many border services officers have taken or will take French as a second language training from 2008 up to 2013, broken down by year; (e) how many border services officers have taken or will take English as a second language training from 2008 up to 2013, broken down by year; and (f) what proportion of border crossings have been able to provide service in French at all times (24 hours a day, 7 days a week), from 2008 to 2012, broken down by year?

(Return tabled)

**Question No. 887—Ms. Hélène Laverdière:**

With regard to the Department of Foreign Affairs and International Trade and the government's role in monitoring and regulating arms exports, and with regard to the reply to Q-230 (Sessional Paper No. 8555-411-230): (a) on what date or dates will the government table in Parliament or otherwise release a report or reports on the export of military goods from Canada for 2010 and 2011; (b) in the report or reports for 2011, will the government provide a level of detail similar to that provided in the Annual Report of 2002; (c) in particular, will the report or reports provide information similar in nature to that contained in the 2002 report's "Table 3: Exports of Military Goods by Destination Country and Component category"; (d) what is the value of export permits for Export Control List (ECL) Group 2 items authorized for the United States from 2006-2011, broken down by year and by Group 2 ECL subgroup item (2-1, 2-2, 2-3, etc.); (e) what is the value of export permits for ECL Group 2 items authorized for Saudi Arabia from 2006-2011, broken down by year and by Group 2 ECL subgroup item; (f) what factors explain the increase in total value of export permits authorized for ECL Group 2 items for Saudi Arabia from \$35.2 million in 2010 to \$4.024 billion in 2011; (g) what additional information is available to explain the increase in total value of export permits authorized for ECL Group 2 items for Saudi Arabia from \$35.2 million in 2010 to \$4.024 billion in 2011; (h) what factors explain the increase in total value of export permits authorized to all states for ECL Group 2 items from \$4.1 billion in 2010 to \$12.1 billion in 2011; and (i) what information is available to explain the increase in total value of export permits authorized to all states for ECL Group 2 items from \$4.1 billion in 2010 to \$12.1 billion in 2011?

(Return tabled)

*Government Orders***Question No. 890—Mr. François Choquette:**

With regard to the study underway by Environment Canada and the study by the Council of Canadian Economies entitled “Harnessing Science and Technology to Understand the Environmental Impacts of Shale Gas Extraction”: (a) what are the mandates for these studies; (b) what are the deadlines for these studies; (c) will these studies be made public and, if so, what process will be followed to make them public; (d) will the two studies include public consultations and, if so, (i) with what groups, (ii) where, (iii) when; (e) will the two studies include case studies and, if so, (i) what cases will be studied, (ii) will the case studies include affected sites; (f) will the studies consider the role of the federal government under (i) the Indian Act, (ii) the Fisheries Act, (iii) the Navigable Waters Protection Act, (iv) the Migratory Birds Convention Act, (v) the Species at Risk Act, (vi) the Canada National Parks Act, (vii) the Canada National Marine Conservation Areas Act, (viii) the Canadian Environmental Protection Act, 1999; (g) will the studies consider the link between the national conservation plan and shale gas; (h) will the studies examine the impact of shale gas extraction on the greenhouse gas emission targets for 2020; (i) who will receive the results of the study; (j) what parties will be consulted, including (i) groups, (ii) departments, (iii) organizations, (iv) scientists, (v) regions, (vi) associations, (vii) cities, (viii) municipalities, (ix) provinces and territories; (k) will the emissions from the following sources be studied, (i) industrial furnaces, (ii) home furnaces, (iii) stored liquids, (iv) wellhead leaks, (v) ground leaks, (vi) connection equipment; (l) will the studies include (i) direct, (ii) indirect, (iii) cumulative shale gas emissions in their greenhouse gas emissions calculations; (m) which shale gas wells will be studied; (n) will the following incidents related to hydraulic fracturing be studied, (i) the leak at the St-Hyacinthe well, (ii) the well blowout in Alberta, (iii) the earthquake in Ohio, (iv) the wells in Louisiana, (v) the wells in Texas; (o) will the studies consider the impact of shale gas, salt water and injected liquids on (i) surface water, (ii) well water, (iii), groundwater, (iv) waterways (v) air, (vi) the atmosphere; (p) what impacts will be studied in the areas of (i) water quantity, (ii) water quality, (iii) impact on municipalities (iv) impact on communities, (v) impact on Aboriginal peoples, (vi) human health, (vii) animal health, (viii) aquatic flora, (ix) aquatic fauna, (x) terrestrial flora, (xi) terrestrial fauna; (q) what actions have been taken since environmental petition 307 was received by the department on January 12, 2011; and (r) what are the titles of the research projects undertaken by Natural Resources Canada regarding shale gas between 2006 and 2011?

(Return tabled)

[English]

**Mr. Tom Lukiwski:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

\* \* \*

## POINTS OF ORDER

### ORAL QUESTIONS

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, I rise on a point of order. Today my colleague from Etobicoke North asked a question concerning the fact that she had put a written question on the order paper. The Minister of Public Safety got up and made a reference to the fact that this cost \$1,300, a figure used by him, to address a part of that question, and then went on to elaborate.

I want to draw members' attention to the fact that in O'Brien and Bosc it says very clearly that replies to written questions may be presented each sitting day during routine proceedings under the rubric “questions on the order paper”. It says specifically later, “The Speaker, however, has ruled that it is not in order to indicate in a response to a written question the total time and cost incurred by the government in the preparation of that response”.

I am wondering if we could get the government to address this specific concern and let us know whether it does intend to answer the

question fully that was put forward by my colleague from Etobicoke North.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I do not believe there was anything in the written response to the question that did that. I believe it was his oral answer in the House.

**Mr. Marc Garneau:** Mr. Speaker, it was indeed in the reply of the minister, versus in the reply to the question. The reply to the question was in fact two and a half lines. That is all there was to it. That is why my colleague was asking for an explanation today as to why a question on the very serious matter of disaster management only warranted a two and a half line reply.

In fact, in seeking clarification as to why it had not been answered, the minister very clearly said, as I interpret it here, that this was going to cost money and therefore they were not going to do it. Is this setting a dangerous precedent?

**Hon. Peter Van Loan:** Mr. Speaker, the member's concern relates to written answers. This was an oral question in the House and the answer to the question that was raised provided the information that I believe they were seeking.

**Mr. Marc Garneau:** Mr. Speaker, I am interested in knowing now if this is going to become a standard answer. When the government members do not wish to answer a written question on the order paper, will their response be that they are not going to answer it because it involves a certain amount of money?

**The Speaker:** I thank the hon. member for Westmount—Ville-Marie for drawing this to my attention. I will certainly look at the response that was given and get back to the House, if necessary, on this particular point.

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## GOVERNMENT ORDERS

[English]

### PROTECTING CANADA'S SENIORS ACT

The House proceeded to the consideration of Bill C-36, An Act to amend the Criminal Code (elder abuse), as reported (with amendment) from the committee.

**The Speaker:** There being no motions at report stage, the House will now proceed, without debate, to the putting of the question on the motion to concur in the bill at report stage.

● (1520)

**Hon. Lynne Yelich (for the Minister of Justice)** moved that the bill be concurred in.

(Motion agreed to)

**The Speaker:** When shall the bill be read a third time? By leave, now?

**Some hon. members:** Agreed.

**Hon. Lynne Yelich (for the Minister of Justice)** moved that the bill be read the third time and passed.

*Government Orders*

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, it is an honour to speak to Bill C-36, Protecting Canada's Seniors Act, following its review by the Standing Committee on Justice and Human Rights. Bill C-36 builds on our government's commitment to protect the most vulnerable members of society, including the elderly. To this end, Bill C-36 proposes to consider as an aggravating factor in sentencing the fact that an offence has had a significant impact on the victim because of the combination of his or her age and any other aspect of his or her personal situation, including his or her health and financial situation.

I am pleased that the witnesses who appeared before the Standing Committee on Justice and Human Rights expressed their support for the general purpose of Bill C-36. Several of them said that the bill would increase public awareness of elder abuse in Canada. This further confirms the important role that this legislation will play in elder abuse cases by emphasizing the sentencing principles of denunciation and deterrence. This government recognizes the concern expressed by witnesses who appeared before the committee who noted that Bill C-36 could not serve as the only response to the problem of elder abuse.

It is important to note that this legislation was never intended to serve as the only response to elder abuse. The proposed amendment to the Criminal Code would complement the significant resources that our government has been investing for several years to fight elder abuse. For example, the elder abuse initiative has contributed to raising public awareness with its advertising campaign entitled "Elder Abuse—It's Time To Face The Reality".

Another example of our government's investments in this area is the new horizons for seniors program. Since its creation in 2004, this program has supported projects to upgrade seniors facilities and to increase elder abuse awareness, among other things. Some of the projects funded by this program are Canada-wide and aim to develop and implement awareness activities and to create tools and resources to help seniors protect themselves against abuses, such as fraud and financial exploitation.

Some of the agencies that appeared before the committee have benefited from this program. For example, we heard that the long-term care best practices initiative had received funding from this program to develop long-term care best practices guidelines that would benefit Canadians across the country. Such examples illustrate how this government understands and recognizes that efforts to fight elder abuse must be made at the federal and provincial levels through, for example, legislative amendments in areas of exclusive jurisdiction, as well as investment in community, regional and national initiatives, including the ones I have just mentioned.

As we heard in committee, it would seem that Bill C-36 has unanimous support in principle. However, the opposition parties proposed two amendments during the clause by clause consideration of the bill. The first proposed amendment, which was passed by the committee, amended the short title of the French version of the bill from "Loi sur la protection des personnes âgées au Canada" to "Loi sur la protection des personnes aînées au Canada". This amendment responded to concerns expressed by a few witnesses that vulnerability should not be defined only in terms of a victim's age.

Bill C-36 would instruct sentencing courts to take into account the significant impact that the offence has had on the victim, considering the combination of age and other personal circumstances, including health and financial situation.

The second amendment to the bill would have eliminated the word "significant" from the proposed amendment to the Criminal Code so that any impact on the victim would be considered as an aggravating circumstance in sentencing. In my opinion, such a proposal reflects a lack of understanding of the Criminal Code and, in particular, of the sentencing scheme. The proposed amendment, if passed, would have trivialized the denunciatory and deterrent value of the aggravating factor in Bill C-36 by making it apply to any offence against seniors that has had an impact, even transient or trifling in nature, on an elderly victim.

We agree that every offence has an impact on its victim. However, Bill C-36 addresses cases where the impact of the offence is exacerbated because of the victim's age and health, for example. It also bears noting that Bill C-36 is consistent with recent amendments to the Criminal Code.

Section 380.1 of the Criminal Code was amended, effective November 1, 2011, to specify that, in the context of fraud, the fact that an offence has had a significant impact on the victims given their personal circumstances, including their age, must be considered as an aggravating circumstance.

This provision thus bears at least two similarities with the amendment proposed in Bill C-36. It speaks of a "significant" impact and identifies age as a factor for aggravating circumstances.

• (1525)

It is important to bolster our fight against elder abuse by ensuring that our courts denounce and deter offenders from committing such crimes by imposing tougher sentences.

For the reasons I have noted, I urge my colleagues in the House to give the bill their unanimous support.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I would like to thank my hon. colleague for his very hard and very dedicated work on the Standing Committee on Justice and Human Rights. But I do have a question for the member.

In committee, we heard several witnesses talk about this bill in its current form. Ms. Beaulieu of the Research Chair on Mistreatment of Older Adults of the Université de Sherbrooke emphasized the importance of raising awareness among all stakeholders in the justice network to ensure that Bill C-36 has a real impact and to ensure that judges, prosecutors and police know how to respond and that they have the tools they need to interpret clauses like ones included in this bill.

*Government Orders*

This suggestion can also be found in an excellent report by the Parliamentary Committee on Palliative and Compassionate Care. It also suggested that training and education within the legal community be included in the legal measures to be implemented in the fight against elder abuse.

I would like to know what my colleague's thoughts are on that and if Bill C-36 should mention and include measures like those identified by the witnesses that appeared before the parliamentary committee I just mentioned.

**Mr. Robert Goguen:** Mr. Speaker, I thank the hon. member for her relevant question.

Obviously, in addition to stakeholders, judges, prosecutors and lawyers who are involved in the justice system and must understand this important program, social workers and nursing home workers must also be aware of elder abuse issues.

An awareness program such as the new horizons for seniors program would complement an amendment to the Criminal Code, since an amendment is not enough, in and of itself, to identify and solve elder abuse problems. In other words, we need to make the penalties harsher and also make sure that everyone knows that these problems must be reported. All stakeholders must be aware of this major issue.

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Mr. Speaker, I would like to ask my colleague across the way a question.

With only a small investment, we could lift seniors out of poverty, which would be the most effective way to protect them from abuse.

Why is the Conservative government not making any effort in that regard?

**Mr. Robert Goguen:** Mr. Speaker, I am not certain I understood the question, but this government has certainly been taking major steps to draw attention to elder abuse.

That is why we made an amendment to the Criminal Code, as described in Bill C-36. We also introduced the new horizons for seniors program, and ran television ads that draw attention to abuse situations, to make people understand that it is simply not acceptable to abuse their father, mother, aunt, brother or anyone in a vulnerable position.

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I have a question for the Conservative member.

A modest investment would help lift all seniors out of poverty, which would be the most effective way to prevent them from being victims of abuse.

Why does the government not do this?

**Mr. Robert Goguen:** Mr. Speaker, elder abuse affects poor seniors and rich seniors alike.

In 30% of the cases, rich or poor, these individuals are abused by close relatives; in 30% of cases they are abused by friends; and in 30% of cases they are abused by strangers. We are taking a universal approach to this issue. The poor are not the only ones being abused; we are targeting all elder abuse, regardless of the victims' financial situation.

● (1530)

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I listened to my colleague's speech. It is always a pleasure to work on issues with him at the Standing Committee on Justice and Human Rights.

I want to focus on the section that will be amended by Bill C-36, a section that deals with sentencing and aggravating and mitigating circumstances that must be considered by the court.

I heard his comment about the amendment that was proposed to eliminate the word "significant", in the sense that it had a significant impact on the senior. I am not sure I understand his argument and I would like him to elaborate. In fact, the same section includes an aggravating factor, for simply committing an offence against a person under the age of 18 or domestic violence.

Why are the Conservatives refusing to see that elder abuse is an aggravating factor?

**Mr. Robert Goguen:** Mr. Speaker, all types of abuse matter. All types of abuse have an impact on the victim.

We do not want to amend the bill according to the opposition's proposal because we want to respect the principle of proportionality.

We want abuse that has a significant impact to be considered an aggravating factor. Significant abuse that has a real impact on the victim deserves a harsher sentence because of that impact. This is consistent with the proportionality of sentences under the Criminal Code, one of its main themes.

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I listened to the hon. member's answer. It basically boils down to the work of judges and the latitude that they are given, which is really too bad. What we were proposing was more comprehensive coverage of the different types of elder abuse.

Why are the Conservatives stubbornly refusing to take our opinion into account? Why did they not just offer to provide more comprehensive coverage of the issue and more protection for seniors at that time?

**Mr. Robert Goguen:** Mr. Speaker, I find it odd that the hon. member uses the words "stubbornly refusing" when we are talking about respecting fundamental principles of the Criminal Code related to sentencing. The reason we rejected the amendment was because we wanted to apply consistent logic.

I have already explained that proportionality is a central theme when it comes to sentencing. This approach follows the logic of our reasoning.

[English]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great interest to my hon. colleague and I guess there are issues of reactive and proactive in terms of elder abuse.

*Government Orders*

One of the major concerns that we have in our caucus is the issue of fraud. With the 419 scams, senior citizens who are using online services are being targeted almost down to their specific background and family because of data breaches. Data breaches have to do with the fact that there are all kinds of third parties out there that are in the business of stealing personal information so they can target and go after people. This is how the 419 fraud is really moving into an area of frightening sophistication.

Would my hon. colleague work with the New Democrats on the recommendations that are being brought forth to ensure that the Privacy Commissioner has the tools to deal with companies that are playing fast and loose with data and that there will be consequences? Companies may not necessarily think that the data is being breached but, because of sophisticated hackers, it is and it is the senior citizens and other individuals who are being defrauded. Their information is being stolen and their credit information is being grabbed.

We need to start closing this in advance. Once that data is out there, it is not coming back. Therefore, rather than being reactive, we need to see where the problems are.

Would the hon. colleague be willing to work with the New Democrats on addressing these issues of fraud?

**Mr. Robert Goguen:** Mr. Speaker, in committee, we are always willing to work with the opposition parties to strengthen the protection for the people of Canada. Fraud for elders is a significant wrong that we want to cure and protect the public from. As members know, we also have another act that deals with white collar crime and increasing sentencing in protection of the public.

We certainly would welcome any good ideas that the NDP may have to strengthen the further protection of seniors.

• (1535)

[*Translation*]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I am pleased to have worked on Bill C-36 with my colleagues from all parties on the Standing Committee on Justice and Human Rights. I am also pleased to rise today to discuss the testimony heard in committee during the study of the bill and to make comments.

First, I am going to briefly explain the bill and how it amends the Criminal Code. The bill is entitled “Protecting Canada's Seniors Act” and it adds the following provision:

evidence that the offence had a significant impact on the victim, considering their age and other personal circumstances, including their health and financial situation,

This specific wording that the bill proposes to include in the Criminal Code seeks to add an element that will allow the court to take into consideration some aggravating factors related to an offence. Section 718.2 of the Criminal Code provides that “A court that imposes a sentence shall also take into consideration the following principles”. This statement is followed by a list of aggravating circumstances, including hate crimes based on factors such as the victim's ethnic origin or sexual orientation. These aggravating factors are taken into consideration to determine the sentence to be imposed. If there are aggravating circumstances, the sentence will be heavier. This section also provides that abusing a

position of trust or authority is also an aggravating circumstance that must be taken into consideration.

Bill C-36 adds another aggravating circumstance, namely the victim's age and degree of vulnerability based on his or her personal situation. Here, I should point out that the victim's age is not, in itself, an aggravating factor, since age is not a vulnerability factor. However, certain acts may have a more significant impact because of the victim's age and personal situation. Here is an example.

Ms. Perka, a program supervisor of social work with the elder abuse intervention team, testified before the committee. In light of her long experience in intervention with abused seniors, she had this to say:

...we have seen that compromised social and spiritual health can result in depression, anxiety, suicidal ideation, and other mental health issues. It should also be mentioned that the guilt a senior carries with them when they find themselves in an abusive situation can be extremely burdensome, due to the fact that many abusers are their own sons and daughters, [a member of the family, a friend, etc.]

What Ms. Perka is illustrating here is that if the victim is a senior who is particularly vulnerable because they are dependent on a friend or family member or a facility for a place to live, it may be that the abuse will make it necessary to move. Because of their financial situation and how important their social network and care network is to such a person, the consequences will be more significant for them since their options for moving to get away from the place where they have been abused are very limited.

I mentioned this aspect to illustrate the needs that care professionals identified when they called on the government to implement measures to recognize a person's age and vulnerability as aggravating factors.

Now, what will the real effects of Bill C-36 be? This bill does provide one more tool to allow for considering a person's age and status as aggravating factors when sentence is passed.

• (1540)

We hope that this will give judges the tools they need, but we still cannot be 100% sure of that. We have had some doubts, and I will come back to them later.

Of course, we hope that these additions will have those effects, and I have also illustrated why this is necessary, but what are the limitations of the effects that Bill C-36 will have?

As my colleague said a little earlier, we are talking about a “significant impact”, to use the language of the bill. It will have to be proved that the impact is significant. We do not know exactly how it will be possible to do this. Are cases going to fall through the cracks if it actually has to be proved that the impact was significant? What does “significant impact” mean? How will it be proved that the impact is significant? How far will it be necessary to go to convince the jury that the impact, considering the victim's age, is significant? We are concerned about this and we would have liked the current government to take our concerns a little more seriously.

We have to be careful. The impact is certainly significant, but a very long and very complex judicial process has to be got through, particularly in the case of elder abuse.

*Government Orders*

Let us get back to the basics. The results of one study show that one out of five cases of elder abuse is reported and brought to the attention of care professionals, who can then take legal action. That is a very low percentage. I talked about the cause a little earlier. Not all seniors experience this. Some seniors find it very difficult to report people, because of their personal situation and their age. First, most abuse is committed by people close to them: family, caregivers or friends, and so in those cases it is very difficult for seniors to report the people who assault them.

In addition, reporting can sometimes have very serious consequences, particularly for seniors who are in situations where they are vulnerable because of their health, their finances or their housing situation. Reporting is therefore a very difficult thing to do.

Then, once the case is reported, it must be proven that an offence has been committed, which is not always easy, because elder abuse can take many forms. Furthermore, quite often, little evidence is left behind in cases of elder abuse. Consider intimidation, for example. It is sometimes difficult to prove that manipulation or intimidation has taken place. This kind of crime can be difficult to prove. But let us assume that the offence has been proven and the police have built enough of a case to make a formal complaint and bring it before the court. Then it goes to trial, and if there is no out-of-court settlement and the legal proceedings run their full course, that is where Bill C-36 will have an impact.

I am not saying that if the impact is rather minimal then it need not be taken into consideration. No. I am in favour of the goals of Bill C-36 and what it can accomplish. We must nevertheless bear in mind that, because of the procedure I just outlined, this is in no way a solution that will help most seniors who are being abused.

I would like to quote Ms. Beaulieu, who holds the Research Chair on Mistreatment of Older Adults at the Université de Sherbrooke. I quote:

We all understand that many cases of abuse may not go through all those steps. What happens to cases of abused seniors that have not made it to the end of the process? In other words, what will be the real repercussions of this measure or how many cases will be concerned?

That is just one concern in relation to the extent of the repercussions of Bill C-36. I would like to call the attention of the House to another concern. As I said a little earlier, this bill adds another element to the Criminal Code.

● (1545)

But do those working in the judicial system have the resources they need to effectively use this new Criminal Code provision? What do I mean by that? I will start with the police, the front-line workers who receive the complaints. For several reasons, including those I have already mentioned, there are specific factors to be taken into consideration when complaints are filed by seniors.

What should we do when we are approached by a senior who says that he has been abused? How can we file the complaint without making him afraid, ensuring that he will not give up partway through the process because he is afraid of the possible repercussions or because he is intimidated by the justice officials? We have to ask ourselves these questions. We have to implement measures to ensure that Bill C-36 has the intended result.

Next, we have to train the lawyers and the judges. How do we discern the subtleties of the repercussions of abuse on seniors?

I would like to quote Mrs. Lithwick of the Jewish General Hospital in Montreal, who regularly works with seniors who are abused. She said:

I question how this type of law is going to be applied. I really believe that to have such a law work you have to have prosecutors who are well trained in seniors' issues, in elder abuse, and you have to have judges who know how to ask questions about this issue. Even the way it goes to court has to be thought about, because even having an older person as a witness is different from having a younger person. All of the elements can be quite different.

Ms. Lithwick's comments validate what I am trying to explain. When one deals with a case of elder abuse, certain elements have to be taken into consideration to ensure that the process goes smoothly, that there are no adverse effects on the person who has initiated the proceedings, and that the outcome is as beneficial as possible for the victim.

I support Bill C-36. But how can we ensure that it will be effective and have the intended result? Ms. Lithwick provided some very good suggestions to that end.

I will now talk about prevention and intervention because I do not want these issues to be overlooked. When a bill is entitled the Protecting Canada's Seniors Act, we would expect it to protect seniors. However, I have some doubts in this regard. I am not sure that "protecting" was the best choice of words here. The bill ensures that the sentence imposed on the offender is appropriate, but how does that protect seniors? I am not sure that sentencing is a way of protecting victims. There are many things that could be done to protect seniors from abuse.

I would like to once again quote some witnesses that we heard in committee while examining Bill C-36. Ms. Santos, from the Registered Nurses' Association of Ontario, said:

Given that many instances of elder abuse and neglect go unreported, RNAO urges a multi-faceted approach that also includes effective prevention of the root causes that make people more vulnerable to elder abuse and neglect, such as poverty, discrimination, social isolation, and lack of affordable housing.

What stands out to me is her recommendation for a "multi-faceted approach". Susan Eng, vice-president of advocacy for CARP, said the same thing in a different way when she stated that the bill "is but one element in a comprehensive strategy needed to prevent...elder abuse." It can be said in a number of different ways, but what it all boils down to is that a comprehensive strategy is needed.

● (1550)

It seems clear to me that we need a strategy against elder abuse.

Right now I get the impression we are focusing on only a few pieces of the puzzle and trying to put band-aids on gaping wounds without really knowing what the long-term impact will be or the best steps to take to achieve the best possible results.

*Government Orders*

What strategy is Bill C-36 a part of? We do not know yet. What does the government intend to do to train those in the legal system to ensure that Bill C-36 achieves its objectives? What prevention and intervention measures will be put in place to ensure that seniors who are being abused can report it, if that is what they intend to do? We do not know. A number of elements are missing: a comprehensive strategy, broad intentions, clear objectives and the means to achieve them. It is incredible that no one has received any such information on the subject to date.

Now I would like to turn to a very interesting report prepared by the Parliamentary Committee on Palliative and Compassionate Care. That committee consisted of a number of members from different parties. They prepared a very interesting report. A full chapter of the report, entitled “Elder Abuse: Canada's Hidden Crime”, is devoted to this problem. That chapter contains Canada's agenda against elder abuse. This is a specific proposal that should be analyzed by the government as an action plan, not as an isolated measure, as promising and beneficial as that might be. We need a much more comprehensive, viable and long-term vision; in other words, we need an action plan.

This proposed agenda suggests four components of an action plan. The first component concerns awareness. The idea is to ensure that people know how to recognize the signs of elder abuse, that seniors themselves can ascertain whether they are being abused and can provide information to all those who may be part of a solution. The second component concerns prevention, because information is far from enough; prevention is important too. Preventive measures can be taken, for example, by alleviating the isolation of seniors and by supporting caregivers. I could name several others. It is not enough to make sure the crime is punished once it has been committed. Precautions can be put in place before any crime is committed. Then it can truly be said that seniors are being protected. Protection must come into play before any crime is committed, not merely afterwards.

I would like to cite something very interesting that the committee said and that might connect to a debate we heard today. “The committee believes that core funding for the non-governmental sector is a cost-effective way of building needed infrastructure for the reduction of elder abuse.”

When will we see that? I can hardly wait to find out because it may really change matters. Non-profit organizations, non-governmental organizations are in the field. These are front-line workers who can determine the needs of their community and respond to them quickly and efficiently.

The third and fourth components mentioned by the committee involve developing intervention and advocacy services to ensure that people are informed of their rights and know how to report abuse and developing adequate judicial measures.

Bill C-36 may be part of the fourth component of the strategy proposed by the committee. The component concerning adequate judicial measures refers to the training of police officers and all other legal system workers.

I would like to close by describing some specific aspects of situations experienced by certain individuals and some challenges

they will face. For example, there are newcomer seniors who do not speak the language, do not know their rights and perhaps do not trust the Canadian legal system. We must think of their special needs.

•(1555)

We must also think of the needs of LGBTT seniors, who face discrimination and are more vulnerable in certain respects.

In short, a lot of things have to be done and put in place. I remind the House that Bill C-36 is one step, but what does that step consist of? When will we see a government strategy that enables us to understand the long-term objectives?

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I congratulate the member for Pierrefonds—Dollard for all the work she has done on protecting the elderly and raising awareness about the problem of elder abuse.

Once Bill C-36 has been passed, what is the message my colleague would like to send to the government opposite to ensure that the bill will be implemented fully throughout the country, taking into account our partners, such as the police, the provinces and municipal police forces, who will be helping us eradicate these crimes against our seniors?

In her view, what should the federal government be doing to ensure that the bill will be worth more than the paper on which it was written?

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, I would like to thank my colleague for her question. It is true that all too often we see this government introduce bills that are intended to meet the needs of the community. However, when we dig a little deeper, we realize that they are nothing but a smokescreen and that the more concrete measures that should be taken to resolve the issues have been sidestepped.

I am not saying that this is the case with Bill C-36. I repeat that Bill C-36 is relevant, but unless a comprehensive strategy is considered along with it, I doubt that it will have any significant consequences.

As my colleague said so well, if we want to ensure that Bill C-36 will be effective and that its goals will be reached, some thought will have to be given to training for police forces, for legal counsel and for all the other players in the legal system. Training must be considered to ensure that Canada will benefit fully from the objectives of Bill C-36.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, just as the member for Gatineau has done, I would like to underscore the important work that the member for Pierrefonds—Dollard does every day in this House and throughout the country by making all Canadians aware of the situation of our senior citizens.

Of course we support this bill. However, this Conservative government has taken other measures that are putting more and more elderly people, more and more seniors, at risk. Right now, the Conservatives are talking about raising the retirement age from 65 to 67. They are also making huge cuts in services, which will hurt seniors in that they will no longer have access to government services.



*Government Orders*

Given that all these factors will make the elderly even more vulnerable, I would like to hear the member speak in general terms about the situation. In her view, are the actions of this government making senior citizens more vulnerable?

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, my colleague's question is a very interesting one. It is true that, if the government is serious when it says it wants to tackle the issue of the abuse suffered by the elderly these days, there are still many things to be done.

They talk about prevention and intervention. If action is needed to prevent elder abuse, some consideration must be given to the factors that make them vulnerable. What are they? One of those factors is poverty. The government has raised the age at which seniors can receive old-age security from 65 to 67. The elderly are left destitute and their poverty persists. This will not help resolve the issue of elder abuse.

Let us take another example. The elderly rely heavily on the health care system at certain times in their lives. Well, when the percentage of provincial health transfers expected is cut back, serious questions need to be asked about whether the health care system will be available and reliable when people have to depend on it.

I could give you many other examples, such as affordable housing. It is important to make sure that the elderly have access to affordable and appropriate housing. Lack of affordable housing can make them more vulnerable. I would like to point out that one is not necessarily vulnerable because one is a senior. If we really want to resolve the issue of elder abuse, consideration must also be given to factors that increase vulnerability and the incidence of abuse, and this government, at this point in time, is increasing these vulnerability factors, which really is a shame.

• (1600)

**Mr. Tarik Brahmi (Saint-Jean, NDP):** Mr. Speaker, I listened carefully to my colleague's speech. The fourth point she mentioned was the vulnerability of immigrant seniors in particular who do not speak an official language. Unlike many immigrants who come to Canada at a young age and who have an opportunity to learn one of the two official languages, seniors who arrive in Canada not having had the chance to learn French or English find themselves in a particularly vulnerable situation. I would like her to comment further on this specific problem.

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, I would like to thank my colleague for his question. It is true that the elderly who are new immigrants or who do not speak French or English have certain specific vulnerability factors that must be considered. The committee heard from Dr. Butt, the executive director of the Social Services Network, who spoke about Bill C-36. She said we must make sure that seniors receive the services they need to access the legal system, know the rights they have here in Canada, know they can trust the police, have access to information and to services, and are able to surmount the language barrier, which really is a problem.

The elderly who are new immigrants to Canada are more vulnerable. We must ensure that they, too, are entitled to their dignity and have access to services. So far, I have not heard of any government measures that take these specific issues into account.

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, my colleague, the member for Brome—Missisquoi, asked a

Conservative member a question a little earlier. He asked why the government did not want to invest a bit of money to get seniors out of poverty. Because the Conservative member did not understand the question, I asked him again myself. I was surprised at his answer. He replied that in his opinion, all seniors, whether rich or poor, are at risk of abuse, and therefore the government did not have the intention of doing more to get seniors out of poverty.

My question is for my New Democrat colleague. Do her social democratic values tell her that the government should get seniors out of poverty, using a range of measures? She talked about a strategy. In concrete terms, how would an NDP government get seniors out of poverty to the greatest extent possible?

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, at present, too many seniors are living in poverty in Canada. In a country like ours, that is unacceptable. We can choose to help these people get out of poverty and we are capable of doing that, but we certainly will not achieve that by raising the old age security eligibility age from 65 to 67.

At present, any senior citizen who is receiving the guaranteed income supplement and old age security as their only income is living below the poverty line. The government is not implementing the measures that are needed to ensure that seniors can continue to contribute fully to their community and live with dignity. We should not accept the fact that a senior, today, has to choose between paying rent, buying food and buying prescription drugs. That this is tolerated is indecent. We have the power to do things differently. For example, the government could increase the guaranteed income supplement for everyone who needs it. Another measure would be to protect pensions. The government could also strengthen protection for pensions in bankruptcy cases, but it is not doing that.

We have a number of suggestions for protecting seniors' financial security. We hope to see a little more openness on the part of the government in this regard in future.

• (1605)

[*English*]

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, I am pleased to rise to speak to Bill C-36, what the government has named the protecting Canada's seniors act. I am pleased to do so not only as a senior myself but also on behalf of a riding that has one of the greatest concentrations of senior citizens anywhere in the country.

For a legislation with such a grand title, this enactment is actually only one clause long. Simply put, it adds a one-line addition to the Criminal Code section on sentencing, that judges are to consider "evidence that the offence had a significant impact on the victim [due to] age and other personal circumstances, including health and financial situation".

Essentially, the bill seeks to increase sentences for offenders who abuse our seniors in the commission of any offence, which is itself a very worthwhile goal, as the Parliamentary Secretary to the Minister of Justice outlined in his remarks.

The seriousness and scope of the problem of elder abuse has been discussed over the course of our analysis of this legislation in committee, but it warrants attention yet again.

*Government Orders*

A number of studies have suggested that as many as 10% of seniors in Canada may be subjected to some form of elder abuse, yet as witness testimony before our committee put again and again, the true figure is likely much greater than that, as many cases go unreported. Indeed, underreporting, often due, *inter alia*, to the close or even dependent relationship between victim and victimizer, as well as the isolation of many seniors and their frequent lack of awareness about the resources that may be available to them, makes elder abuse a very complex crime to detect, to prosecute and to prevent in particular.

Accordingly, if the issue of elder abuse is to become a national priority, if it is to be effectively addressed and redressed, a concerted effort extending across party lines will be required. In that connection, I am pleased that our committee meetings on Bill C-36 generally took place in an open spirit of non-partisan cooperation. We saw at committee how efficiently matters can proceed when justice bills do not include unnecessary mandatory minimums, which very often are objectionable in and of themselves and disproportionately affect those who are the most vulnerable. Indeed, we observed that it is in fact possible for MPs to work together in a common effort to tackle crime without eliminating judicial discretion, a trend that I hope will continue.

One thing upon which committee members, witnesses and even the minister himself, as well as the parliamentary secretary in his earlier remarks, agreed is that this one-line amendment to the sentencing guidelines will not protect Canada's seniors on its own, the title of the bill notwithstanding.

Accordingly, I will organize my remarks as follows. First, I will briefly look at what Bill C-36 can be expected to accomplish. Second, I will use the remainder of my time to discuss additional avenues to explore appropriate actions to consider if we are to combat elder abuse, and how it can be done in a more comprehensive and effective manner.

The bill before us is a small step. Admittedly, it is a step in the right direction, but an insufficient step. By directing judges to consider the impact on the victim due to age, health and financial considerations as an aggravating factor at sentencing, it may lead to more serious sentences where warranted. Accordingly, when white collar criminals specifically target seniors to defraud them of their savings or of their hard-earned pension money, or if workers at seniors' homes are neglectful or violent toward residents, or in extreme cases when family members violently mistreat seniors, these offenders undoubtedly deserve to be severely punished by the Canadian justice system.

At the same time, we need to be reminded of the considerable evidence showing that longer sentences do not deter crime and that changes to sentencing guidelines are unlikely to have a preventative effect. This is particularly important in the realm of elder abuse. By the time a judge issues a sentence, the abuse has occurred and charges have been laid. Indeed, the offender must be found guilty for there even to be a sentencing process to begin with.

● (1610)

Nonetheless, as witnesses at committee explained, there are so many obstacles to the requisite steps in the process prior to sentencing that it is unusual for a case of elder abuse to actually

arrive at the sentencing phase. The impact of this bill would therefore likely be quite modest. Again, and this bears recall, the criminal justice process is rarely utilized in cases of elder abuse. The primary reasons for this, as outlined in a report by the Library of Parliament, are as follows:

[*Translation*]

(1) the fact that prosecutions are often difficult, as the victim may be reluctant to cooperate in a prosecution against the loved one; (2) the victim may have poor health and possible present or impending mental incapacity; (3) the prosecution may take so long that the victim dies before the case goes to court; and (4) the perpetrator may be the only significant person in the victim's life and to report and testify against them would result in loneliness and pain from the perceived consequences of the intervention.

[*English*]

Nevertheless, it is to be hoped that Bill C-36 would focus the attention of judges and other court officers on the particular odiousness of the victimization of the elderly, what has been referred to here as "the denunciation objective".

Ideally, the focusing of attention within the legal system would combine with a new horizons public awareness initiative such that all Canadians would begin to be aware of the seriousness of the problem and the importance of finding solutions. Indeed, if nothing else, Bill C-36 could serve as what I would expect to be a unified statement by this House that the abuse of Canada's seniors is simply unacceptable and that hon. members condemn it in the strongest possible terms, which again goes to the denunciation objective.

Or course, condemnation only gets us so far if it is not followed by concrete action likely to facilitate the detection and, in particular, the prevention of elder abuse. Otherwise, we run the risk that Parliament and the country will move on to other pressing matters and that seniors who need help will be left with nothing but a remnant of moral support. As a case in point of how easily good intentions and even very good work can fade into the background, we need only remember the report entitled "Not to be Forgotten: Care of Vulnerable Canadians", published one year ago by the ad hoc Parliamentary Committee on Palliative and Compassionate Care. That report is a thorough analysis of the challenges faced by elderly Canadians and the challenges faced by government institutions and others who seek to provide them with care. It contains many well-thought-out concrete recommendations on how these challenges might be met. Regrettably, most of the recommendations in the report's 192 pages have not been implemented. Yet we are left debating a bill called the protecting Canada's seniors act, which is, as I said, but one line long. It is a good bill but there is much more that must be done.

I will move to the second part of my remarks and elaborate on what can and indeed needs to be done in this regard.

*Government Orders*

First, it is crucial, as my colleague from Pierrefonds—Dollard has addressed, to raise awareness among all Canadians that the abuse of seniors is a significant problem, one that is simply unacceptable. Programs such as the federal elder abuse initiative, mentioned by the parliamentary secretary, are a welcome beginning. However, efforts in this regard must be continued and intensified. The government can do this by establishing its own set of programs as well as helping to fund those that are run by the provinces and non-governmental organizations and that warrant further support.

Increased awareness is required on a variety of fronts. Not only must everyone be made generally aware of elder abuse, but professionals who work with the elderly also require training so they will know how to properly care for seniors, how to recognize signs of abuse and how to minimize patient-to-patient abuse in institutional settings. Family members should be made aware of things they might be doing that they perhaps might not have considered to be abusive but that have detrimental effects on the seniors in their lives. Third parties need to understand that silence in the face of abuse is intolerable and that resources exist for dealing with abuse, if indeed it is reported and acted upon. Of course, seniors themselves are too often ashamed of abuse. They will minimize it and may indeed endure what is a completely unacceptable situation.

• (1615)

It is therefore critical that seniors be made aware that abuse is not something to be tolerated and that a range of options exists for addressing and redressing it. Alternatives to the criminal justice system do in fact exist in this regard. Indeed, seniors must be encouraged to confide in a doctor or call an elder abuse hotline. They need to be told that both hope and help are out there.

Second, in addition to raising awareness, the federal government can take the lead in enhancing our understanding of the nature and scope of elder abuse in Canada. Last year's committee report and witness testimony before the justice committee focused a great deal of attention on the fact that data on elder abuse are sorely lacking and that effective action will be difficult to take without a fuller understanding of the problem.

According to the Ontario Network for the Prevention of Elder Abuse, most agencies do not keep information on the number of cases reported or responded to. Without national standards for collecting statistics about elder abuse, we are simply left patching together data from different studies with different scopes and methodologies, along with anecdotal evidence from a patchwork of jurisdictions. HRSDC has funded preparatory work for a national prevalence study through the national initiative for the care of the elderly, referred to earlier. A good way for the government to demonstrate its seriousness on this file would be to ensure high level and sustained funding for the study itself and its recommendations.

A third recommendation that was mentioned in the report and that arose frequently at committee meetings on Bill C-36 was the need for increased funding and support for institutions, often non-profit organizations that do much of the on-the-ground work in the fight against elder abuse. We met some remarkable people at committee who work daily to protect seniors, and I commend their efforts and those of other professionals who are instrumental in preventing, detecting and addressing elder abuse. They described to us some

truly appalling cases of mistreatment and yet remain undeterred in their tireless and noble service to seniors and therefore, in effect, to all of us. We should be very grateful to them and very proud of their good work, which we commend them for and trust will continue.

One can hope that such dedicated people will continue their good work regardless of government funding, but we need not equivocate with respect to such a commitment. Groups need financial and other resources to hire and train responders to intervene in cases of elder abuse, and to set up elder shelters and affordable housing, as my colleague for Pierrefonds—Dollard said, and elder abuse hotlines and victim support services, and to develop pioneering initiatives such as financial literacy programs for seniors to help them protect themselves from fraud. The federal government must be at the forefront of funding and nurturing such activities, as my colleague from Pierrefonds—Dollard said, to help them escape poverty.

Inadequate funding of such organizations can have an impact in ways that we do not always consider. That was explained at committee by a member of the elder abuse intervention team from Edmonton's Catholic Social Services, who talked about how important it was that instances of elder abuse be handled by experienced staff. Unfortunately, cases of elder abuse are too often dealt with by people who may lack the necessary experience, as the organization's inability to offer high-paying jobs leads to employee turnover and employees leaving after short periods of time.

A lack of resources may also mean that when people do as they are told by public awareness campaigns and report abuse, organizations may then become overloaded and unable to respond precisely because they do not have the resources to begin with. As a result, people who report abuse understandably become frustrated and less likely to report it in the future. Ultimately, these organizations are doing impressive things with very limited resources, but they need more government support.

Fourth, the federal government can also do more to help address the systemic inadequacies that are at the root of many cases of elder abuse. Witness testimony before committee highlighted a number of these systemic inadequacies. Employees in health care facilities are often faced with an excessive workload and long hours, factors that can create an environment in which elder abuse is more likely to occur, especially when combined with inadequate training.

*Government Orders*

●(1620)

Better training is required particularly to help workers detect and deal with patient-to-patient mistreatment, a form of elder abuse that often goes unnoticed. As well, overcrowding can lead to an elderly patient being repeatedly transferred from one institution to another, a state of affairs that one witness at committee said should qualify as institutionalized abuse.

Fifth, and as a corollary to this point, increased funding for home care might help with overcrowding by keeping many seniors out of institutions in the first place, thereby distributing the responsibility. Even though most of these institutions operate under provincial jurisdictions—although veteran hospitals, for example, are federally run—the federal government has a clear role to play in helping to ensure adequate health care funding. When health transfers are clawed back, it becomes that much more difficult for the provinces to address these issues.

Sixth, at the same time as we tackle these systemic problems to which I have referred, we must also deal with those specific individuals who abuse the elderly, which is what Bill C-36 attempts to do. However, there are a number of other ways in which elder abuse can be addressed from a criminal justice perspective.

The minister said at committee that he recognizes the important role that law enforcement officers and other legal professionals can play in preventing, detecting and intervening in cases of elder abuse. I was glad to hear that perspective taken, and I hope to see that recognition translate itself into action.

However, better training required for police officers and officers of the court in how to deal with seniors is something that needs to be put into place. Young police officers may not always know, for example, how best to gain the trust of an elderly victim, and lawyers who prosecute elder abuse cases may need to adjust their interrogation techniques to make them more effective with certain seniors.

Another way of increasing the effectiveness of legal professionals is to include them as part of multidisciplinary teams—a recommendation that was made by almost each one of the witnesses who appeared before us—such as exist already in certain parts of the country and in those of the witness testimonies who made reference to them. When elder abuse is detected, police officers, social workers and health care professionals can coordinate from the start to ensure that the situation is dealt with appropriately from a social and medical perspective as well as from a legal one.

For our part as legislators, we should consider certain changes to the Criminal Code that can have a greater impact than Bill C-36. Witnesses at committee raised the possibility of enacting specific elder abuse laws that would complement those already in place in provinces and territories.

In addition, the committee discussed whether a mandatory reporting law for elder abuse might be appropriate. One witness, a social worker from Alberta, told us he has a legal duty to report the abuse of a child but no such duty to report the abuse of a senior citizen, by contrast.

In general, there seemed to be support, among the professionals we heard from, for a law that would require at least those who encounter abuse in the course of their professional duties to report it to the authorities. Such a law could supercede certain confidentiality barriers so that those who encounter abuse are not professionally bound to keep it secret.

For example, bank employees sometimes suspect that a senior is being taken advantage of financially, but they are unsure whether they are permitted to do anything about it. Clarifying the legal obligations of such an individual could help stem the tide of financial abuse of the elderly.

These are just some of the many ways in which the government could truly be “protecting” Canada's seniors.

I appreciate that the minister and the Conservative members of the committee agreed that Bill C-36 alone is not enough. However, they have yet to put forward sufficient concrete supplementary measures in the realm of health care, research and justice, and they have yet to provide adequate support for community initiatives. Instead, regrettably, health care transfers have been reduced; old age security has been cutback; and attempts to deal with the problems with the Criminal Code, while acceptable as far as they go, focus only on punishment—again, after the fact—and not on the necessary prevention itself. Seniors could be forgiven for looking at this one line “protecting Canada's seniors act” and wondering where the rest of it is.

As a side note, this House, last Wednesday, began third reading of Bill C-28, financial literacy leader act. This is important legislation regarding the Financial Consumer Agency of Canada, which itself has a role to play in the combatting of financial abuse of seniors.

●(1625)

At the risk of going beyond the scope of this debate, I do hope that the post of financial literacy leader, once this legislation has passed, would recognize his or her role in combatting elder abuse by improving not only the financial literacy of seniors but their understanding of the rights they possess when confronted with things like inappropriate investments, affinity fraud and aggressive sales tactics, all of which the Financial Consumer Agency of Canada identifies as methods used to target seniors.

Returning and concluding—

**The Acting Speaker (Mr. Bruce Stanton):** Order. It is the end of the time allocated for the member's remarks. Questions and comments, the hon. Minister of State for Western Economic Diversification.

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, I have a question about the Criminal Code providing a broad range of offences that apply equally to protect all Canadians, including elderly Canadians—for example, the offence of assault applying equally to protect anyone regardless of whether the victim is male or female, able-bodied, disabled, young or old.

*Government Orders*

I wonder if the member would like to comment on whether he agrees that the broad range of offences do apply equally to seniors and we do not necessarily have to be targeting elder abuse, creating specific offences for elder abuse.

**Hon. Irwin Cotler:** Mr. Speaker, there may be application under the circumstances and context that is appropriate, but we are dealing here with the specific question of an aggravated sentencing with respect to elder abuse. That is why I have been addressing my remarks to this particular situation.

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, we are talking more about penalties than about offences. Since the member is a great lawyer, I would like to know how he interprets the expression often used by the government in Bill C-36:

[*English*]

...evidence that the offence had a significant impact....

How does the member interpret “significant impact”? Does the member foresee that it might create a bit of difficulty in interpretation by the different courts that would have to apply the new section?

**Hon. Irwin Cotler:** Mr. Speaker, I would prefer to allow the courts to make that kind of determination with respect to impact without the inclusion of the word “significant”.

I would trust judicial discretion in this regard to be able to make the appropriate determination, because the word “significant” may in fact, perhaps inadvertently, generate an inappropriate threshold without which the impact that in fact does occur and that needs to be addressed might not be addressed simply because we have unduly and unnecessarily raised the bar by the inclusion of the term “significant”.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, as usual, my colleague from Mount Royal gave an elegant and eloquent analysis of this bill, which if I take his analysis correctly, is long on title and short on substance.

Other than this bill being a glorified talking point, what are we actually accomplishing? Were he once again restored to the position of minister of justice, what would he do in terms of substantive amendments to the Criminal Code to actually address the issues raised by elder abuse?

● (1630)

**Hon. Irwin Cotler:** Mr. Speaker, as I said in the opening part of my remarks, the bill does achieve a certain modest objective simply in the raising of awareness and sensitization, with regard to this problem, and also by eliciting thereby, through that raising of awareness, from the partners in the system, whether it be governments, health care workers or a non-governmental organization, a greater understanding and awareness on their part.

If a government were to address this in a comprehensive way, it would have to increase the health care transfers for this purpose. It would have to ensure that it does not claw back old age security. It would have to ensure that it would address, as we put it, systemic inadequacies that are at the roots of many of the problems that the elderly endure in the system.

With regard to the legal matters in particular, we would have to address the manner in which law enforcement officers and other legal professionals could play a distinguishable role with respect to the protection from elder abuse, and that would have to address questions of education and training—formation, as my colleague from Pierrefonds—Dollard put it—and the other matters I referred to in my remarks.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the reality is that we are dealing with another bill that the government has brought forward that deals with a particular reality, and certainly we support it, but there is quite another reality out in the streets of our nation. Across this country we have seen the government gutting programs to seniors, reducing the services that are available to seniors, raising the retirement age from 65 to 67 and making seniors more vulnerable. That is what it does.

We heard today about what the Conservatives are doing. They seem to be waking up. It is about time, because seniors have certainly wakened up about what they are doing to this country and what they are doing to seniors.

I want to ask the member for Mount Royal his opinion on how the government makes seniors every day in this country more and more vulnerable as a result of its actions and cutbacks.

**Hon. Irwin Cotler:** Mr. Speaker, as I sought to say in my remarks, this legislation is part of a pattern of criminal justice legislation after the fact, but it does not deal with the whole network of prevention approaches.

Indeed, my colleague from Pierrefonds—Dollard stressed l'importance de la prévention, which I reaffirmed in my remarks as well, but it is the overall comprehensive social justice approach that is required—in other words, to put forward concrete, substantive measures in the realms of health care, research, social justice, rather than find a situation where health care transfers are reduced, where old age security is cut back and where there is an attempt to deal with the problem through the prism of the Criminal Code and not through a comprehensive social justice agenda with an interdisciplinary perspective on the level of the delivery of services and with the proper formation and training that is involved; indeed, an important federalist perspective, where the federal government, the provinces and territories work together in common cause in this regard.

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** In that case, Mr. Speaker, the member suggests that we have not acknowledged elder abuse. However, we have established a federal elder abuse initiative, and it was to raise public awareness. In 2008, we announced \$13 million to assist seniors to recognize the signs and symptoms of abuse.

I would like to know if the member was aware of that.

● (1635)

**Hon. Irwin Cotler:** Mr. Speaker, I was not only aware of it, I specifically referenced it in my remarks and I specifically commended the government for it, as well as the new horizons program. My whole point was that, while these were initiatives that were necessary, they simply are not sufficient. I do not want to repeat all that I said. I commend those initiatives but, as I said, those are just modest steps. We need much more along the lines that I and my colleague from Pierrefonds—Dollard submitted to the House.

*Government Orders*

[Translation]

**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 Beauharnois—Salaberry, The Environment.

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I will be sharing my time with the hon. member for Brome—Missisquoi.

I am pleased to rise in the House to address a question that worries me a lot, the condition of seniors, whom I meet regularly in my riding of Gatineau. I am particularly concerned about this issue because I am the critic for social justice. We have heard the speeches by my colleague from Pierrefonds—Dollard and the hon. member for Mount Royal. They have explained the social aspects of the situation and the problems faced by our seniors in every riding, in Quebec, and across Canada.

Canada has an aging population, in the extreme. Very soon, there will be more seniors than people in any other age group, and we will have to face some difficult problems.

Like the hon. members who spoke earlier, I feel the most disturbing aspect of Bill C-36, and of all the government's bills, is that it is nothing but a big balloon. When we try to get into it, we find it is just as empty as the others.

We are supporting Bill C-36, but I cannot honestly say to the people of Canada, Quebec and Gatineau that we have accomplished something extraordinary that will have a major impact on their daily lives.

I am very disappointed. For once, we had a golden opportunity to improve a worsening situation. We have all heard about or seen some cases of elder abuse, which can take various forms. Some seniors are abandoned in horrible conditions, worse than anything we would inflict on an animal.

When I read Bill C-36, which was referred to the Standing Committee on Justice and Human Rights, and came to the first clause, stating that it would protect seniors, I applauded because I knew it was overdue. I tried to turn the pages, but there were none, because there was only one clause. People may say that one clause is often enough to achieve the goal, in this case, to protect seniors, but I am not convinced.

After listening to all the witnesses who came before the Standing Committee on Justice and Human Rights, we realized that there is a serious problem. Besides the fact that the bill will not correct the problem, the minister has drafted it incompletely and it is full of holes. It speaks of an offence that "had a significant impact on the victim, considering their age and other personal circumstances, including their health and financial situation".

We in opposition tried to submit an amendment to remove the word "significant" to describe the offence's impact on the victim. We did so because we knew in advance that determining whether an offence, particularly some form of abuse, was significant would be subject to much debate.

While we were examining this bill, there was a case of abuse in my riding. Perhaps other members have heard about it, because

Gatineau is not far from here, just across the river. A 99-year-old woman was sexually exploited by a volunteer caregiver. The woman was a patient in a hospital setting where she expected to receive services, but instead she was the victim of sexual abuse. News of this case spread quite rapidly. Thank God, because of cameras and the co-operation of the accused, the case was quickly solved and the offender was sentenced to 20 months.

With Bill C-36, would it be possible to prove a "significant impact" on a 99-year-old victim who is not fully aware of her surroundings or what is happening?

• (1640)

We can just imagine the kind of arguments back and forth. Would the section amended by this bill, concerning the way judges should pass sentence, have an impact? The bill amends paragraph 718.2(a) of the Criminal Code, which states that a sentence should be increased or reduced to account for any aggravating or mitigating circumstances relating to the offence or the offender. There is a list of possible aggravating circumstances, including evidence that the offender, in committing the offence, abused the offender's spouse or common-law partner, or evidence that the offender, in committing the offence, abused a person under the age of 18 years.

Bill C-36 simply adds one aggravating circumstance to that list:

(iii.1) evidence that the offence had a significant impact on the victim, considering their age and other personal circumstances, including their health and financial situation,

I am astonished to hear the government, when asked about this, say that it is a question of the weight of evidence, or the relationship between this and that, or other word games. And yet, when the subparagraphs on spousal violence or abuse of persons under 18 were added to this section, no such distinctions were made. There was no stipulation of a "significant impact". In my speech, I want to draw a parallel between elder abuse, as dealt with in Bill C-36, and conjugal violence, which was hidden for so long.

You can no doubt remember how taboo it was to talk about it, and how difficult it was for our police departments to deal with these situations. They did not know what to do. I was a lawyer when people were just beginning to talk out about domestic violence and how it was a blight on society, which it still is. It became apparent—perhaps because of a lack of training at the time, and things have changed a great deal since then—that when the police came to arrest someone, people cleared out because they said it was a family dispute. With seniors, the problem is that it still often remains hidden. It is important to remember that these people are often alone and helpless, and very few people will see what is happening. It is therefore difficult to know what is really going on in their lives and whether or not they are victims.

That, moreover, is what we were told by the CARP organization, which does a great deal of advocacy work for seniors. I will quote them in English:

*Government Orders*

[English]

It is important that elder abuse be recognized as a public crime and not just a personal matter. Systemically, Canada's rapidly aging population, poorly coordinated home care services, historically low support for caregivers, and inadequate long-term care options may also add a layer to the causes of elder abuse and subsequent under reporting. Over crowded hospitals, inadequate long-term care beds, poorly coordinated at home services, and lack of uniform training for professional and informal caregivers are a recipe for both intentional and unintentional elder abuse.

● (1645)

[Translation]

Will this bill eliminate the problem when, according to the Library of Parliament study, it was already being used? In passing, the Library of Parliament does an extraordinary job of supporting committee work.

The courts already consider the fact that a person against whom a crime has been committed is elderly as an aggravating factor, and this has been enforced in a number of cases. The problem is that even if we were all to agree that being elderly should be added to the list of aggravating factors in the Criminal Code, the fact that Bill C-36 mentions "significant impact" means that we will once again end up with unnecessary legal subsidiary debates.

I do not know whether the amendments are being rejected because they come from the opposition. They do not want to give us any credit, even though they say they allowed us the amendment pertaining to the title. However, we are not so stupid that we are about to consider this a magnanimous gift.

The real gift to seniors would have been to include a section in the act that has a little more punch, a little more crunch, because there ought to be zero tolerance of violence against the elderly and crimes against the elderly.

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, I really appreciate what my colleague had to say. I am not a lawyer, but this bill seems to be a step in the right direction, which we all support of course. If I can have a little more of my colleague's attention, I would like to ask her if she sees things the same way.

It seems to me that, over the last few months, the Conservatives have often tried to offer us simple solutions to complex problems. However, everyone knows there is no such thing as a simple solution to a complex problem. I get the impression that this bill fits that pattern. I have concerns regarding how much flexibility judges will have when they assess various situations.

Will they simply go down a checklist, or will they have a chance to exercise judgment?

**Ms. Françoise Boivin:** That is indeed an excellent question, Mr. Speaker. That is my greatest fear about this bill.

We were not born yesterday. We are starting to get used to government bills, with their fancy, overblown titles meant to create the impression that we are solving all of society's ills when, in fact, we are solving nothing.

I can see a problem here. Judges already consider the age of the victim as an aggravating factor. That has the effect of making the crime in question even more heinous. They will now have to interpret section 718 during sentencing. Will that have the effect of weakening previous interpretations of the law? I cannot guarantee

that. I have asked that question of the member for Mount Royal, who is a lawyer.

We are not in a position to indicate with any degree of certainty that we are not in fact limiting the judiciary's ability to deal with these situations. It is unbelievably sad, but at least we are taking a small step in the right direction. We are at least stating that age is a kind of aggravating factor.

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I would like to thank my colleague from Gatineau for her very enlightening speech. It made me think of the speech by my colleague from Pierrefonds—Dollard. These two examples alone are very promising signs of things to come for the government we plan to form in the coming years. I am going to allow myself to set the bar even higher: it might even mean the end of petty politics.

After studying the bill, along with the member for Gatineau, we were relieved to see that at least it did not cause greater harm to our seniors. However, as the member for Mount Royal pointed out, any progress it makes is unfortunately very limited.

I would like the member for Gatineau to tell us if there is anything we could do that would be a bit more constructive than the tiny step made by the government and which could ultimately be seen as offering a helping hand to seniors, rather than just a marketing ploy.

● (1650)

**Ms. Françoise Boivin:** Mr. Speaker, I think we were concerned, because a number of seniors groups told us we should not see age and vulnerability as equivalent concepts. I totally agree with that. People are not more vulnerable just because they are 60, 65, 70 or even 80 years old.

Last weekend, I met some people, one of whom was a 94-year-old woman who could probably outrun me. She was extremely alert and extremely bright. Opinions should not always be based on a person's age alone.

I think there was a kind of awkward fear: they do not understand that it is a crime. Someone who decides to commit a crime against somebody because of his age does not know whether the person is vulnerable or not, he is just trying to take advantage of the other person because of his age. In a similar way, there can be a crime against someone who is under 18. What is the problem?

I could see the situation being resolved this way. It would involve not being afraid of words and to say specifically that an aggravating factor is attacking an elderly person, period. In this context, it would be up to the accused to show that the attack was not related to the age of the elderly person, but that the accused had simply decided to commit fraud.

We could come back to the issue of fraud against the elderly. Just think about Internet fraud, which we hear about all the time; we have to explain to seniors that they must not answer somebody from the Royal Bank who—

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. The time for questions and comments has expired.

*Government Orders*

Resuming debate, the member for Brome—Missisquoi.

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Mr. Speaker, I am very pleased to rise here in the House to speak to this bill. As a member of the official opposition who sits on the Standing Committee on Justice and Human Rights, I am participating in the debate at third reading, after the tabling of the House committee's report on Bill C-36.

Bill C-36, An Act to amend the Criminal Code, has to do with elder abuse, a problem the NDP is very aware of. As the official opposition critic, my distinguished colleague from Pierrefonds—Dollard, pointed out during her speech in this House on April 27, 2012, that Canada is facing an aging population, much like other countries in the world. According to Statistics Canada, the number of seniors in Canada is expected to grow from 4.2 million to 9.8 million between 2005 and 2036. In 2051, it is projected that seniors over the age of 65 will make up one-quarter of the Canadian population.

I would like to quote what my hon. colleague said:

Our society is enriched by its seniors, who still contribute a great deal to society by volunteering, sharing precious time with their families, helping their friends and neighbours, and investing directly in their communities and their surroundings.

...we need to ensure that the government and its programs adapt to the situation so that everyone can continue to live with dignity until they reach the end of their lives, without any problems. This is possible.

One of the challenges facing seniors is abuse, and this bill is a first step. It amends paragraph 718.2(a) of the Criminal Code regarding the principles for determining a sentence. In other words, the judge takes into account aggravating or mitigating circumstances, as applicable, before determining the sentence. Bill C-36 would add an aggravating circumstance to the Criminal Code. The proposed amendment reads as follows:

(iii.1) evidence that the offence had a significant impact on the victim, considering their age and other personal circumstances, including their health and financial situation,

This wording highlights certain elements regarding the victim, such as age, health and financial situation, among other things.

The NDP supported Bill C-36 at second reading and then proposed the adoption of two amendments. One of these amendments concerned the short title in the French version, and I am pleased to say that it was accepted. The title in French is “Loi sur la protection des personnes âgées au Canada”. However, the second amendment was rejected outright. As my colleague from Gatineau pointed out, the Conservatives unfortunately rejected the second amendment, but “significant impact” is being retained. We will see in practice what results from this, but it bodes ill in terms of interpretation by the courts.

According to a report of the ad hoc Parliamentary Committee on Palliative and Compassionate Care, between 4% and 10% of seniors are victims of abuse. These numbers need to be treated with caution, however, because seniors who are being abused rarely report it, whether out of fear, shame or guilt. The relationship between the victim and the person committing an offence against a senior may also greatly complicate the situation. This is a particularly sensitive issue when the person in question is a family member, friend or caregiver.

● (1655)

Although the NDP will vote in favour of this bill, the official opposition party believes that additional measures are needed to curb elder abuse. These various measures would be implemented in collaboration with the provinces and territories. For example, having a telephone helpline for seniors who are being abused and professionals who specialize in this field would meet the needs of this growing segment of Canada's population.

Apart from all these measures, it must not be forgotten that within this segment of the population, approximately 250,000 people live in poverty, according to Conference Board of Canada figures. Things have to be done to ensure that the elderly can live in dignity, which requires government commitment to income security, affordable housing and health care.

Increasing transfers to the provinces for education, health care and social services, not to mention appropriate funding for NGOs and NPOs that work with the elderly, is the real solution and the way to proper prevention. What is needed is an improvement in the social fabric.

The official opposition supports this bill, but emphatically wishes to state that governments are responsible for adopting an appropriate approach to seniors, who have contributed socially and economically to society throughout their lives.

I believe that a long-term comprehensive strategy, as pointed out by my hon. colleague from Pierrefonds—Dollard, would be better. Mention was also made of protection before abuse begins, rather than afterwards. Appropriate efforts towards awareness, forms of prevention that can end isolation and support the elderly, appropriate training for all the stakeholders in the legal system and more services for seniors are all measures that would contribute to the well-being of seniors and minimize abuse. We need to remember that everyone will be a senior one day and that all can become victims of mistreatment whatever their sex, race, ethnic origin, income or educational background.

To conclude, for all these reasons, the official opposition supports this bill, even though we find it wholly inadequate and incomplete. It does not provide a comprehensive vision of how to solve the problem of elder abuse.

● (1700)

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague for his remarks and for his contribution to the Standing Committee on Justice and Human Rights, where we are closely studying every aspect of this bill.

I particularly appreciated his overview of the problems with the very limited amendments to the Criminal Code, especially in light of the many measures that could be taken to combat elder abuse.

The committee's work has highlighted how important it is to take into account the very important link between victims and their abusers. Most cases of abuse are not easy to prove. As with crimes of a similar nature—and it is particularly true here—friends and relatives are often to blame. Seniors often have a relationship with their abusers, which is based on trust, and they do not wish to jeopardize the relationship by reporting the abuser.



*Government Orders*

I would like my colleague to elaborate on this, as a significant amount of the committee's time was spent deliberating the matter.

**Mr. Pierre Jacob:** Mr. Speaker, I thank my honourable colleague for his question.

Unfortunately, caregivers and family members are often to blame for exploiting the elderly, whether consciously or otherwise.

How can this be avoided? There are no magic solutions. It may be helpful to set up a telephone helpline for seniors who are victims of abuse, and to provide adequate funding to raise awareness among both seniors and their abusers. That may be one solution. It might also be helpful to have counsellors who specialize in preventing elder abuse. The Government of Manitoba put in place an initiative along those lines, and that may be another solution. There are many potential solutions to this unique problem.

**Mr. Tarik Brahmi (Saint-Jean, NDP):** Mr. Speaker, I thank my colleague, the member for Brome—Missisquoi, who has the honour of representing the riding neighbouring my own.

With respect to how seniors are treated and the challenges they face, I would like the member to speak about a problem found in every rural riding, particularly his own, where seniors who have worked on farms end up isolated because of the vast distances. My colleague is aware of this problem. What is more, I congratulate him on the work that he is doing in his riding—the vast distances that he has to cover are impressive.

In what ways is the problem of isolation in rural areas an additional challenge to helping seniors?

• (1705)

**Mr. Pierre Jacob:** Mr. Speaker, I thank my honourable colleague, the member for Saint-Jean, for his very relevant question.

Indeed, our ridings are spread over hundreds of kilometres. Sometimes, adequate information does not reach the people who need it.

I am not suggesting that this only occurs in the country, because it is a problem in both rural and urban areas. However, there are family secrets and sometimes elder abuse is a closely guarded secret.

Once again, the best way of managing and overcoming this problem is through awareness building, prevention and training, and by increasing the availability of adequate services.

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, the subject that we are addressing this afternoon is so important that it is crucial that as many members as possible be able to discuss it. So, if I may, Mr. Speaker, I will share my time with my colleague from Portneuf—Jacques-Cartier.

I come to this issue and this bill with a great deal of humility and, like many members of the House, I feel wholly responsible for ensuring that legislation is finally passed that will, I hope, put an end to the unfortunate situations we too often see occur.

Let me put it another way: as members, it brings us no joy to have to address this issue. We would prefer to put all our energy into building the Canada of tomorrow. It is, however, impossible to ignore a problem that, all too often, places seniors in situations that nobody would wish upon them. Our duty to protect is paramount.

Elder abuse affects all of us, and we have a responsibility to protect our parents and family members. Time marches on and, eventually—and sooner rather than later for some in the House—members themselves will be faced with these issues. In fact, I was wondering at what age a person is considered a senior. There was a time when the so-called golden years began at age 55. I recently found out when I got a flu vaccine that being 52 earned me the right to belong to a category of people who are, shall we say, noble; at least that is how I will choose to put it.

This issue directly affects us all. In this life, there is a possibility that we will one day be faced with an unfortunate situation such as the ones we are discussing this afternoon, and I hope that that this will happen to as few people as possible.

Let us not turn a blind eye to this issue. Canadian society, like other developed societies, is rapidly aging. Protecting seniors is, therefore, quickly becoming a fundamental issue for all society. It is time to act, and we on this side of the House want to take concrete action and support the passage of this bill, in the hope that more will be done.

I would now like to cite some statistics to provide a snapshot of an age group that, since the start of our discussions, we have called seniors.

According to the 2011 census, seniors currently account for 14.8%—essentially 15%—of the Canadian population. The population in Quebec is aging faster than in any other province. In 2031—which is practically around the corner—people over 65 will account for 25.6% of Quebecers, or 2.3 million people.

The situation in my riding is particularly noteworthy. In each and every census, Trois-Rivières is one of Canada's major cities with the highest proportion of seniors. In 2031, it is estimated that one out of every three residents of Trois-Rivières will be over 65.

People in this age group may have varying degrees of physical disability, be more vulnerable, and be more frequently financially dependent on others than young adults. In light of this, many elderly Canadians may become the target of abuse or, quite simply, be statistically at greater risk.

It is therefore difficult to gauge the scope of the phenomenon, but it is important to remember that seniors are often a preferred target, which is a problem that needs to be addressed.

The NDP has been active on this issue for a long time. During the 2011 election campaign, the NDP proposed that the Criminal Code be strengthened by requesting that sentencing reflect the vulnerability of seniors who are victims of crime. The NDP wants to go even further. Criminalization is only one way of reducing elder abuse. It is not a solution that eradicates the cause. We must therefore attack the cause of this abuse as quickly and effectively as possible.

*Government Orders*

We must therefore put in place a series of measures to eradicate elder abuse, in cooperation with the provinces and territories, to allocate necessary resources to a strategy that would include the following measures, for example.

● (1710)

We could consider a telephone help line for abused seniors, as is done in certain provinces and is already being done for other groups in society. I am thinking of Tel-jeunes, for example, which has been a resounding success in providing assistance and has demonstrated the relevance of its service over the years. We could consider a “Tel-age” service, although I do not have the specifics, offering a similar service to our seniors.

The creation of specialized elder abuse consultant positions, a project inspired by a Manitoba government initiative, might also be a step in right direction.

I will also take advantage of my speaking time to hail the work of a large number of organizations, in many cases volunteer organizations, that are breaking the silence surrounding this issue and helping increase the awareness of seniors and their families to the risks of abuse.

In my riding of Trois-Rivières, the Table de concertation Abus auprès des aînés de la Mauricie is a group of organizations involved in preventing and putting a stop to senior abuse. Its actions focus on collective elder rights advocacy, awareness and prevention with seniors, institutions and the community.

I want to congratulate them on their determination in taking specific actions such as increasing public awareness of the problems of elder abuse and mistreatment, organizing conferences, seminars and conventions on abuse prevention and collective elder rights advocacy and taking part themselves in similar events organized by other organizations in other regions of Quebec in Canada.

The NDP wants to go further and not merely propose a criminal law response to the problems of elder abuse. The NDP has developed a detailed plan to assist Canada's seniors. Seniors need a constructive and positive approach, not just a punitive approach. Unfortunately, this bill suggests that this is the direction we risk taking.

Lastly, we believe it is imperative that we address the real problems and the real causes at the root of elder abuse.

Are my colleagues aware that more than 250,000 seniors are living in serious poverty in Canada? That is more than the population of Windsor or Saskatoon, for example. By lifting these people out of poverty, we will gradually eliminate the number of people exposed to abuse and violence.

How do we do that? The following are some measures that could be quite effective and relatively simple.

First of all, increasing pensions and strengthening retirement security for seniors would very often allow them to maintain their autonomy, to break out of their isolation and to be less likely to be victims targeted by potential offenders.

Then, two new federal transfer payments could be put forward for home care and long-term care, to guarantee a minimal level of home

care and to deal with the national shortage of institutions providing high-quality long-term care. This solution could also be quite popular.

Furthermore, a forgivable-loan program could be set up for intergenerational homes. This initiative, here again motivated by a program in Manitoba, could help up to 200,000 families per year build self-contained units for seniors in their homes. For too long now, in our Western societies, we have placed seniors in institutions, rather than retain all their expertise and experience within our respective families and communities.

As my time is flying by, I will immediately move on to the conclusions.

The NDP supports this bill, as it meets some of the demands we expressed during the 2011 election campaign. However, we should not abandon our efforts now, when there is so much that remains to be done.

In this regard, I agree with the Director of the Department of Social Services at the Jewish General Hospital in Montreal, who said when she appeared before the committee:

I think we do need to have a multifaceted approach to elder abuse. Just having an amendment to the Criminal Code is not sufficient.

Unfortunately, this bill, once it is passed, will not end the tragedy of elder abuse. The bill is an incomplete solution. We hope to continue the work by attacking the real causes of elder abuse: poverty among seniors, their isolation, and their social and material conditions.

● (1715)

I will close by repeating something that Yvon Deschamps, one of Quebec's most famous comedians, said—that elder abuse is not very funny.

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** I thank my colleague for his speech, Mr. Speaker. I do not normally jump so quickly to conclusions, but I understand the context in which he said that.

I appreciate the fact that he took a few moments to talk about the risk factors that can lead to abuse. One of those factors is isolation. The NDP has been promoting intergenerational housing for many years now as part of the solution to the problem. I realize, however, that not all seniors still have family members with whom to live.

Would my colleague like to tell us what difference we could make in the lives of seniors who live alone if the government were to help out in establishing intergenerational housing across Canada?

**Mr. Robert Aubin:** Mr. Speaker, it is an interesting question and we could discuss it for hours, but I will be brief.

Even though we did not mention a specific age, it is becoming more complex than ever to determine how long a person might be a senior. Not only do we have an aging society, but the average life expectancy keeps rising. Therefore, one can hope to be a “senior” for a longer period and live a longer, healthier life.

*Government Orders*

It appears that members of the younger generation want to maintain strong ties with their parents. We have often seen the bond that develops between grandchildren and grandparents. This kind of privileged relationship is absolutely worth building.

Many families would like to have the financial means to build a residence for one or more of their parents within their own family home, so that younger family members have a chance to know their elders and everyone can learn from each other.

[*English*]

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, I thank my colleague for again pointing out that the Conservatives' response to a problem in Canada of merely making amendments to the Criminal Code is not really dealing with the problem. It is dealing with the effects of the problem but it is not dealing with the problem. Much of what we have been saying here today is that there are other things that need to be done for seniors, including income and social supports, but none of these things are part of the bill.

However, even as I read the bill, it appears that there are some flaws. The definition of “substantial effect” to a senior is not something that a judge in a hearing would know about until after the person is convicted. Therefore, the process of getting to a conviction would not reflect what might have been a substantial effect. Could the member comment on that?

● (1720)

[*Translation*]

**Mr. Robert Aubin:** Mr. Speaker, I totally agree with the premise of my colleague's question. However, there is something that bothers me, so I will reply to his question with another question.

Why has the Conservative government made a habit of taking just one step forward and no more? We saw the same thing happening with other bills. Every time that the government deals with a problem it could solve, it limits its intervention to some kind of marketing or partisan operation. I think “marketing” is the best word, since the government tries to maximize the bill's impact. Why stop right after a good start? Chances are, it is an ideological approach aimed at providing a simple solution to a complex problem. They add a few lines to the Criminal Code or delete a few other ones, hoping this will deal with all possible situations. But that does not work, of course.

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, I thank the hon. member for Trois-Rivières for generously sharing his time with me. As he mentioned, this is an issue that affects all of us personally, whether now or later. Therefore, it is important to have an opportunity to debate it.

I also want to take a moment to congratulate the hon. member for Pierrefonds—Dollard, who does an extraordinary job regarding all the issues around the quality of life of our seniors. She is an excellent critic for this very important group in our society. I really appreciated her speech earlier, and I wanted to take a moment to recognize her work.

Bill C-36, An Act to amend the Criminal Code (elder abuse), deals with an issue that is of particular interest to me. I represent the riding of Portneuf—Jacques-Cartier, which has a growing number of rural municipalities with an aging population. Many municipalities

located closer to Quebec City attract young families. Unfortunately, as we go further west, towns get smaller and their population is aging. These municipalities do not always have the financial and material resources required to provide the necessary services for their population. Because of this situation, seniors in my riding may sometimes find themselves vulnerable in their environment.

Bill C-36 seeks to amend certain provisions of the Criminal Code so that the sentence imposed on an offender for a crime against a senior takes into consideration the victim's vulnerability and the terrible consequences of the criminal act for that victim. This means that the significant impact of the offence on the victim, considering their age and other personal circumstances—including their health and financial situation—would be deemed to be an aggravating factor for the purpose of sentencing.

Elder abuse is a very serious and disturbing concern. We only have to think about the many highly publicized cases in recent years that are just heartbreaking. As parliamentarians, we have a responsibility to do everything we can to protect our seniors, who contributed so much to our communities—and who continue to do so—whether it is through their volunteer work, their political involvement, or simply their life experience and the families that they founded over time. It is necessary to act now to stop the abuse that, unfortunately, too many seniors are subjected to.

According to a report of the ad hoc Parliamentary Committee on Palliative and Compassionate Care, between 4% and 10% of seniors will be victims of mistreatment at some point, no matter what their sex, race, ethnic origin, financial situation or level of education. They may find themselves in such a situation against their will in the future. It is impossible to predict.

This statistic may only be the tip of the iceberg, because far too often, victims of elder abuse hesitate to talk about it and to report the person abusing them. Many studies have in fact suggested that only one out of every five instances of elder abuse is reported.

There are many possible explanations for this state of affairs, which is not unlike other incidents, such as the sexual abuse of minors. It may be fear of retaliation, incomprehension, a feeling of shame and guilt, or even the fact that the victim has cognitive disorders. There may also be an emotional tie between the victim and the abuser. Elder abuse is often committed by someone known to and perhaps even very close to the person being abused, like a friend, family member or caregiver. It could also be a neighbour, a professional care provider, staff at a long-term care facility or others.

● (1725)

The fact remains that they are people who are highly trusted by seniors. They depend on these people for different types of care. Or they may simply represent a link to the outside. And in my view, this position of trust makes the abuse even more disturbing.

*Government Orders*

Since 2004, elder abuse in families has increased by 14%. Of all reported cases, 35% of abuse is attributable to a family member, and another 35% to a friend or acquaintance.

The passage of Bill C-36 would be a first step towards deterring people from elder abuse and towards more severe punishment of those who commit this type of offence.

The Criminal Code already contains similar measures for the mistreatment of the most vulnerable among us, such as young people under 18 years of age. However, in view of the aging of the population and the seemingly growing number of cases—which may simply be increasing because of greater media coverage, but nevertheless are very frequent in our society—I believe the time has come for us to take steps to provide better protection for seniors by directly amending the Criminal Code. The seniors in question may find themselves in vulnerable situations for reasons beyond their control, such as varying degrees of physical disability, or perhaps cognitive problems. Unfortunately, they may also be financially dependent on someone else.

As several of my colleagues have mentioned, the NDP supports Bill C-36 because it at least partly responds to the demands we made during the last election campaign.

On the other hand, we do not think this bill should be an end in itself, but rather the first step in a series of measures to ensure real protection for seniors and to prevent elder abuse.

It is extremely important to severely punish those who mistreat seniors, but we must also take steps to prevent such situations from occurring and to provide families of victims with the assistance they need to get through them.

During the 2011 election campaign, we proposed essentially the same measure that is found in Bill C-36. But the measure we proposed was part of a much broader range of measures designed to eliminate elder abuse, in co-operation with the provinces and territories, of course. In particular, we proposed allocating the resources needed to set up a strategy to try to prevent the abuse of Canada's seniors.

Our strategy included many things, such as establishing a telephone helpline for seniors who have been mistreated; creating positions for consultants on the elder abuse problem, as Manitoba already has done; and amending the Criminal Code so that anyone convicted of elder abuse would be sentenced appropriately for their crimes. In addition, the NDP believes that it is necessary to tackle the factors that contribute to seniors' vulnerability to abuse.

Before I was elected, I studied psychology, and I was fortunate to take some courses in gerontology. I was able to see the devastating effect of abuse on seniors, and I also saw that it often occurred because of their environment or because of the physiological and psychological problems that come with the years, with normal aging.

In order to protect them and try to deal with these primary factors, it is essential to ensure that seniors in our communities have a good quality of life. To achieve that, we must improve income security, take steps to ensure that everyone has access to affordable housing, and work towards a universal, accessible drug insurance plan.

I mentioned the rural municipalities in my riding that have problems delivering services to seniors. People in small towns with between 1,000 and 5,000 inhabitants often have to leave their communities. These would include the people in small towns like Saint-Raymond, Saint-Léonard and Rivière-à-Pierre, who have to leave and often go to Quebec City. These problems must be solved, so that seniors do not become vulnerable because they are isolated from the people closest to them.

Bill C-36 is a first step. I will support it proudly, but we need many other practical measures to ensure that seniors in our community can live out their days in safety.

• (1730)

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Mr. Speaker, I would like to thank my colleague. I will ask her a question.

It is one just sham after another with this government. They respond to complex situations—in this case elder abuse—with simple solutions, like an amendment to the Criminal Code. Would a comprehensive response, based on social justice, for example, not be more appropriate?

**Ms. Éline Michaud:** Mr. Speaker, I thank my colleague for his excellent question. I know how experienced he is in the area of social policy and justice, and I understand how relevant his question is.

Indeed, this bill is a sham. There is no other word for it. The government is making a fuss over the bill when, in actual fact, it does nothing to address the source of the problem or the factors that, unfortunately, put the elderly in vulnerable situations where they face abuse and mistreatment. It is important to get to the crux of the problem and ensure that seniors enjoy quality of life, and have access to affordable housing and a public pharmacare program, so that they can get all the medical care they need without being unduly burdened financially. These measures must be implemented, and our approach must focus on prevention. This is extremely important.

People need to be given information so that they can recognize situations where abuse occurs. For people who are not familiar with this kind of issue, it is not clear-cut. Certain things may go unnoticed. People need adequate resources in order to take action. The measure outlined today will not be enough to address all the problems faced by the elderly in our society.

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I thank my colleague for her remarks.

*Government Orders*

Early in her speech, she mentioned how distressing it is for seniors coping with abuse. The NDP is calling for an open helpline that seniors could call to report abuse. As my colleague stated in her remarks, reporting these situations is not easy. It is important to support people who want to come forward and report what is happening to them. I understand that it really is not an easy situation.

Does my colleague agree that a helpline for seniors to report abuse is a good idea, and that a tool like that would enable seniors to take the next step?

**Ms. Éloise Michaud:** Mr. Speaker, I would like to thank the hon. member for Chicoutimi—Le Fjord for his question.

Such a phone line could certainly help seniors. They could use this service for various reasons. Some could use it to report their situation, while others, who may not be ready to take that step, could use it in order to find a listening ear, get support and learn a little more about the resources available in their community.

Some type of support may be required before a senior who has suffered abuse feels comfortable and confident enough to report it to the authorities. A phone line where people are always available to answer questions, provide support, show empathy and help the person in their struggle is extremely important. However, it is only one of many measures that should be implemented to help seniors.

• (1735)

**Mr. Dany Morin:** Mr. Speaker, I will use the extra time I have been given to ask the hon. member whether she believes that the Conservative government is truly willing to help seniors who are being abused or seniors in general.

Over the past year and a half, the Conservative government has implemented a number of measures that impoverish or marginalize seniors.

What does she think of the Conservatives' attitude toward seniors in general?

**Ms. Éloise Michaud:** Mr. Speaker, the hon. member for Chicoutimi—Le Fjord has a lot of questions today.

I do not want to cast too much doubt on the Conservatives' good faith. However, unfortunately, the record of bad decisions and cuts to various services for seniors and Canadians in general is quite worrying. I am not suggesting that the Conservatives are targeting seniors directly. However, I would say that they are not necessarily taking into consideration all the measures that could be implemented to help seniors.

As I mentioned, this bill is the first sign of the Conservatives' good faith, and that is why the official opposition supports them. However, the Conservatives are not going far enough to help seniors. It is time for them to take real action.

[*English*]

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, I will be splitting my time with the member for Argenteuil—Papineau—Mirabel.

Bill C-36 deals with the complex and challenging subject of elder abuse. It is difficult to paint elder abuse with one brush because it comes in many forms: physical, sexual, financial and psychological.

The scale of the abuse can vary dramatically. It can be something that has been happening over a lifetime or occur when a senior becomes frail and vulnerable. The source of the abuse can be caregivers, spouses, children or even strangers looking to take advantage of a vulnerable, lonely person. Often the abuse is hidden, not spoken of, and this is a great tragedy.

One program or one measure cannot address the varying needs of our older loved ones who are suffering from abuse. We need a comprehensive plan that will address the needs of all seniors and in particular those who are being abused.

That being said, I want to speak in support of Bill C-36. The bill is not perfect but it is a step in the right direction. New Democrats had proposed something similar to this in the 2011 election campaign and I am glad to see that Conservatives are taking some of our suggestions.

However, what we had proposed to tackle elder abuse was a complete package, some points of which we see in the bill. We need something more comprehensive, including an elder abuse hotline; the creation of elder abuse consultants, modelled on a Manitoba government initiative; and changes to the Criminal Code of Canada to ensure appropriate sentences for perpetrators of elder abuse. This package would involve working with the provinces in order to develop, implement and fund such proposals.

Unfortunately, Bill C-36, as it stands, will not have the desired impact on reducing elder abuse without the other steps that need to be taken. By merely adding on to the Criminal Code an aggravating factor for sentencing when a crime impacts someone due to their age and other personal circumstances, we are missing an important opportunity to create a system of support for seniors facing abuse.

The key to addressing elder abuse in Canada is not stiffer sentences but addressing the root causes. The best way to combat elder abuse is to give seniors control over their own lives and ensure they have the finances to live in dignity. I have been listening to seniors and meeting with seniors organizations. I have heard over and over again how there is a desperate lack of funding for programs and a very real and legitimate fear that Canada is not prepared for the rapidly rising senior population.

The most important issue voiced over and over by seniors is that they want to stay, for as long as possible, in their own homes. They want to be in their communities, near their friends and family. I really do not think this is asking too much. It is very clear that we need a home care plan, a plan that ensures seniors can stay in their homes and that any modifications that need to be done to those homes are available at an affordable rate.

*Government Orders*

We also need to ensure that seniors can access services without having to travel great distances, especially as mobility becomes more challenging. A network of community hubs would be an effective way to ensure that access is there for them. This would also help combat the solitude that affects so many seniors, especially single seniors or those caring for their partners or another loved one.

Our seniors are asking for affordable and appropriate housing that will meet their needs as they age. As abilities change, our older loved ones need appropriate care within the community or residence in which they live. Access to families and their social networks is key to the health, well-being and safety of our seniors.

In addition to physical security is the need for financial security. Seniors fear losing control over their finances and over their personal choices. Family and those with power of attorney can take control and take choice away. They can, in fact, can take that senior's dignity away.

Our elders can be forced into housing they do not want and can be told to hand over those finances. Too often we allow this to happen for the sake of convenience or for our own fears for a senior's safety. Yet older Canadians should have a say and they should be able to determine the direction they wish to take. This, I believe, is the most important factor in eliminating elder abuse. With control over their own independence and finances, seniors remain in control of their lives, which makes them significantly less vulnerable.

● (1740)

The World Health Organization has recognized elder abuse as an important problem that needs to be addressed. Globally, the World Health Organization estimates that between 4% and 6% of elderly people have experienced some form of abuse in the home. The organization argues that a number of situations appear to put the elderly at risk of violence.

In some cases, strained family relationships may worsen as a result of stress and frustration as the older person becomes more and more dependent. In others, a caregiver's dependence on the older person for accommodation or financial support may be a source of conflict and vice versa. Social isolation is a significant risk factor to an older person suffering mistreatment. Many elderly people are isolated because of physical or mental infirmities or through the loss of friends and family members.

In Canada, seniors are most likely to be abused by someone they know. Canadians seem to understand that. In an EKOS survey in 2009, respondents felt that most frequent abusers were a family member other than a spouse at 62%, and paid caregivers in an institution at 46%.

Knowing what we know about elder abuse and its prevalence, I am wondering what the government plans to do to actually prevent the abuse from happening in the first place. We do indeed need a plan to ensure that our seniors are able to live in dignity and have the financial security to make the choices that determine how they want to live their lives. The government did have a program in place, the elder abuse awareness initiative. While not addressing the root causes of elder abuse, it at least attempted to bring the issue to the forefront. However, the program has ended now and we are left only with the bill on the table before us.

I want to make it perfectly clear that the bill alone would do very little to prevent elder abuse in Canada. It is a step in the right direction and I suppose no matter how small that is it is a good thing. However, without other initiatives such as an elder abuse hotline, elder abuse consultants and a strategy to deal with the root causes of elder abuse, I am afraid the bill would only allow for harsher sentencing and not prevent the abuse in the first place.

In addition to the fallacy of harsher sentencing is the reality that abusers are rarely caught. We need better training for police officers to be able to spot abuse in the first place. Seniors are very hesitant to speak of what is happening to them, often because they fear identifying someone in their family or circle of friends as the abuser.

We heard from law enforcement officials that police officers need better training to allow them to secure the trust of an abused senior so that real remedies can be pursued. Prevention should be our first goal. For starters, prevention is much less expensive than the mounting costs of emergency health care, courts, lawyers and jails. Crass numbers aside, our main concern must be for the dignity of human life and preventing anyone from facing the long, hard road of abuse.

We owe it to our elders to ensure they have a retirement that has dignity. They have worked so hard building this country and are continuing to shape its future. How we treat our elders is indicative of who we are as a society. If we treat our elders poorly, then we are doing a disservice to Canada and Canadians. Our seniors deserve better. Our families deserve better.

I thank the House for its time and indulgence this evening and will reiterate what is required: financial security. That means not reducing OAS by eliminating the age of retirement at 65, and introducing affordable home care and accessible long-term care. In other words, it means all of the things that are not happening in this country.

● (1745)

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I would first like to thank my colleague, who has also done wonderful work to promote a senior's right to a decent standard of living in our great country.

I agree with everything she said in her speech. She is concerned that this bill might lead to harsher sentences. I would be tempted to tell her about my own concern, which is that Bill C-36 will be a total waste of time and will not achieve its goal. I would like her to comment on that.

*Government Orders*

The bill talks about a significant impact on the victim. Crown prosecutors will rarely use that section; they will not demonstrate that the offence had a significant impact on the elderly victim. The seriousness of the offence and the fact that it targeted an elderly person will be totally pushed aside, because prosecutors will be unable to prove there was a significant impact on the victim.

It is not worrisome to see another fine effort that will accomplish absolutely nothing, yet again, despite all the work the committees have done on seniors issues?

[English]

**Ms. Irene Mathysen:** Mr. Speaker, I am so very afraid that she is absolutely right. We spend a lot of time looking at government bills that are meant to keep us busy, meant to create the illusion that something is happening.

The reality is that very few seniors report abuse because they have to live in the home of their abusers. Otherwise, they have nowhere to go because their financial security is such that they are dependent. It may be a child or a grandchild that is the abuser. Seniors are very hesitant to tell anyone that someone that they love and trusted is committing this kind of crime.

Finally, of course, we need to provide the training for police officers so that they can take the time. Seniors do not just call up and say, "By the way I'm being abused". It takes a great deal of time, trust and discussion between an officer and a victim before anything can be pursued. Therefore, additional sentences just simply are not going to work.

[Translation]

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Mr. Speaker, I would like to thank my colleague, who is doing an excellent job on this file.

I very much liked her speech and would like to pick up on one aspect of it that can apply to many issues the Conservatives are dealing with quite poorly, in my opinion.

Once again, we have a bill that deals with a serious issue by targeting people after the harm has already been done. There is no mention of prevention. As my exceptional colleague from London—Fanshawe said a moment ago, one of the best ways to prevent elder abuse is to help seniors stay at home as long as possible, be independent and not have to rely on anyone else. That is one of the best ways to make sure such situations do not arise.

The Conservatives took the same approach with bill C-10, that focused on punishment and added new sections to the Criminal Code. That is all well and good, but should we not spend more time talking about prevention and make it so that situations such as these do not arise in the first place?

I would appreciate my colleague's views on that.

• (1750)

[English]

**Ms. Irene Mathysen:** Mr. Speaker, my colleague is absolutely right. Prevention has to be at the centre of this because prevention means stopping the hurt before it happens. What would any one of us not give to ensure that a hurt that damages a life never happens? After the fact is too late.

She mentioned prevention in regard to home care. Absolutely, seniors need to have that option. I would like to see the federal government invest in real home care instead of playing around and actually cutting the resources to our health care system, such as \$36 billion in the future.

I would also like to see the federal government work with the provinces to start talking about long-term care, the kind of care that we should have in nursing homes. Unfortunately, far too many nursing homes are driven by profit. The care, particularly in Ontario, has declined significantly over the years. That is another form of abuse.

[Translation]

**Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP):** Mr. Speaker, this issue is very important to me. Since I was elected, my work as a member of Parliament has made me very much aware of the enormous challenges that Canadian seniors face, such as violence, negligence and abuse. These are very complex problems.

This bill seeks to ensure that sentencing reflects vulnerability factors in the situations of seniors who are victims of crime, such as their age and other aspects of their personal situation such as health and finances. All these factors would be considered aggravating circumstances for sentencing purposes. This responds in part to demands the NDP made during the last election, in 2011. Unfortunately, the bill does not entirely solve the problem, and I will speak about that a little later in my speech.

The population of Argenteuil—Papineau—Mirabel is aging. Despite the fact that the rural municipalities I represent are strong communities consisting of engaged citizens who take the time to help their neighbours and the people in their community, the fact remains that it is hard to grow old in places where it is hard to access health care and services for seniors.

Elder abuse is a reality. When my constituents request legal or medical aid, or assistance in remaining independent, such as housing or money, for example, they are told all too often that there are excessive delays and that there is not enough funding for housing facilities. There is also a lack of training for workers in the legal system on how to handle elder abuse cases. A number of problems arise as seniors work their way through the system to regain their independence, something they are entitled to do. It is very disappointing to see that the system does not help those people.

I have heard from expert witnesses and seniors on the front line combating violence against seniors. When the Standing Committee on the Status of Women looked into this matter, it heard from several organizations that do excellent work in the field. They included the National Initiative for the Care of the Elderly, the Canadian Network for the Prevention of Elder Abuse, the Advocacy Centre for the Elderly and the Réseau FADOQ.

### Government Orders

Those prominent stakeholders agreed that people who abuse seniors do not receive appropriate sentences and that judges should be asked to consider the age and vulnerability of the victim. Several other witnesses talked about other aspects that are important to assess. Merely providing for adequate sentences will not solve the problem. To really address the problem of elder abuse, all stakeholders will have to work together to prevent such abuses.

All seniors, regardless of culture, gender or income, may become victims of abuse. This is a problem that affects all segments of society. However, some social determinants such as income, social status, gender, education and housing security may leave an individual more vulnerable to abuse. Older women are more often victims of abuse. This is not necessarily because they are physically weaker than men their age but rather because poverty and housing insecurity are more serious problems for all women.

● (1755)

This affects older women because it affects all women. All women have a lower income than men their age. It is therefore a generalized problem.

So as women grow older, they have an income problem and a problem with access to housing. These are the kinds of issues we should be discussing, because the percentage is higher among women and there are many more elderly women because of their longer life expectancy.

I firmly believe that the independence of seniors is essential if we are to end discrimination and systemic abuse. If that is how we treat our grandparents, it says a lot about who we are. If we ignore this systemic problem and do not give them the pensions they deserve, then our society has a problem. Housing insecurity is a problem for many seniors. That is why we need a national housing strategy. We asked for it during the last election. It should be part of this specific amendment to the bill. We believe that the response to this problem should be coordinated with all sectors of society that are involved and all levels of government. Some provincial initiatives have been helping seniors get out of situations in which they are abused or neglected. Above all, public awareness of the importance of the issue is essential.

Major efforts are being made in my riding. For example, the seniors' round table in Argenteuil performs a play in the Laurentians called *Faudrait pas prendre grand-mère pour une dinde et grand-père pour son dindon*, meaning do not make the mistake of thinking grandma is a silly goose and grandpa is her gander. It is an excellent play whose purpose is to break the silence around abuse, to raise awareness among young people by performing the play in schools, to condemn the widespread infantilization of seniors and to recommend tools they can use to protect themselves. The play will be presented in schools so that young people can understand the issue, and it will also be performed in retirement homes. Workers will also be present to explain that help is available if they ever want to free themselves from abusive situations.

The government created the federal elder abuse initiative, but funding for the program ended last year. Its role was to develop awareness campaigns to ensure that people could recognize and report elder abuse. It was a good start, but unfortunately no more than a first step. The program should have been allowed to continue.

But that is just the first step. The government really has to address elder abuse and neglect. Programs that support independence and personal freedom should be introduced, rather than punitive and paternalistic programs based strictly on legislation. Ageism is the underlying cause of neglect and abuse. Training is needed throughout the judicial and social system if stakeholders are to be able to help elders escape their situations.

This would not necessarily be a compulsory whistleblowing system. It is important to understand that people might be in situations in which they do not wish to report their assailant because he is a family member.

● (1800)

As I was saying, it is an extremely complex issue. The bill is nothing more than a starting point, and I hope that more will be done to prevent elder abuse.

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I would like to thank the member for Argenteuil—Papineau—Mirabel for her clear depiction of all the complex issues in elder abuse.

She also made a very good point when she raised the issue of elderly women in particular because, the older women get, the more they become the majority in their age bracket. In addition to their own specific situations, there is the simple fact that their numbers force us to consider their particular situation.

Further to the member's speech, as I am well aware that her riding is quite large and has a large rural component—a reality that has been raised by a number of my colleagues—I wondered if she could give us a few more details about the challenges that seniors face in her riding, in particular. I must admit that her description of a number of specific local and quite extraordinary initiatives was very interesting.

**Ms. Mylène Freeman:** Mr. Speaker, it is clear that in a rural area and sometimes even in an urban environment, but primarily in a small town quite far from any services, life is extremely difficult for seniors. If you can perhaps no longer drive your car, it is extremely difficult to maintain your autonomy, because there is no public transportation. It is difficult to get to medical care.

If you are a woman, as I was saying, you are much more likely to be poor. This is primarily because of the inequalities that continue to exist in terms of pay equity in our society. Therefore, when you are an elderly woman, you have a lot less money. That is why it is so important to maintain and even increase pensions, the guaranteed income supplement, old age security and so on. These are extremely important programs because, frankly, they help people who might otherwise lose their independence. This is what these programs are for. They exist to help these people.

● (1805)

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Mr. Speaker, I want to thank my colleague from Argenteuil—Papineau—Mirabel for her very instructive speech.



*Government Orders*

Unfortunately, I must again burst the Conservatives' bubble and tell them that their solution, that is, Bill C-36, is only a very partial response to a very complex problem. Once again, they are putting the cart before the horse. By focusing on punishment alone, they are not really attacking the problem. We want to minimize the number of victims. A comprehensive strategy is needed.

I would like the member for Argenteuil—Papineau—Mirabel to tell me how a comprehensive solution could prevent elder abuse.

**Ms. Mylène Freeman:** Mr. Speaker, I thank my hon. colleague for his intervention. As we have said, it is an extremely complicated issue. The whole issue has been studied at the Standing Committee on the Status of Women. I do not believe that we were able to address all of the problems that can lead to elder abuse. We really need to find complex solutions.

Old age security must not be slashed. The Conservatives say one thing and do the opposite. Action must also be taken to help seniors remain in their homes, to increase pensions—as I was saying—to guarantee a minimum level of care at home and to attack the national shortage of high-quality long-term care facilities.

[*English*]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, it is a great honour to speak in the House to this bill. It is a very important issue for the New Democratic Party caucus and something I take very seriously.

The greatest influence on my life was my grandmother who came from the Hawkhill in Dundee. She was a miner's widow in Timmins and pretty much raised me. My grandmother was very passionate about seniors' issues. She used to talk about what she called the "poor wee wifies", the immigrant mining women whose husbands died. There were no pensions in those days. Women faded into the background in any mining town across northern Ontario and northern Quebec and lived in poverty. My grandmother always spoke about the dignity of senior citizens. In fact, my grandmother was the first New Democrat I knew because every month when she got her seniors cheque, she would come upstairs and tell me that the NDP fought for the pension. That is where I learned some of my first lessons.

We are in support of this bill going forward because this comes out of the New Democratic Party election platform of 2011. We know that the Conservative trolls study our election platform very closely, except that they mostly try to misrepresent it, get things wrong, make things up and say absolute complete untruths about all manners of things in it. However, they finally read something in our platform, which is what we have been pushing for, a strategy on elder abuse. Unfortunately, they could not concentrate enough to notice that we had a much broader platform for dealing with seniors issues, something they have dropped the ball on entirely.

We are now dealing with only one piece of the puzzle. There are elements of it that are important but we need to look at the issue of elder abuse in terms of the larger picture, which are the issues that we in the New Democratic caucus have talked about, such as protecting pensions. When I first heard that the government would protect senior citizens, I thought they would protect them from people stealing their pensions, like what has happened under the OAS. We in the New Democratic caucus believe that senior citizens

deserve the right to retire at 65 and that they are not a problem, unlike the Prime Minister who told the millionaires in Davos that, in his view, Canada had a problem and that problem was senior citizens. That is a very shameful thing to say and I am shocked that he said it to the Davos millionaires and did not have the nerve to say it to Canadian seniors when he was campaigning.

We believe that we need adequate pensions, which is a base issue. We believe we need proper social housing for seniors, especially in large rural ridings like mine where seniors are living in old farmhouses that have oil tanks that they cannot afford to fill, where their kids have moved south and there is no proper social housing for them. If they do get into social housing, their entire pensions go toward paying room and board and they have nothing else to live on, which means that their quality of life is then affected. We need to ensure that seniors can move into proper housing with the proper supports and sufficient pensions to live their lives with dignity.

We believe there needs to be a strategy for palliative care and for support for families dealing with loved ones who have dementia or Alzheimer's. We hear many horror stories of elder abuse but the real stories are the small ones, the friction that happens within families because of the pressures they are under when they do not have the resources to help a loved one, a father or mother, suffering from dementia. These are the issues that affect Canadians on a day-to-day basis. The government can certainly pull horror stories of abuse off of the back pages of newspapers. They exist and we certainly believe the Criminal Code should be brought to bear, but, more often than not, abuses happen because of the kind of pressure families are under and we need a coherent plan to address that.

The other issue that seniors face is fraud, which the ethics committee has been studying. We know that data breaches are happening that actually profile individuals. There are massive cyber gangs in Ukraine, Nigeria, et cetera, that are actually able to target individual seniors because of data breaches. We all have a responsibility to look at that. I want to praise my colleagues in all parties on the ethics committee for the work being done to address this. Seniors are using the Internet more and more and we know that fraudsters are targeting them, so we need a coherent strategy to protect them from fraud.

● (1810)

There is a sense of humiliation and shame if people have been defrauded. They do not want to tell their kids that they lost some money or that they got caught up in one of these scams. These scams are really sophisticated and they are getting more sophisticated now because of their ability to gather individual data from citizens. That is another issue that needs to be added in when we look at this.

### *Government Orders*

We are talking about the need to deal with elder abuse. Elder abuse happens in a number of forms. It happens in the form of criminal violence and in the form of the same kind of abuses we see against other victims, but it is also different because, in many ways, it is familial. Simply saying that we will increase mandatory minimum sentences for this kind of crime is a blunt instrument. If there is serious abuse happening, of course we want the judges to have whatever discretion they need to render the sentence that is due, but more often than not, we are seeing, within familial relations, the kinds of pressures that are financial and the kinds of pressure with a loved one.

I remember my wonderful grandfather, MacNeil, my mother's father, who was a brilliant man. He had never gone to school but he was a hard-working miner. He started to suffer dementia as he got older, which had an effect on my grandmother who was trying to look after him in a little house in Timmins without family around and without support. Those are the kind of pressures that we see and seniors see.

There has been a number of great organizations, the health authorities that have come forward, and the work that the palliative care committee did on these issues that we can draw from and actually come together within all parties and look at a coherent strategy.

I want to talk about the Canadian Association of Retired Persons, CARP. CARP has done excellent work in advocating for seniors. Susan Eng spoke out saying:

As a society, we're now far more open to talking about the hidden crimes of spousal abuse and child abuse. Now we need to do the same for elder abuse. ...the current law is clearly not robust enough to signal society's abhorrence for this crime.

I think this is something on which we would all agree. In fact, the New Democratic Party is very proud of the work of CARP.

We noticed recently that CARP was attacked by the Conservative government for being what it called a partisan front. I personally find it shocking that an organization that does such good work on behalf of seniors would be attacked by the government. However, it was attacked because the government was feeling the heat on its decisions to steal the pension of seniors under the OAS revisions. I will quote the words of our leader, the leader of the official opposition. He said:

CARP is not to blame for the backlash Conservatives are getting from seniors. The Prime Minister is to blame.

When we hear CARP speaking to issues of elder abuse or to issues of financial security for seniors, we all need to take note. It is a serious issue.

The issues that we are dealing with in terms of support at the family level, the federal government has really been missing in action. The provinces are doing what they can but we have seen the quality of care dropping year after year. It is not the fault of the people working in the homes but we see the inability of seniors to get home care. We see within the institutions the pressure that the nurses and the caregivers are under, and so support starts to drop. That is where people end up having the accidents, the broken hips, the injuries that just destroy whatever quality of life they have remaining. It is the gaps in the system that start to form and the

victims are the seniors. Then, within this, is the other element of elder abuse.

A couple of years back in Timmins, we held a forum on Alzheimer's. The issue of Alzheimer's and the need for a national coherent strategy on Alzheimer's is another piece of the puzzle. I am not saying that people who have Alzheimer's will be victimized, but there is pressure on families, especially families in crisis when an individual has Alzheimer's and the lack of a coherent strategy. There is also the issue of dementia, especially when the dementia has not been recognized yet. These are things we all need to look at in terms of how we ensure that we have the proper resources, whether it is at the federal level or at the provincial level.

The New Democrats will be supporting taking the bill to committee. We do believe there are some problems with the bill. Obviously, there are some problems with the bill, it is a Conservative bill. Problem is their middle name.

• (1815)

We want to address and fix some of the problems with the bill but we think it is important to send the message that elder abuse is an abhorrent crime. We need to give families the support they need to ensure that senior citizens, or anyone as they age, have the support they need to live in the dignity they deserve.

[*Translation*]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, once again, I very much appreciated the speech given by another one of my colleagues. It brought the following question to mind and I will rely on his experience to provide an interpretation.

I have been sitting here for hours and have just heard the eighth or ninth intervention from a member on this side of the House. Of course, there is a great deal of consistency in our positions. How am I to interpret the radio silence coming from our friends opposite? Are they avoiding the debate because they believe the bill before us today cannot be perfected, or are they trying to find a new way to muzzle the opposition, out of arrogance?

[*English*]

**Mr. Charlie Angus:** Mr. Speaker, I find that to be an interesting observation. I was noticing it myself all day. Earlier, when dealing with a bill addressing the danger of nuclear terrorism, I could hear the sounds of sleeping on the Conservative benches. Nobody was getting up to speak.

The issue of elder abuse is a serious issue but we are hearing radio silence from the other side. It is as though they have misunderstood the role of this Parliament.

Parliament exists to debate serious issues. We are all to come together to debate and find a better way forward. The Conservatives tend to use Parliament as a way of putting out spin, misinformation or whatever the latest lie is that comes out of the PMO's talking points. They think that is the role of Parliament. It is not. It is actually an abuse of the parliamentary tradition.

*Government Orders*

I thank my hon. colleague for pointing out that, once again, when we get a serious issue here, all the Conservatives take a pass. However, if it is some kind of idiotic speech that is given by the backbenchers, they just cannot wait to get in queue.

To bring up the level of debate, I would encourage the Conservatives to get a little more involved.

• (1820)

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, I would like my colleague to touch upon two things.

First, he mentioned the incredible people who give of their time, love and energy to work in nursing homes. However, very often they are poorly compensated, there are too few of them because the employer does not provide enough workers, and there are too few hours spent per senior.

Second, this is the only country in the G7, except for Japan, that does not have a national housing program. One of the things we hear over and over again is that decent affordable housing is key to every family managing and having dignity in their life and in their future, and that goes for seniors too.

I would like to hear the member's thoughts on those two aspects.

**Mr. Charlie Angus:** Mr. Speaker, I thank the hon. member for London—Fanshawe for being such a passionate advocate on seniors' issues over the last number of years that I have been honoured to work with her.

We have a number of shortfalls in the overall system. Part of it is federal and part of it is provincial. There is the issue of a lack of access to home care. When people do not have the proper home care they need, they have accidents, such as a broken hip, and end up in emergency. However, there is no place to put them and the emergency rooms are backed-up.

When I go into my communities of Englehart, Kirkland Lake, Larder Lake, Cochrane, Timmins and Iroquois Falls, I hear from seniors all the time. There is no housing for them to move into. They cannot afford the places they are staying in and they cannot move into places with dignity. We see this issue of the need to have enough qualified staff to be there to work for them when they are no longer able to stay in their houses.

Yes, this is a big issue and I am glad that we are debating it within the House. Obviously, it seems to be a discussion only among New Democrats, but we have always been the party that has said that seniors are a major priority. No wonder my grandmother was such a strong New Democrat.

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Mr. Speaker, while I commend the hon. member for his speech, it is a question of the priorities of the Conservative government when it comes to spending on important things like senior care.

We had in our platform, in 2011, a home care transfer and a long-term care transfer. The costing of those things sounds expensive; each one was about \$500 million. However, when we think about the hundreds of millions of dollars that government has spent on advertising, the \$664 million it spent on G8 and G20 summits, the \$50 million for the legacy fund that benefited the member from

Muskoka, we have to question where the priorities of the government are.

When we say there is a need for a long-term care transfer or transfers for our seniors, the government says it does not have the money to do this. Then we see this profligate spending on advertising, legacy funds and 1812 celebrations.

Could my colleague address the difference in priorities of the two parties, which has been underlined today by the silence on the government side?

**Mr. Charlie Angus:** Mr. Speaker, I want to thank my hon. colleague for the excellent question.

I want to say to the folks back home, "Get used to it. This is what it is going to look like in 2015 when we have finally gotten rid of the Conservatives. They have abandoned the field to discussion."

The Conservatives cannot get up and make misrepresentations, so they really do not know what else to talk about. We could be talking about, I suppose, flying limousines for the Prime Minister, hanging out at the Taj Mahal. We could talk about their priorities of taking \$50 million in border infrastructure money and blowing it in a slush fund. That is their idea of priorities.

We could talk about the F-35. Well, we are not supposed to talk about the F-35 because they are not sure if it is the F-35 anymore. They were going to have a \$10 billion overrun on 65 planes, and then they were going to try to keep it from the Canadian people.

Meanwhile the Conservatives are not interested in the real priorities, for example, getting the transfers for home care for seniors. The hon. Jack Layton, before he died, in the election of 2011, made his one commitment to seniors, that we would pass a bill to get every senior in this country out of poverty. The cost was \$700 million. That might seem like a lot, but that is probably not even the cost of replacing the engine in one of the F-35s, because I hear they are not coming with engines.

It is a question of choices. This is what politics is about. It is a question of choices. We have a government that uses its choices again and again to blow money on its friends, to give breaks, to misrepresent facts, to use its time in the House of Commons, not to discuss important issues but to try to misrepresent and fool the Canadian people.

The New Democratic Party has been talking about these issues consistently and coherently. Canadians know that when we are talking about the issues of senior citizens, it is not just that we are going to bring in a mandatory minimum sentence and change the Criminal Code.

*Routine Proceedings*

We have to have a coherent vision to ensure that, not only can we address criminalization against seniors and their victimization, but that we will have a strategy for fraud that is proactive. We will have a strategy for home care. We will actually have the transfers to the provinces, to ensure the Canadian health system remains something that we can all be proud of, and that it does not continue to deteriorate, as has happened all too often across this country.

• (1825)

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, I have a question for the member about the obvious inconsistency in the NDP platform. It is against elder abuse, and yet at the same time it wants to abolish the Senate. However, I am not going to go there.

On a more serious note, would the hon. member agree with me that making the caregiver tax credit fully refundable, such that it would help low-income families, would go a long way to helping those families and a lot of Canadians who are struggling with loved ones and seniors who need help at home?

Second, would the hon. member agree that Canada should develop a more robust national Alzheimer's strategy? We are one of the few countries in the industrialized world without a strong national strategy around Alzheimer's.

**Mr. Charlie Angus:** Mr. Speaker, I welcome my colleague from the Liberals to this discussion. It is now between us and the Liberals to discuss these important issues. The Conservatives have all gone to sleep over there.

We need a national Alzheimer's strategy. It is very important. Instead of Conservatives wasting time with attack ads and misrepresentations, I would invite them to actually get serious about some of these issues for a change.

**The Deputy Speaker:** Resuming debate. Is the House ready for the question?

**Some hon. members:** Question.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

**The Deputy Speaker:** Call in the members.

**Hon. Gordon O'Connor:** Mr. Speaker, I ask that you defer the vote to tomorrow following government orders.

**The Deputy Speaker:** The vote will be deferred accordingly.

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## CANADA–PANAMA ECONOMIC GROWTH AND PROSPERITY ACT

BILL C-24 NOTICE OF TIME ALLOCATION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, it is important that the Canada–Panama free trade agreement is implemented as soon as possible. We need to give Canadian workers and businesses more market access for their exports. Unfortunately, we find that the NDP is ideologically opposed to free trade, so it is not surprising that I must advise an agreement could not be reached under the provisions of Standing Order 78(1) or 78(2) with respect to the third reading stage of Bill C-24, An Act to implement the Free Trade Agreement between Canada and the Republic of Panama, the Agreement on the Environment between Canada and the Republic of Panama and the Agreement on Labour Cooperation between Canada and the Republic of Panama. Under the provisions of Standing Order 78 (3), I give notice that a minister of the Crown will propose at the next sitting a motion to allot a specific number of days or hours for consideration and disposal of proceedings at the said stage.

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## ROUTINE PROCEEDINGS

• (1830)

[English]

### COMMITTEES OF THE HOUSE

GOVERNMENT OPERATIONS AND ESTIMATES

The House resumed from October 24 consideration of the motion.

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I move:

That the motion be amended by deleting all the words after the word “that” and substituting the following: The Seventh Report of the Standing Committee on Government Operations and Estimates presented on Wednesday, June 20, 2012, be not now concurred in, but that it be referred back to the Standing Committee on Government Operations and Estimates for further consideration.

**The Deputy Speaker:** Questions and comments, the hon. member for Markham—Unionville.

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, I am rather shocked and surprised at this decision by the government because the committee worked in an entirely non-partisan way. Other than one small issue which came in supplementary reports, all government members agreed with all opposition members. The President of the Treasury Board had expressed enthusiasm for our work and we spent many meetings with many witnesses.

I wonder if the government side can tell us why it is rejecting the recommendations, not only of Liberals and New Democrats, but their own Conservative members, and why after all this work is it necessary for the committee to restudy these questions?

*Routine Proceedings*

**Mr. Tom Lukiwski:** Mr. Speaker, I would point out to my hon. colleague that the government is not rejecting out of hand all of the recommendations made by the standing committee. As the member well knows, the government has made a response to the committee's recommendations. In that response the government has agreed with many of the recommendations, but it has also observed and pointed out that perhaps some of the recommendations could be amended and in fact strengthened and enhanced. That is all that is happening here.

I believe the committee would find it useful to be able to consider the government's response to all of the recommendations, and upon further consideration, the committee may, if it so wishes, decide to come back with yet another report to the House.

Quite simply, we are not trying to reject out of hand all of the recommendations; it is quite the opposite. We are merely trying to make the recommendations a little stronger and give them a little more precision and clarity.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, frankly, I am flabbergasted. This is the third review on this subject matter in over a decade. The committee spent a dedicated six months with experts from around the world and from the Parliament of Canada reviewing this matter.

I find it amusing, and perhaps the hon. member could clarify something for us. One of the recommendations was that the matter of the role and mandate of the Parliamentary Budget Officer be referred back to our committee for review and study. The government flatly rejected that. Could the member clarify whether the government is now changing its mind and deciding that in fact it is appropriate for the committee to review that matter?

• (1835)

**Mr. Tom Lukiwski:** Mr. Speaker, as I mentioned in my response to the first intervention, the government has responded to the list of recommendations from the committee. That is a matter of record. In fact, the government has agreed with many of the recommendations contained in the original report. However, the government has pointed out to the committee, through its letter to the chair of that committee, that there are other items we believe the committee should give further consideration. That is all this is about.

The amendment I have proposed is merely asking the committee to take a further look at some of the potential clarifications and enhancements to its original report. Therefore, should the committee feel it is necessary to either amend or create a new report and present that back to the House, it can do so. If it feels it is satisfied with the original report, it has that option as well. This is merely an attempt by the government to provide to the committee new information and a new perspective from the government for its consideration.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I rise in support of the motion of October 24, 2012, moved by my colleague on the Standing Committee on Government Operations and Estimates, the member for Markham—Unionville. He moved that the seventh report of the said committee presented to the House on June 20 of this year be concurred in.

The intent of this committee report is clear on its face and in its recommendations. The intent is to finally institute long-overdue and widely called-for reforms to strengthen the capacity of Members of

Parliament to effectively deliver their constitutional duty to review and approve federal estimates and spending.

It is widely recognized that one of the primary responsibilities of Parliament, and consequently its elected members, is the approval of the funds required to meet the government's financial obligations. This is known as the business of supply.

Each year, the Crown delivers to the House of Commons its spending plans or estimates for parliamentary scrutiny and approval. It is important to recall that it is Parliament that has the sole authority to grant the supplies.

O'Brien and Bosc, in *House of Commons Procedure and Practice*, 2009, reiterates the powers of Parliament to review and approve spending and the duties of the government to enable a process to deliver that duty:

The manner in which Canada deals with public finance derives from British parliamentary procedure, as practised at the time of Confederation. The financial procedures adopted by the Canadian House of Commons in 1867 were formed by the following principles:

These principles are important. We have the government frequently referring to past matters. This is an important matter, the very point of the foundation of this nation.

The first principle states:

that although Parliament alone might impose taxes and authorize the use of public money, funds can be appropriated to Parliament only on the recommendation of the Crown (royal recommendation), in Canada represented by the Governor General;

The second principle states:

that the House of Commons has the right to have its grievances addressed before it considers and approves the financial requirements of the Crown;

The third principle states:

that the House of Commons has exclusive control over the business of public finance (taxing and spending) and all such business is to be initiated in the lower house;

The fourth principle states:

that all legislation sanctioning expenditure or initiating taxation is to be given the fullest possible discussion, both in the House and in committee.

That last principle is the very crux of the report and recommendations from my committee: that all legislation sanctioning expenditure or initiating taxation is to be given the fullest possible discussion, both in the House and in committee.

It is widely acknowledged that the various House of Commons standing committees are intended to play an important role in assisting the House with the scrutiny of planned and actual spending and performance, but therein lies the rub.

Unfortunately, it has long been acknowledged that Parliament does not effectively fulfill its role and standing committees are at best giving perfunctory attention to the government's spending plans. The information provided to members of Parliament in committees is simply lacking in the detail necessary to ensure an informed vote. That is one of our most profound obligations here as representatives of the people of Canada.

*Routine Proceedings*

In fact, in some recent instances the committees have been denied the opportunity to review the estimates at all because of tight deadlines imposed by the government.

Three recent reviews of the estimates process have been conducted with the objective of addressing this long-standing record of failure: a 1998 review by the House of Commons Standing Committee on Procedure and House Affairs; a 2003 review by the House of Commons Standing Committee on Government Operations and Estimates; and the recent 2012 six-month-long review by the House of Commons Standing Committee on Government Operations and Estimates, hereinafter referred to as “the committee”.

A total of 75 recommendations were made to Parliament in the first two reports. In January 2012, the Standing Committee on Government Operations and Estimates, or the committee, determined that few changes had been made by successive governments to act on these recommendations, and many of the barriers remained to delivery of this parliamentary duty.

● (1840)

The committee decided to revisit the constraints with appropriate officials and experts and to identify and address the most critical problems. Our committee worked diligently and co-operatively over six months, producing a focused consensus report with 12 modest recommendations. The many experts who work in these matters who came before us from around the world encouraged our committee to work in a non-partisan manner and to try to work together on a consensus with some strong recommendations. I can attest to that, and it is clear in the face of the report that across parties we worked diligently and came forward with a very logical plan to improve the role of members of Parliament in these important decisions.

The stated objective of the report was improving members of Parliament and committees' access to timely, understandable and reliable information on estimates, as well as the support and capacity necessary to complete an informed and constructive report to Parliament. As reported, the end goal of the committee study and recommendations to the House was to enhance transparency and accountability, agreed key elements of good governance and supposedly the very foundation of the government of the day.

As mentioned previously, the committee worked diligently to forge a consensus report, one that was practicable and readily acted upon in a timely manner. That determination was formed in concert with leading experts from around the world who had familiarity with the experience in other jurisdictions and with our own parliamentary procedures. There was only one dissenting opinion.

Both opposition parties supported expedited action, on the advice of experts, for the appointment of the Parliamentary Budget Officer as an officer of Parliament, along with a requisite enhanced budget. Regardless, it was the consensus of the committee that the mandate and function of the Office of the Parliamentary Budget Officer merited study by our committee, including the option of reporting directly to Parliament as an officer of Parliament.

One would logically assume that as the committee is composed in the majority of Conservative members of Parliament and the review proceeded over a six-month time period that the recommendations that the Conservative members concurred in, along with those of us

in the opposition party, had been vetted and received concurrence of their party. The government, in its response to the report, has in some instances supported recommendations and committed to action. In a number of instances, the Conservatives responded that the required actions are the prerogative of Parliament.

We just heard moments ago from the representative of the government that even in its response the government did not suggest that these matters be referred back to the committee. The government members simply stated that many of the matters that we were raising are the prerogative of Parliament to determine, which is precisely the reason why we wish the report to be concurred in, so we can move forward and begin taking action to improve our capacity in this place.

The government, in its response to the report, has in some instances supported recommendations and committed to action. In a number of instances, it responds that the required actions are the prerogative of Parliament. The government has outright rejected some of the other recommendations.

The President of the Treasury Board has committed to action by March 31, 2012, on at least two of the recommendations. An ongoing evaluation of accrual-based budgeting and appropriations would be completed and reported, as well as a model and timeline for transitioning estimates and related appropriations based on program activities. This would allow members of Parliament to review spending within a context of actual program delivery. We look forward to these changes. I know that all members of the House look forward to these reforms, and hopefully they will be expedited following the report in March of next year.

Where the government held that a number of the recommendations are simply within the purview of Parliament, it logically follows that the report be concurred in so that Parliament can proceed with the recommended reforms.

Regrettably, the government has also opposed a number of the key recommendations. Notable among those were changes to the timing and configuration of the tabling of the budget and estimates. This would have enabled members of Parliament to review proposed spending against the budget by also having access to information on actual programs and policies.

● (1845)

The suggestion was why not—like other jurisdictions including New Zealand, Australia and South Africa—simultaneously bring forward the budget, the estimates and the plans and priorities so that we can have a full debate on the substance of the proposals of the government. This, we were advised by experts, is the practice now followed in a number of other jurisdictions and is highly recommended as the more constructive and informed process.

*Routine Proceedings*

What appears doubly odd in the refusal to accept the sensible recommendation is that it was the President of the Treasury Board who wrote to the committee at the outset of its study recommending consideration of exactly these reforms. The government also rejected the recommended review of the Office of the Parliamentary Budget Officer by the Standing Committee on Government Operations and Estimates. I am now left deeply confused because just before I rose to speak, the government suggested that the matter can perhaps be referred to the committee. Therefore, perhaps there is a change of mind, and that review is useful.

The decision to reject the recommendations of the PBO is disconcerting for a number of reasons.

The PBO was created by the Conservatives with the stated objective of improving the flow of timely and accurate information to enhance the capacity of members of Parliament to deliver their duties to review government spending, which is precisely the objective of our review, precisely the task that was assigned to us.

The government of the day created that very position to assist us in that review. Of note, in 2004, the Standing Committee on Finance, following an extensive review, recommended the establishment of an independent budget officer reporting directly to Parliament. Despite 2006 election promises made by the Conservatives to create this independent budget officer, after winning the election the Conservative government enacted the PBO office but reneged on the commitment of an independent budget officer reporting to Parliament.

During the course of the six-month study, strong support was expressed by parliamentary experts for the creation of an independent office of the PBO, including his critical role in supporting and enhancing the capacity of MPs to effectively do their jobs.

As Professor Joachim Wehner at the London School of Economics and Political Science testified:

The first [change that could be considered] is to protect and enhance the role of the Parliamentary Budget Officer.

[S]ome adjustments are possible to the legal framework for the Parliamentary Budget Officer. In particular, this role could be strengthened...if he were a full officer of Parliament. Moreover, steps could be taken so that the Parliamentary Budget Officer has total access to all relevant information.... I see some scope for strengthening it also on the basis of international experience.

Those views were echoed by Robert Marleau, the former clerk of our House of Commons, who said:

The PBO should be the core staff of this committee. The PBO should be moved out of the library into the committees branch, and made a full-fledged officer of the House. Half of his budget should be spendable by this committee [of government works and operations] on studies, and the other half by other committees on estimates, as they apply for it.

This view was echoed once again in testimony by John Williams, well known to the House and now chief executive officer of the Global Organization of Parliamentarians Against Corruption. He said:

I think the Parliamentary Budget Officer should be an officer of Parliament serving this committee, very much like the Auditor General serves the public accounts committee. Therefore, it would have the staff and the resources to do that program evaluation and also have the access to the documentation too.

We certainly know that is the question of the day, access to that information. Major concerns have been raised throughout the term of the current PBO regarding constraints on his ability to effectively deliver his legislative mandate due either to denied or delayed access to financial information and limited resources available to his job.

As far as I am aware at this date, numerous senior departments and agencies have yet to respond fully to the PBO request for information on spending, savings and cuts. I am advised today that the recalcitrant list of senior agencies and departments has now provided some information. I am advised by the PBO office that it is still not sufficient. Included among those recalcitrant entities were Finance Canada, Treasury Board, Privy Council Office, Citizenship and Immigration, Canada Revenue Agency and the Canadian Food Inspection Agency.

As the end of the term of the current PBO is imminent, now is the logical point in time to openly assess the terms of his mandate and the adequacy of the resources allocated to effectively deliver the services needed by Parliament. The concurrence by the government in the committee report provides the opportunity for the government to finally deliver on its commitments to openness, transparency and good governance.

● (1850)

I therefore call upon the government to concur in the report so that the government and Parliament can work together to expedite the reforms necessary to finally effectively deliver their mandate. By simply concurring with this thoughtful report and committing to work with all members of the House, the government could finally, in truth, claim credit for removing the blindfolds and handcuffs on the democratic process.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the way in which we hold government accountable is an area of interest that I have had for many years as a parliamentarian. Given the magnitude of the amount of tax dollars the government spends, one would like to think that, as we evolve into the future, we build a system of rules and procedures that allows for more transparency and accountability.

In looking at the report in its entirety, does the member feel that this is at least a step forward and that we need to recognize change is something that is ongoing? To adopt the report would at least keep us going somewhat in the right direction. I would have loved to have seen all sorts of other changes and when I get the opportunity to speak, I will enunciate some of them.

I wonder if the member would like to comment on how important it is that we do not just leave the status quo but move towards more transparency and accountability.

● (1855)

**Ms. Linda Duncan:** Mr. Speaker, as I had mentioned at the outset, there were two previous reports in the last decade that included a total of 75 recommendations. When our committee reviewed those recommendations, it was with great regret we determined that very little action had been taken by successive governments, and that includes the previous Liberal government, the previous Conservative government and the current Conservative government.

*Routine Proceedings*

We worked diligently to analyze all those recommendations and to pull out the key matters that needed reform. Interestingly, the very issues that we pulled out and recommended were close to identical to the ones that the President of the Treasury Board recommended that we look at.

We reviewed those matters and came forward based on what the experts recommended and the history of the countries within the western world and how they are proceeding into the 21st century to modernize their system of review of estimates and budgets, and plans and priorities, to actually make sure that those who are constitutionally obligated to vote on spending are actually informed in that vote.

[*Translation*]

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I thank my hon. colleague for her speech. These matters are not easy and certainly not very sexy, but they are fundamental to the democratic functioning of our country.

During the study, we examined the question of the Parliamentary Budget Officer, for instance, which had not been examined in earlier studies because the position did not exist.

In my colleague's opinion, would the Parliamentary Budget Officer's resources best be used as a possible avenue for improving our understanding of the estimates?

[*English*]

**Ms. Linda Duncan:** Mr. Speaker, I would like to thank the hon. member for his question and I have to say that it is an absolute pleasure to serve on the committee with him. He provided invaluable advice to the committee and this review.

Absolutely, what the member refers to came clear from every expert who came before our committee. This was not something that we singularly determined. It was raised by these experts on parliamentary procedure. They all recommended that we endorse the position of the Parliamentary Budget Officer and make him a full officer of Parliament. In fact, they recommended to embellish his budget because it is his very office that is created to assist us, the lowly members of Parliament, in the review of estimates and budgets, and plans and priorities.

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I would like to thank the hon. member for her speech, which helped us to better understand the issue. Unfortunately, although I would like to be, I am not a member of that committee.

I get the impression that the government is asking the committee to waste its time in the coming months. The committee has already submitted a report, and now, in the amendment that we are debating today, the government is asking the committee to review that report and perhaps change it. It seems that the government is asking the committee to waste its time.

Does the hon. member believe, as I do, that the government should not propose this amendment today?

[*English*]

**Ms. Linda Duncan:** Mr. Speaker, I would like to thank the hon. member for his very cogent observation and for the compliment. It is

an extremely complex area. It is an area of responsibility for members of the House, which we all take seriously, yet many of us come to the House without those very skills. That is why the review is so important.

The whole reason for this review was to take former recommendations and try to pare them down to a clear action plan to actually enable us, the duly elected representatives of Canadians, to make sound decisions on spending their tax dollars.

Frankly, I find it reprehensible. First the government's response was that it liked some of our recommendations and would work on them, and for other ones it was that it is the responsibility of the House. Now it is saying it is not the responsibility of the House and to send it back to committee again. That is absolutely reprehensible.

I think we did a stellar job of reviewing an extremely complex area. We brought in the best of the best witnesses and experts. We brought in officials of the government of the day and completed what I think is a very useful plan of action to improve our ability to do our jobs here, as we are mandated by the Constitution.

● (1900)

**Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC):** Mr. Speaker, I am very pleased as a member of the Standing Committee on Government Operations and Estimates to participate in this debate today.

The committee's work has provided an opportunity to further strengthen the business of supply, a process that goes to the heart of our system of parliamentary government.

One of the fundamental roles of Parliament, of course, is to hold the government to account for how it spends public funds. As stated in the Financial Administration Act, "No payment shall be made out of the consolidated revenue fund without the authority of Parliament", and it is by scrutinizing, reviewing and approving government spending that Parliament fulfills this important function.

Our government is as committed as ever to supporting parliamentarians in exercising this constitutional duty. It is part of our strong commitment to make the government more responsive, transparent and accountable to Parliament and Canadians. I believe that our actions speak for themselves in this area.

Indeed, over the past few years, we have taken a number of steps to ensure that Parliament and Canadians are better informed about public spending. This includes steps to improve financial reporting, which has, admittedly, changed significantly in recent years.

We have all heard the expression, "Sunlight is the best disinfectant". It was made famous by former U.S. Supreme Court Justice Louis Brandeis, who used it to refer to the benefits of openness and transparency.

Financial reporting is sunlight in the world of any organization. It shines a light on its operations and allows for the proper evaluation of its performance, which is why the government has been committed not only to improving the quality of financial reporting to Parliament and to Canadians but also to increasing its frequency.



*Routine Proceedings*

To that end we have introduced quarterly financial reporting on government spending for departments agencies and crown corporations. This practice has been in place since April 2011, and it has made government operations more transparent and helps Parliament exercise its oversight role.

It is worth noting that up until recently, parliamentarians could get information on how departments spend only once a year. That was through the Public Accounts of Canada, which include the government's consolidated financial statements and are tabled several months after the end of the fiscal year.

The introduction of quarterly financial reports has changed all of that. These reports provide information on how money has been spent over the past quarter and how that spending compares with prior periods. I would add that these quarterly report are among the existing mechanisms that the government is using to provide information on the implementation of economic action plan 2012 measures.

Anyone interested in the impact of the budget should pay particular attention to a new section called "Budget 2012 implementation". This section has been a part of quarterly financial reports since the first quarter of 2012-13. It includes information on the initiatives and savings announced in the last budget, including planned expenditures in relation to personnel.

I would add that not all departments would have seen the impacts from the economic action plan 2012 restraint measures in the first quarter of the year. This is because these measures are being implemented by departments and agencies in accordance with their plans over a three-year timeframe. However, I can assure hon. members that departments and agencies will continue to report on the implementation of economic action plan 2012 in their quarterly financial report as savings measures are gradually implemented over time.

Quarterly reporting is just one of the many things we have done to strengthen the way we manage public expenditures. Another important change has been the introduction of annual departmental financial statements. Since 2006, departments and agencies have been publishing their own financial statements every year on the nature and extent of their activities. These statements have contributed to Canada's leadership in financial reporting. Indeed, very few jurisdictions publish annual financial statements at the departmental level.

• (1905)

Our leadership is also evident in the fact that the Public Accounts of Canada have consistently received a clean opinion by the Auditor General of Canada. In fact, the Auditor General has given these financial statements, which are one of the most important accountability documents prepared by the government, a clean opinion for 14 years running. This testifies to the high standards of the government's financial statements and reporting.

I could go on describing the actions this government has taken to strengthen the way it manages and reports its public expenditures. I would just say that the reforms I have been talking about are all about sound stewardship of public services. They are just some of the ways the government provides more timely and relevant financial

information for parliamentarians and Canadians. They demonstrate that the government is as committed as ever to supporting parliamentarians in exercising their constitutional duty of holding the government to account for how it spends taxpayers' money.

Moreover, these actions complement the many steps that parliamentarians have taken to improve the oversight of government spending. Today, for example, the Leader of the Opposition can select two departments or agencies to have their estimates considered by the committee of the whole in the House. The responsible ministers are then required to submit to questions by the entire membership of the House of Commons for up to four hours. This change, made possible through an amendment to the Standing Orders, puts a direct spotlight on the activities of individual federal organizations and their ministers in a very public and open way, and I believe it has added an important level of scrutiny to government spending.

There is always room for improvement. This is the case with most things in life and it is certainly the case with the estimates and the business of supply, which have seen innumerable changes over time. That is not surprising when considering that we are talking about something whose origins can be traced back to medieval England.

That said, the government welcomes the committee's recommendations to strengthen this long-standing practice. The recommendations include a number of suggestions to make the estimates and supply more meaningful for members of Parliament and the general public. They also represent a good balance of recommendations applying to parliamentarians, on the one hand, and the government, on the other. This balanced approach speaks to the fact that ensuring greater and better scrutiny of public funds is indeed a shared responsibility, and I can assure the House that it is a responsibility that the government takes very seriously.

The committee's report has given the government much to think about and I am pleased to say that we are generally supportive of the recommendations falling within our purview. This includes the recommendations that address the contents of the reports on plans and priorities. As I am sure many of my hon. colleagues have noticed, the reports on plans and priorities have already seen many positive changes in recent years. For one, they have become a lot more user friendly. This is due to the efforts that have been made to streamline the reports to make them more concise and written in plain language. It is also due to a focus on results-based management, requiring federal organizations to demonstrate clear outcomes for their programs.

Today, RPPs must clearly state how an organization will achieve results for Canadians, and the departmental performance reports provide information on the results achieved. These changes have certainly shed sunlight on the workings of government. To put it bluntly, it has made it easier to follow the money.

*Routine Proceedings*

The recommendations proposed for the RPPs by the committee would also make it easier to track performance. This includes the fourth recommendation that financial information by program activity be included for three previous fiscal years and three future years. It also includes the fifth recommendation that an explanation of any changes in planned spending over time be included, as well as any variance between planned and actual results by fiscal year as available. The government agrees with both of these recommendations.

Another straightforward recommendation is the one calling on the government to identify all new funding in the main and supplementary estimates and to cross-reference that funding to the appropriate budget source. The government agrees that doing this would add clarity to the estimates process and, as such, we are committed to identifying all new programs that appear for the first time in all estimates documents. We will also link them to the appropriate source of funds from the fiscal framework.

● (1910)

These changes reflect our government's commitment to strengthening the linkages between the budget and the estimates. By the way, we will never have a perfect alignment of these two documents. It is simply not possible.

I bring this point up because the committee has also called on the government to change the timing of the budget and adopt a fixed date of no later than February 1. This recommendation is an attempt to have budget items for a given year reflected in the main estimates to the greatest extent possible.

The government has offered reasons why this has not been adopted. First, it would restrict the government's flexibility to respond to global and domestic economic conditions, such as the economic downturn and the troubles in the Euro zone. In many cases, these global and domestic comparatives play a determining role in decisions related to budget timing, and the government should not be bound by arbitrary dates that constrain its ability to respond to a dynamic economic environment.

Second, a fixed date would simply not ensure that the budget items are included in the main estimates. This is a question of process. After the budget is tabled, departments then go about the complex process of developing detailed program terms and conditions that need to be approved by Treasury Board. Therefore, if we respect that process, it may take several supply cycles before we see budget items in an estimates document. This is an important point to remember.

The government has committed to ensuring that parliamentarians have the information they need to hold the government to account for how it spends public funds. I believe the government's response to the report, which I have discussed in part today, supports this commitment. Parliament represents a crucial link between the federal government and the public, who expect the best use of their tax dollars. By supporting the vast majority of the committee's recommendations we are making that link stronger.

I would like to thank all the members of the committee for the excellent work that was done. It builds on the many positive changes

that we have seen to the estimates and the business of supply in recent years.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I have to say that I am sitting in the House a little stunned. I listened to the comments by the hon. member, who is a member of my committee that submitted the report. I appreciate her helpful contribution to that review.

I am at this moment a little stunned. It was a consensus report, not in any way revealing how anyone voted. Everyone knows it was a consensus report. I am troubled. In many ways it makes me question what the point is of working hard as a member of Parliament in the committee, listening to myriad experts and representatives of government and then coming to conclusions and recommending very concise measures necessary for us to do our jobs as constitutionally required.

My question for the member is this: Does she no longer stand by the report?

**Mrs. Kelly Block:** Mr. Speaker, the committee made several recommendations directed at both Parliament and the government to help improve parliamentary scrutiny and review of the government's spending plans.

We know that the government has committed to ensuring that parliamentarians have the information they need to consider the estimates and supply bills. In fact, the government has already taken many steps to improve its financial reporting and support for parliamentary scrutiny of estimates and supply.

I have already mentioned the publication of quarterly financial reports. Other measures include posting financial data sets on the TBS website and the open data portal, and ongoing improvements to the form and content of reports on plans and priorities and departmental performance reports.

Our government is committed to ensuring that we have the information we need as parliamentarians and to improving the information that we have.

● (1915)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I find it fascinating that we have a report that was put together with some 16 recommendations. We like to think that they were all done in relatively good faith. From the Liberal Party's perspective, we were, from what I understand, 100% behind 15 of the 16. We had some concerns with one of the recommendations but were prepared to accept it.

In reading through the 16 recommendations, believing there was considerable support coming from the Conservative caucus, what has happened here is that someone from within the Prime Minister's Office is offended by something in the report, otherwise, I suspect that it would have been concurred in. One cannot help but draw the conclusion that the Prime Minister is upset with something in the report.

What does the member believe the Prime Minister's Office is not comfortable with to cause it to offend many members of the House of Commons, and even members of the Conservative Party, to the degree that it has? What is in the report that she believes the Prime Minister does not like?

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**Mrs. Kelly Block:** Mr. Speaker, what we do know is that the President of the Treasury Board was very encouraged by the scope of the study and noted the range of views and perspectives presented to the committee. We know that he also noted the complexity of the matter and possible approaches.

Of the 16 recommendations, 8 were noted to be directed to the government. The rest concerned matters of parliamentary procedures. Of those recommendations to the government, the response indicates that the government agrees or agrees in principle with the recommendations that we made.

I could go on to read all eight of those recommendations that were made but I believe that the President of the Treasury Board commended the committee for the work we did and supported the recommendations that were ours to look at in principle.

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I am pleased to be able to ask a question. If I understood correctly, the hon. member spoke about recommendations that the government agreed to.

My question is very short and simple: does the hon. member support the amendment of the Parliamentary Secretary to the Leader of the Government in the House of Commons that seeks to refer the report back to the committee for further consideration?

[*English*]

**Mrs. Kelly Block:** Mr. Speaker, as a member of the committee, it became very clear throughout the entire study that this was a complex issue. There are many pieces of information that are available to members of Parliament. That was noted as well. It was noted that we have quality information available.

What we absolutely need to do is make the linkages between the budget, the estimates, the departmental performance reviews, as well as the reports on performance, plans and priorities.

I am always willing to continue to do whatever it takes as a parliamentarian to broaden my understanding of the estimates and the business of supply. What we noted as a committee is that one of the strong reasons for doing this was to encourage other parliamentarians to understand the process as well.

● (1920)

[*Translation*]

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Mr. Speaker, I thank my committee colleague for her contribution to the debate.

At the beginning of her speech, she bragged a lot about the reforms and improvements her government has made since 2006. Obviously, in spite of all that, the results are not very convincing and the government has not done enough, since we are studying the estimates. I would like my colleague to comment on the addition to the report we tabled, which would make the Parliamentary Budget Officer an officer of this House. I would like to hear her opinion on that. Would it be a good thing to upgrade the status of the Parliamentary Budget Officer to help us improve our understanding of the budget process?

[*English*]

**Mrs. Kelly Block:** Mr. Speaker, the government noted that the mandate of the Parliamentary Budget Officer and the location of this position within the Library of Parliament were previously studied by the Standing Joint Committee on the Library of Parliament. The joint committee found the Parliamentary Budget Officer's services to be a natural extension of those provided to parliamentarians by the Library, which include non-partisan and customized research and analysis services to assist parliamentarians in committees in considering legislation and holding the government to account. As the joint committee noted, the Library provides these services with full independence from the government.

[*Translation*]

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Mr. Speaker, these subjects are not necessarily sexy, but we will try to make them simple and understandable. What we have before us is something that, although dry, is very important to democracy in this country, and I hope that the average Canadian watching at home will be able to better understand the issue and see where this report will take us.

First, what do we want to do with it? When we started the study, it was simple; most of all, we wanted the estimates—those famous documents we get three or four times a year—to be understandable for the members of Parliament who must adopt them. What is important is that in a British-style Parliament, the House authorizes the government to spend. That is a basic principle.

Then, at the beginning of the study, we all received a letter from the President of the Treasury Board encouraging us to continue with the study. He asked us some questions. We tried to respond to his questions with some recommendations. But the very essence of the task was for each member of Parliament on each committee to be able—for the department on behalf of which they were looking at the estimates—to understand the figure on the third line on the right. What does it mean? What does it refer to? Why is it there and is it appropriate?

It is very difficult to do that today. I would like to quote Kevin Page, the Parliamentary Budget Officer. When he testified before our committee he said the following:

The House must be able to satisfy itself, as the confidence chamber, that all spending and taxation is consistent with legislation, Parliament's intentions, and the principles of parliamentary control. When this is accomplished, Parliament is serving Canadians.

That is the importance of the process. Unfortunately, even after this report, I do not think that we will have that kind of understanding.

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Naturally, as we prepared the report, we heard a number of witnesses, including some who had worked on the two previous reports, in 1998 and 2003. They were very pessimistic and did not believe we would succeed where they had failed. Of course, we did not want to become pessimistic as well, and we wanted to work together with the government in order to make the necessary amendments. We wanted the outcome to be that all members of Parliament in all committees could really understand the figures they had in front of them, and that the public, like the people watching at home, could understand the general outlines. That is the foundation. A budget must be passed. It is one of the fundamental tasks of the House and we have trouble doing it.

Some witnesses told us that all Westminster-type parliaments, like ours, have had trouble making the budget process really dynamic. Perhaps it is tradition. We did not get very far on that point. Perhaps we could look at it again one day.

Nevertheless, we have a more than \$260 billion budget, of which nearly \$100 billion is in budget votes—a substantial proportion. The budget cycle, the supply cycle, is important and it is long.

●(1925)

The supply cycle takes at least 18 months from the time the estimates are presented to the time the public accounts are tabled. Thus, when we examine the estimates from year to year, at 12-month intervals, we have not even seen the public accounts report. Because we cannot see the complete supply cycle from the previous year, it is difficult to compare apples to apples, because we do not know the final numbers. It is quite unfortunate.

We were asked to look at the accounting procedures, which I will leave to the experts. That is not the most important thing in this debate. We were also asked to look at the presentation, whether this is a capital or a program budget, and so on. I will also leave that aside, because I think it is a field for experts. What is important to us is that when the work is complete, the figures will be understandable to the people who must vote on the budget. That is the essence.

I said that the supply cycle is quite long. I will provide some details so people have an idea what we are talking about. It always begins with producing the estimates. Then there is a budget, which is a somewhat more political statement. A little later, there is the report on plans and priorities from departments like Public Works, for the current year. That report is supposed to help us understand how the money is spent on the department's various programs. Ideally, there should be a close connection between the estimates and this tool.

One of our recommendations was intended to have these documents published closer together, eventually synchronizing them so that there would be discussions of the estimates in the report on plans and priorities. That is the goal. It is necessary to make connections between things, and at present, there are no such connections. One almost needs to be a master of the dark arts to find the connections. I do not know how many people in the government are able to do it. I might not need all 10 fingers to count them, because it is so complex.

The structure is quite old. The figures and the budgets are bigger and there are many more programs, yet we have kept on using pretty

much the same old methods. Therefore, we have to bring these methods up to date, and this is the challenge we face.

Then there are supplementary estimates. In the current budgetary cycle, in addition to budget estimates and the budget itself, there are three supplementary estimates that come in during the year. In order to have a good idea of your budget, it is necessary to add up what is shown in the main estimates and in the supplementary estimates A, B and C. After that, they go to the public accounts committee, but as I said, we study the estimates before we have seen the results and before we have seen what was really done.

This makes no sense. The cycle should be shortened so we can understand more clearly and more specifically and see connections from one year to the next. We made recommendations in this regard, primarily about the reports on plans and priorities. We wanted to be able to see a number of years in advance and go back a few years so we could track things. Right now, the hardest part is understanding where all this is heading. This brings me of course to the role of the House.

●(1930)

Normally, I myself would wait until everyone in this House—unanimously—really wanted to have financial statements and budget estimates that were more precise and easier to understand, but I am sensing some resistance.

Apparently, the government likes to talk about transparency and clarity, but when it is time to apply those principles, things do not move very quickly. If we say that it might be necessary to start afresh, we hear how difficult and complicated it all is.

Do we want to fulfill our role or not? That is the main question. Do we just want to surrender control over spending to the government or do we want to remain a Parliament? It was Parliament that, in the beginning, authorized the King's expenditures. That is how it all started, and this has always been the case. In a Westminster-style Parliament, it is Parliament that gives its authorization, but Parliament must still understand what it is authorizing. That is the point.

Otherwise, if we do not do this, if we do not try to improve the situation, between you and me, Mr. Speaker, it is pointless. We will not get very far. We have to wonder what we are doing here.

That is why, among other things, it is important to remain focused on our goals here. I will give an example. The budget estimates are sent to committee for consideration. That is all well and good, but there are some committees that do not have the time or do not take the time to study them, or perhaps they do not understand what they contain and they send them on really quickly, even though seeing how the department for which they are responsible spends its money should be one of their main activities.

There is a standing order that says if the estimates have not been studied within a few weeks, according to the calendar, they are deemed approved, but have we done our job? Why are we here if not to study the estimates? Of course, there are the statutes, the legislative part, but, between you and me, the estimates are quite a significant part of the annual parliamentary cycle. If our purpose is not to consider all that, what are we doing here? I ask you, Mr. Speaker.

This is why we were really trying to go a little bit further and bring the estimates analysis into the 21st century, because now our procedures are really closer to those of the 19th century than the 21st century. It is all still pretty mysterious.

I want us to examine this in a clear manner. I want the people whose job it is to look at, study and vote on the budget to do so very conscientiously. The partisanship can come later; whether we are for or against it is another matter. Properly understanding how this works is a fundamental prerequisite.

Here is a fairly straightforward example of what we could do. I mentioned this earlier. We could group government documents pertaining to the estimates. We would have to shorten the cycle. The estimates, the Minister of Finance's budget, and the report on plans and priorities are all tabled at specific times. All this would have to be done in a much shorter time frame so that each of the documents would be as pertinent as possible. In that way we could truly draw a connection between the various documents, between the programs, the expenditures and the announcements, and we would not have to wait until the public accounts are released to say that that is what the government wanted to say, that is where it wanted to spend the money, and that is what that meant.

• (1935)

We are behind by 18 months if we are forced to say things like that. It makes no sense. Except for the people who ensure that the accounts are right, very few people do this exercise. Therefore, we are not moving towards our objective, which is to have a good understanding of how our public funds are spent.

We talked about a specific period for tabling the budget. Obviously, the government thought that it was a fixed date, whereas we were thinking of a period that ends on a specific date. That would allow the machinery of government to have a schedule and to produce all these documents within a shorter time frame in order to have the greatest possible impact. That is not complicated.

It is important to remember that Canada is a federation. The provinces, therefore, are also interested in knowing what the federal budget contains. That, too, is important to consider. The provinces rely, to a certain extent, on what is in the budget. Our vision also helps the provinces to tailor their own budgets. Everybody benefits when the budget is presented at a specific time of the year. The precise moment is open for discussion; that is not a problem. The basic idea is to always have timely publications and announcements to avoid—as we are currently seeing—having a budget prepared in February followed by a report on plans and priorities tabled in May or June, at a time when information and things in general have changed; in other words, when things no longer add up. That is very important.

Here is another thing to consider: it is important in this debate to get out of our comfort zones and think outside the box, to be willing to look at things differently, and not just see them from an accounting perspective. It is true that old habits die hard.

Let me provide an example. We had witnesses appear before us to discuss the government's response and at some point, I asked a question. It is clear that once you start tinkering with the budget—with the way that it is set out and in the terms of the documents put

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forward—it translates into a huge amount of work for the public service. That means there will be major transformations in terms of financial management. That much we know, and we know that it can be a lengthy process. However, it is worth doing even if it takes a long time. I would not like to see a desire for change quashed solely because change takes time. That is what we are here for, and that is what is required.

So I asked the following question: if we were to use the Parliamentary Budget Officer and his resources to enhance our understanding, would that lessen the load on the public service? Do you know the answer that I got? I was told that was not something that had even been considered.

In closing, I remind members that the objective is to make things clearer and more concise. What the machine thinks is not really important; what is important is that the House and members be given figures that they understand, and that they know what they are voting on.

• (1940)

[*English*]

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, I want to thank my friend for making this a little more understandable for us parliamentarians. However, it is not understandable to most Canadians, which is one of things I want to ask him about.

This report may not do what it is Canadians might want it to do. I will give him a couple of examples of when Canadians were somewhat baffled by budgetary issues. Maybe he can comment.

One was the move of \$50 million from the border infrastructure fund into equipment or gazebos in one of the ridings, purportedly for the G8 Summit. The other was the decision by the Minister of Natural Resources to spend less than half the money in the ecoEnergy retrofit program by unilaterally determining to cut off the program before its program date.

Both are examples of when the government makes announcements, and we vote on budgets. We vote on appropriations. Then the government unilaterally changes those things. I would like Canadians to understand how those things can happen in this parliamentary system of ours.

[*Translation*]

**Mr. Denis Blanchette:** Mr. Speaker, I thank my hon. colleague for his very interesting question, which was addressed during the examination of the report. It is possible in the example of the G20, because the transfer of money from one sub-program to another is allowed without parliamentary approval. However, in a situation where funds can be presented for each program, controls could be tightened up in that regard. Some improvements could be made in that area.

Concerning the other program that was mentioned, even if those funds are voted on, it is up to the government to decide whether or not to spend the money. However, I agree with my colleague that when programs are good for Canadians, I do not see why money would not be spent to meet the targeted objectives.

*Routine Proceedings**[English]*

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I would like to thank the member for Louis-Hébert. It is a privilege to serve on the committee with him. As is clear from his presentation today, he lives and breathes this subject area. He is very educated and informed on the subject area, and we were grateful to have him as part of the discussion.

The member alludes to what I think is missing here and has been missing for quite some time in this place, which is the political will to actually reform this place so that we, the duly elected representatives of the citizens of Canada, can actually watchdog the spending of their tax dollars.

One of the kingpins of the current government of the day in ousting the Liberals was that it was going to be this new, open, transparent, accountable government. The Conservatives promised, during the election, that they would create a Parliamentary Budget Officer who would be an independent officer who reported to Parliament. However, when they were elected, they created the office, but they did not create it as an independent officer of Parliament.

It has been commonly stated, and stated by a number of the experts before our committee, that essentially, the government is leaving members of Parliament blindfolded when they are making these critical decisions the Constitution imposes on us. I wonder if the member could speak to that.

The government is now suggesting that the matter simply go back to committee again. That will be the fourth review by committee in a decade. Does the member think that is a responsible and credible response to the hard work of this committee and the sage advice we provided?

• (1945)

*[Translation]*

**Mr. Denis Blanchette:** Mr. Speaker, I thank my colleague, whom I am honoured to work with on this committee. Indeed, we should be wondering about the real objectives. In fact, I have the impression that the government wants to side with the pessimists we encountered at the beginning of the study. If there is truly a desire for transparency and openness—words the President of the Treasury Board likes to repeat—then, as the expression goes, they need to walk the talk. The Conservatives need to demonstrate this willingness and desire for change. That is what is missing.

Should we focus on half measures by saying that certain documents have been superficially improved, that another one has been published to add to the pile? Or, on the other hand, is there a sincere desire to do what is best for the well-being of Canadians? In other words, the members of this House need to be given precise, complete and understandable information that they can vote on. That is the goal of this report, and I hope we will head in that direction.

*[English]*

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, I listened with great interest to the member for Louis-Hébert, who is obviously quite steeped in this information. However, I want to offer something from my own experience, having sat for 16 years in another Parliament. Each year we would have a budget presented, and along

with the budget the estimates were presented. The estimates said here is what we said we were going to spend last year; here is what we actually spent last year; and here is what we are proposing to spend this year. All members of the assembly could look at this and could ask questions about it and ask why it was increasing or decreasing, or new expenditures would show up. The public accounts would come out later and we could look at those as well in terms of more detail.

Is that what we are looking for here: something that we can understand what is going on? I have been here since 2008, and I was here a long time ago, and it seems to me what we have is a recipe for obfuscation by the government, where members can delay answering questions, where they can say “read the budget, read the budget”, but the budget does not tell us what is going on, because what is really going on is in the estimates. What you say is that we do not get the estimates for 18 months.

Why do you think the government is not responding favourably to this report and recommendation?

**The Acting Speaker (Mr. Barry Devolin):** Before I go to the answer, I remind all hon. members to address their questions and comments to the Chair rather than to their colleague.

The hon. member for Louis-Hébert.

*[Translation]*

**Mr. Denis Blanchette:** Mr. Speaker, I thank my colleague for his question. In fact, it would seem that the government is using this greater complexity to bury the information we want. Is this intentional? I do not know. The result is that we do not have the information we need.

According to the government's response, it does not seem to want to change. However, as my colleague mentioned with regard to his province—and we could give other examples—things could be done differently, we could think about things in a different way, and parliamentarians could be given the information they need.

First and foremost, I believe we need political will in this House, and I believe that it is sorely lacking at this time.

• (1950)

**M. Peter Julian (Burnaby—New Westminster, NPD):** Mr. Speaker, I really enjoyed the speech by the member for Louis-Hébert. As usual, he did a very fine job.

The Conservatives do not seem to agree with a report to which they contributed. At one point they said that they agreed. A planning process is now included, which could prevent the kind of problems we had with the G20, the F-35s and many other matters where the budget process failed miserably.

I want to ask my colleague some questions. The real problem is that the Conservatives do not want to use this financial framework. Is that why they want nothing to do with the report and want to send it back to committee?

**Mr. Denis Blanchette:** Mr. Speaker, I thank my colleague for the question.

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I believe that the Conservatives want to make only superficial changes; they do not want to make profound changes to a system that is serving them well. As I said earlier, there is simply not enough political will to transform these numbers, to transform the budget presentation in such a way that Parliament can return to its original role—to approve budgets for the various departments and agencies.

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC):** Mr. Speaker, it is an honour for me to rise here this evening to address the government's response to the seventh report of the Standing Committee on Government Operations and Estimates entitled: "Strengthening Parliamentary Scrutiny of Estimates and Supply".

As part of its study, the committee heard testimony from academics, representatives of federal and provincial governments, independent consultants and other stakeholders. The committee should be praised for the variety of witnesses who appeared and for having taken such range of opinions into account.

Clearly, the government and the committee agree that parliamentarians must have access to the information they need to examine the estimates and the supply bills. This is a fundamental part of our political system and is key to guaranteeing to Parliament and to Canadians that public funds are being used efficiently and effectively.

In our parliamentary system, the government is responsible for developing its budgetary programs and policies, and Parliament is responsible for asking the government to account for its actions and the results of those actions. That is why, since we came to power, we have been working to ensure that Parliament has the information it needs to hold the government to account.

Each year, the Government of Canada prepares main estimates, and supplementary estimates as required, in support of its request to Parliament for authority to spend public funds. This request is formalized through the tabling of appropriation bills in Parliament.

The purpose of the supplementary estimates is to obtain the funding requested by departments and agencies to implement programs approved by the government. The supplementary estimates are also necessary to transfer the funds approved in the main estimates between organizations or within organizations, from one vote to another.

The supplementary estimates also serve to inform Parliament of changes made to the estimated cost of programs that are authorized by legislation other than a supply bill. The tabling of the main estimates and the supplementary estimates, which seek Parliament's authority to spend, is an important part of Parliament's monitoring of government spending plans.

We provide information not only to parliamentarians but also to Canadians. We have all heard the saying that information is power. Well, by making information accessible, we are also giving Canadians the power to hold their government accountable. In fact, Canada is a world leader in providing the public with accessible information.

We were one of the first countries to pass access to information legislation almost three decades ago. That is why, since our government has come to power, it has worked to open the windows and doors of government and to make information available to parliamentarians and all Canadians.

For example, in 2006, our government greatly broadened the scope of the Access to Information Act through the Federal Accountability Act, which contained the most significant changes to the Access to Information Act since it came into force in 1983.

● (1955)

More importantly, these changes extended the Access to Information Act to a larger number of public institutions.

Since April 1<sup>st</sup> 2007, the Canadian Wheat Board, five foundations and five officers of Parliament are subject to the provisions of the act.

The Federal Accountability Act added a total of 69 public institutions to the list of entities to which the act applies.

This means that some 250 public organizations are now subject to the Access to Information Act. The services provided by these institutions are very diverse and far-reaching, and they include many important activities and services for all Canadians.

However, to ensure greater transparency and increased accountability, we must not merely extend the act to more institutions.

Recently, we made it compulsory for all departments and organizations subject to the Access to Information Act to release summaries of their access to information requests. Each summary includes the request number, a summary of the full request and the number of pages disclosed.

I am pleased to say that departments, organizations and crown corporations are complying with this new requirement.

Over the past year, we also published thousands of information packages and we posted them online.

We sort of give access to a large storehouse of useful information which, until recently, was diligently collected and stored, just like our grandmothers' silverware.

The Government of Canada produces and collects data in areas such as health, the environment, agriculture and natural resources.

The purpose of open data is to give free access to machine readable data through portals, metadata and research tools, so that jurisdictions, citizens, volunteer organizations and the private sector can reuse them in new and original forms. The doors are now open and the possibilities are really very exciting.

In March 2011, we launched the Open Data Portal pilot project. This is a single desk providing access to federal government data that can be downloaded freely by Canadian citizens, researchers, volunteer organizations and private sector businesses.

*Routine Proceedings*

This initiative is the result of a collaborative effort between the Government of Canada's departments and organizations to provide access to data generated by the government which can be used by citizens, businesses and communities for their own purposes.

These information packages deal with various issues, including construction permits, wait times for elective surgery, polluting emissions or border wait time.

For example, Statistics Canada provided its community-level health profiles, as well as 2001, 2006 and 2011 census data, as well as socio-economic and geographic data.

Moreover, in accordance with the spirit of our open government initiative, Statistics Canada stopped charging users for access to all its data in 2012.

Environment Canada provided data about fish stocks and freshwater quality indicator data from the Canadian environmental sustainability indicators program.

The Atlantic Canada Opportunities Agency provided data on projects approved by the agency since 1995.

● (2000)

Health Canada posted data on licensed natural health products and authorization dates for all drugs that have received a notice of compliance since 1994. The department has also published information about the suspected adverse reactions to health products.

Industry Canada provided data on broadband coverage and the technical and administrative frequency list that contains data on radio system frequencies.

Treasury Board Secretariat provided data on financial expenditures of departments and agencies, 2011-12 main estimates tables, and the public service employee survey data for 2008 through 2011.

We are proud that our open data portal is constantly evolving and we continue to add new data sets every month.

To make the portal even more effective, it is important that we bear in mind business people and innovators, and that we work with them to transform this raw data into practical applications to be used by all Canadians and to stimulate innovation and economic growth.

For example, at MétéoMédia, updated meteorological observations and advanced modelling provided by Environment Canada are used to provide radar images of the weather from coast to coast.

There are numerous other examples of Canadians with imagination who create and market applications using our government's data. They give us an idea of the trade and research opportunities available through the rapid use of government data by members of the public. And the major advantage of the portal is that it makes all this data accessible at a single location.

More government data can therefore be adapted for various uses. Over the past year, some 273,000 data sets from 21 departments and agencies have been published, and they can be downloaded free of charge—I would note—from the government's open data portal. This has become a global trend.

The United Kingdom, for example, intends to publish the graduation rates of every school. In health care, there are plans to publish the cancer care performance of general practitioners. This is incredibly powerful. Access to this information enables citizens and consumers to make informed decisions about essential aspects of their lives. This gives them choices, and the fact that they have choices means that public services, such as health care and education, will have to be more accountable, which will promote innovation and improved service.

I am talking here about the power to make information available to everyone, but there is more. This is also a tool to stimulate economic growth and long-term prosperity. The European Commission estimates that the open data revolution could mean up to \$55 billion a year in economic spinoffs for the continent.

It is therefore not surprising that British MP Francis Maude, Minister of the Cabinet Office and Paymaster General, has described data as the new basic resource, the new raw material of the 21st century.

We in Canada are well aware of the importance of capitalizing on resources. The development of our resources—our natural resources—has helped make Canada one of the most prosperous countries in the world.

As we advance into the 21st century, the key to our prosperity will lie in our human capital and our potential for innovation.

● (2005)

In this context, data will be Canada's new resource, and the development of that resource will support the goals of the government's economic action plan 2012.

The goal of our plan is to reinforce and consolidate the corporate sector and to make it our job creation driver—

**The Acting Speaker (Mr. Barry Devolin):** Order. The hon. member for Edmonton—Strathcona on a point of order.

[*English*]

**Ms. Linda Duncan:** Mr. Speaker, I have listened diligently to the speech and I am still waiting for the hon. parliamentary secretary to address the matter before us, which is the estimates report.

I hear him talking about the government's economic action plan. I am just wondering, will he, in his speech, be addressing the matter before the House at this moment?

**The Acting Speaker (Mr. Barry Devolin):** I am looking at the motion that was placed before the House regarding the business before us this evening. It says that the Chair shall not receive any quorum calls or dilatory motions. It is my understanding that calls for relevance would be considered a dilatory motion in this context, and as such, the parliamentary secretary has the floor to address the matter in the manner in which he chooses.

The hon. parliamentary secretary.

[*Translation*]

**Mr. Jacques Gourde:** Mr. Speaker, I hope that you will be so kind as to not subtract that time from my speaking time.



*Routine Proceedings*

Our plan seeks to strengthen and consolidate the entrepreneurial sector and to make it an engine for job creation and economic growth. We are doing that by focusing on the key drivers of growth and job creation, namely, innovation, investment, education, skills and communities. That is where open data comes in.

We see this as a launching pad for creating businesses and jobs, and supporting economic growth. By partnering and collaborating with the business community, government can provide the raw material that, through entrepreneurial innovation, is transformed into a value-added and highly sought-after finished product. There has never been a better time for this kind of partnership.

We have never had the kinds of tools—whether it be cloud computing, mobile applications or web platforms—now at our disposal. This is only just the beginning; the sky is the limit. That is why, going forward, we are working on developing a new platform for our open data portal, which could include enhanced search capabilities, Web 2.0 features, international open data standards, the launch of interactive forums and the provision of more pre-programmed application interfaces.

By expanding and improving access to government data, we want to further encourage use of these data sets by the public. We also plan to adopt a new open licence—another idea inspired by international best practices in this area—which will free users from now outdated restrictions on the re-use of this data.

Our hope is that smart minds across Canada in small businesses, non-profit organizations and academia will use this data to create new applications that Canadians will be able to access from whatever device they prefer. We believe that leading-edge entrepreneurs can be key to the country's future prosperity, and we want to tap into that resource to revolutionize government and boost Canadian businesses. We want to build this new resource together, with our entrepreneurs and our innovators.

We know that the current portal is not perfect, and we will continue to work to improve it. We want to do this properly in the best interests of everyone.

● (2010)

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I am pleased to ask my colleague a question. He seems to have deliberately avoided the topic we are discussing this evening. My question is quick and simple and has to do with something he has not yet spoken about. I asked this same question earlier and did not get an answer.

Does the member agree with the government amendment to refer the report back to the committee? If so, why?

**Mr. Jacques Gourde:** Mr. Speaker, I thank the member for his question. I did not finish my speech, but if I had, he might have had an answer to his question.

Nevertheless, I really want to stress the importance of the portal I mentioned in my speech. This is a tool of the future for all Canadians, and they currently have access to it free of charge. This portal will represent an economic revolution in our country and around the world.

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I sat patiently listening to the member.

There is this sense of frustration when a government representative gets up and does not address the issue at all. We want to see the member actually respond to the core issue. The core issue is that the government, from the Prime Minister's Office, I would suggest, has made the decision that this report is to go back to the committee, even though many of his colleagues would have agreed with the report.

We were supposed to give the report concurrence, accept the report and then move forward. However, for some odd reason that only the Prime Minister's Office really knows, it is being sent back to the committee.

I am wondering if the member could tell us, without looking at his speaking notes, whether he believes that his colleagues, who put in the time, energy and resources to come up with this report, are being done a service when the Prime Minister's Office comes to the House of Commons and says that we should send this report back? Obviously the Prime Minister is not content with some aspect of it, even though we do not know which part.

[Translation]

**Mr. Jacques Gourde:** Mr. Speaker, I thank the member for his question. There is no doubt that the government has been determined to improve accountability and increase transparency since it came to power. The proof is not just in our words, but also in our concrete actions. Our record speaks for itself.

The measures I mentioned in my speech will make it possible to give Canadians the open and honest government they deserve, a government that acts transparently, is accountable and optimizes the use of public funds.

Both the committee's recommendations regarding the supply cycle and the estimates process, as well as the government's response, aim to provide similar transparency regarding the financial information that we, as parliamentarians, need when examining estimates and supply.

● (2015)

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I will at least recognize the hon. member's courage in standing up here in the House. The other Conservative members do not appear to want to talk about the government's record in terms of budgets.

And they have their reasons. Just think of the G20, the F-35s, and the whole issue of renovating the West Block. Every time, the government has been unable to establish a budget it could follow. Every time, we saw a government that looked out of control. Either it presented estimates that constantly changed as time went on, or it spent more than had been budgeted. The government's record is pitiful. That must be said.

I think that all Canadians watching us tonight, all over the country, are aware that the government has come up short every time.

*Routine Proceedings*

Now we have a report that says it will clean up the country's finances and set up a process, yet the government says it does not want it, even though there is a consensus, and even though all parties agree that the system is seriously broken and must be repaired. The Conservatives now say that they do not want to repair a broken process; they do not want to clean up the government's budget process.

The hon. member did not answer the question everyone is asking: why are they opposed to a report that simply says that the government's procedures in terms of the budget must be cleaned up? Why? Can he tell us which recommendations the Conservatives do not agree with? Can he give us at least one answer tonight?

**Mr. Jacques Gourde:** Mr. Speaker, I thank the hon. member for his question. He wanted information about the government's plan, and I will be pleased to discuss it with him.

Our plan is to strengthen and consolidate the business sector and make it the engine that drives job creation and economic growth. We are doing that by focusing on the factors behind growth and job creation, something the opposition says little about.

**Mr. Pierre-Luc Dusseault:** Mr. Speaker, I would like you to clarify something. This is the third time the hon. member has been asked a question and has not answered it. Are there rules about answering?

[*English*]

**The Acting Speaker (Mr. Barry Devolin):** Hon. members have the opportunity to ask questions and make comments, and members who have made presentations have the opportunity to respond to that. There is no process by which the Chair determines the validity of the answer. That is in the hands of the member.

The hon. parliamentary secretary.

[*Translation*]

**Mr. Jacques Gourde:** Mr. Speaker, to answer the question put to me earlier, which was very broad, I would like to talk about the economy, because it remains a priority for us. We are taking action while putting the emphasis on the key drivers of growth and employment, innovation, investment, education, skills and communities. That is where open data come into play. We see this as a launching pas for creating businesses and jobs. We think it is very important to create jobs, particularly to support economic growth.

By partnering and collaborating with the business community, government can provide the raw material that, through entrepreneurial innovation, is transformed into a value-added and highly sought-after finished product.

There will never be a better time to do this. We currently have those tools, whether it is computer technology, cloud computing, mobile applications or web platforms. This is just the beginning and the sky is the limit.

• (2020)

[*English*]

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the parliamentary secretary must take Canadians for fools, when this debate is about how much money the government is spending, when it is going to tell us, how we are going to be able to know what it is

spending and what the effects of it are. The Parliamentary Budget Officer stated:

Despite PBO requests, the government has not provided clear baseline information used for any of the expenditure reduction initiatives in a manner that would allow Parliament to assess impacts on government programs and services.

That is the problem. We here in Parliament cannot do our job because the government will not give us the information.

[*Translation*]

**Mr. Jacques Gourde:** Mr. Speaker, I thank the hon. member for his question. I think he is referring to transparency and to access to information. In fact, our country, Canada, is a leader in providing accessible information to citizens. We were one of the first countries to pass access information legislation, almost three decades ago. That is why, since taking office, our government has worked to open its doors and windows and to make information available not only to its partners, but to all Canadians.

[*English*]

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, as I begin my speech this evening, I have to say that I have never seen a situation in the House where the government essentially sends in one player to rag the puck on a debate that is of such fundamental importance to Canadians, which is the tax dollars that are sent to Ottawa and how that money gets spent. Fundamentally, it is about the democratic process and democratic accountability. It is clear from the speech and the response to questions we have just heard by the government member that the Conservatives do not want to talk about accountability. It is especially shocking given that we are here tonight debating a report that was recommended by all parties at the committee stage.

To now have a motion calling for this report to be sent back to the committee for further study really does a disservice to all of the hard work done by the committee, to all of the witnesses who appeared before it, to all of the work done preparing the report and to the seriousness with which I know my colleagues on this side of the House take this subject. The subject is, of course, the tax dollars Canadians send in, how the money is spent and how it is accounted for.

The estimates we deal with here in Parliament are significant sums of money. We are talking about \$254 billion of Canadians' tax dollars. Of that amount, \$160 billion is committed through statutory agreements, but \$94 billion worth of Canadians' tax dollars is what Parliamentarians debate and decide on. That is what we are talking about this evening with respect to this report on financial accountability. It is about how we account for this money in a way that is organized, clear and task-specific so that, when members of Parliament are representing their constituents and looking at the estimates, we know clearly and precisely what it is we are talking about.

*Routine Proceedings*

Budgets are about how money gets spent. That is what the estimates detail. It is about the decisions government makes. An example is the fact that we continue to have a number of people who are unemployed, a level 25% higher than before the recession started, with 1.4 million still out of work. The fact that we still have these people facing a human crisis every day is certainly of concern to Parliamentarians and something we should be dealing with through the estimates process, especially when only 40% of Canadians are able to even get the employment insurance benefits that they and their employers have paid for through premiums. Therefore, how we deal with unemployment is one area of concern.

Another concern is whether or not we are investing in infrastructure and transit. In my city of Toronto, the Board of Trade estimates that lack of transit investment is a \$6 billion drag on the economy of our region, which is especially shocking given that the direct and indirect benefits of transit investment would create hundreds of thousands of construction jobs, not to mention the general importance to our economy, our environment and the daily lives of Canadians.

Whether or not we are spending money on other kinds of infrastructure and whether or not we are providing affordable housing is of concern. My area, the GTA, delivers about 20% of Canada's GDP, but it is increasingly becoming an unaffordable place to live. A decision was made by the government not to invest in affordable housing, even though it would have created many new jobs for Canadians and made life more affordable.

• (2025)

All of these decisions are important for parliamentarians to review through the estimates process, and it is fundamentally the work of parliamentarians. I commend the Standing Committee on Government Operations and Estimates for the work it has done. There are a number very positive recommendations in this report, which generally we in our party supported. We want to see adequate information, because we do not have a lot of time to assess the estimates that are given to us. One of the recommendations is about providing more time to parliamentarians, but making the whole process more coherent, providing clearer, more consistent, more reliable information so any member of Parliament could have a common reference point to study the spending plans of the government. That is certainly something very basic that all Canadians expect of us.

There are many positive recommendations in this report and a terrific amount of hard work that has been done. It is astonishing that the Conservatives want to send this report back again to the committee. They want to rag the puck just as they are doing tonight in this House by not treating this report seriously. That sends the message to Canadians that the Conservatives do not treat the spending of their tax dollars seriously and they are basically saying they have noblesse oblige, that whatever they decide is up to them and that parliamentarians and therefore Canadians should not be able to provide adequate scrutiny.

There is one area in which the report is sadly deficient, and this again fundamentally comes down to transparency and accountability, and that is in the role of the Parliamentary Budget Officer. It is well known that the Parliamentary Budget Officer's position was created

in order to provide transparency and accountability and to ensure there was an independent analysis of the financial numbers that are before members of Parliament, taken out of the politics of the daily cut and thrust of Parliament.

When this position was created under the Federal Accountability Act, Bill C-2 at the time, it was touted by the government as doing just that. It was to prevent some of the problems of previous governments, whereby spending was overestimated, deficits were overestimated and then at the end of the year we were able to see that the numbers were not very accurate all along. It was also important in the wake of the sponsorship scandal that there be this kind of more stringent accountability. The position of the Parliamentary Budget Officer was created, and it was a significant step forward that we supported.

However, what we were calling for, and continue to call for today and have recommended in this report, is that the Parliamentary Budget Officer's position be as an independent officer along the lines of the Auditor General, so that the Parliamentary Budget Officer could have full access to all the information that he or she would need to conduct the work of the PBO. It is a shocking state of affairs today that the PBO has been driven to the point of saying he needs to take the government to court to get the basic financial information he needs from government departments to do his job.

I have introduced a private member's bill, Bill C-381, calling for the Parliamentary Budget Officer to be made an independent officer of Parliament, like the Auditor General, so he would have full access to the resources and numbers he needs and the full authority to do his job in the way that I believe Canadians expected when this position was first created.

• (2030)

I thank my colleague for Ottawa Centre who, prior to my introducing this bill, had introduced a similar bill calling for the independence of the Parliamentary Budget Officer. It was a groundbreaking position when it was created, but the position has failed to have the full authority the PBO needs to do the job.

It is not just New Democrats who are saying this. We had excellent testimony, before the committee, making this recommendation. I would like to quote one of the witnesses, Dr. David Good, Professor, School of Public Administration, University of Victoria, who said:

First, I would make the Parliamentary Budget Officer a full agent of Parliament to assist parliamentarians and committees. I think the role and mandate of the Parliamentary Budget Officer needs to be clarified and strengthened by making the office legislatively separate and independent of the Library of Parliament, thereby operating as a full agent of Parliament. A confused mandate, which I think we've had since its creation, only serves to increase partisanship and the scoring of political points rather than channelling substantive information to elevate the level of debate to assist parliamentarians in the scrutiny of the budget and the estimates. As a full agent of Parliament, the Parliamentary Budget Officer would have authority to have greater access to documentation.

That is exactly what my private member's bill would do. However, we do not need a private member's bill to make this change for the Parliamentary Budget Officer. It could be included as a recommendation to this report. We have added it as a supplementary recommendation. It ought to be included, and the government can make that a reality.

*Routine Proceedings*

The current mandate of the PBO includes providing independent research and analysis to government on the government's estimates and financial management. In fact, it has been the PBO that has had groundbreaking reports that have been more accurate than the government's own numbers.

A case in point is the work the PBO did on the F-35s. It was through his office, as opposed to the government, that parliamentarians first became aware that the cost estimates by the government for the F-35 procurement program were wildly off the mark, to the tune of billions of dollars. It was the PBO who alerted Parliament, and therefore Canadians, that this was a problem. The accounting the government was providing to Canadians was very different from its own internal accounting by billions of dollars. In fact, it was the PBO's numbers that were accurate, and the numbers the government was issuing publicly were not.

Similarly, there was the PBO's costing of the impact of the government's crime bills and what they would mean in terms of greater costs for the criminal justice system and greater costs for provinces due to greater incarceration rates. The PBO's numbers have, in fact, been more accurate in that regard.

In the accounting for our military engagements, the PBO has been very helpful as well.

When the Parliamentary Budget Officer comes before the finance committee, he is able to tell us more accurately, and I believe more frankly than the government, the impact of budget decisions. For example, when the PBO came before the finance committee this spring to talk about the impact of the government's budget, he told the finance committee that the austerity decisions, the cuts being made to programs and services by the government, would be a drag on the overall economy, would lead to greater unemployment and would reduce the GDP of Canada.

● (2035)

Sadly, that is what has been happening where governments have been pursuing austerity measures in countries around the world. We are seeing Europeans belatedly coming to the realization that many of the cuts they are making to budgets are creating more of a drag on their economies and increasing unemployment in those areas.

The PBO has been very frank and very helpful, and for his efforts he has been the target of significant criticism and attack by government members. When the PBO came before the finance committee, government members have been excessively aggressive and dismissive, which is unfortunate because of the valuable information he has been able to provide.

We just heard from a professor from the University of Victoria. There are other witnesses who gave similar testimony. We heard from Dr. Joachim Werner, associate professor of public policy from the London School of Economics and Political Science. His recommendation was:

—to protect and enhance the role of the Parliamentary Budget Officer. A number of countries are creating similar institutions, and the Parliament in Canada has really been at the cusp of this development. Internationally, the Parliamentary Budget Officer of Canada is very highly regarded, and it's certainly a major change, in my view, at least, in the degree the parliament in Canada has access to an independent, highly professional research capacity.

He was very complimentary. However, he said:

I believe that some adjustments are possible to the legal framework for the Parliamentary Budget Officer. In particular, this role could be strengthened, or the status be strengthened, if he were a full officer of Parliament.

In that regard, we on this side have recommended that the government take immediate action to make the Parliamentary Budget Officer an officer of Parliament, and further that the Parliamentary Budget Officer be mandated to report to the Standing Committee on Government Operations and Estimates with respect to its estimates work.

We believe that this would help parliamentarians. It would help Canadians understand estimates. It would help us understand the budget process and it would enable the PBO to do the job that Canadians expect him to do and that he is endeavouring to do today. However, if he has to go to court to get the information he needs, then clearly something is broken in the process.

I see I do not have a lot of time left, but in concluding I note a section of the report from the committee that talks about the underlying principles of Canadian parliamentary financial procedures, going back to the days of the Magna Carta signed by King John of England in 1215. Basically it was recognized that when aid or supplies were required, the king needed to seek consent, not only to impose a tax but also for the manner in which the revenues from that tax would be spent. They proclaimed later on in 1295 that "what touches all should be approved by all".

We contend that in order to be approved by all, it needs to be understood by all. Canadians need to know what we are debating, what the numbers represent, what the full significance is of the estimates in order to do our jobs and in order to be approved by all.

● (2040)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the report contains a number of recommendations that all of us felt had a great deal of merit. There is a sense of frustration that when the work of the committee comes before the House, the government has already made a decision. I have asserted before and will continue to assert that the Prime Minister's Office likely got involved in the process and decided that the recommendations in the report are not good. We do not know what aspects of it the Prime Minister's Office does not necessarily like, but the report now has to go back to committee even though it and its 16 recommendations were passed by consensus. All one needs to do is to look at the makeup of the committee to see that there were Conservative members who were in support of the report.

For whatever reason, the Prime Minister has said no, go back to the drawing board. I wonder if the member might want to speculate as to why she believes the Prime Minister was not happy with the report.

**Ms. Peggy Nash:** Mr. Speaker, I thank the member for his question and the hard work by his party and all members on the government operations and estimates committee.

*Routine Proceedings*

Any comment on this would of course be speculative, but we can check the record. We do know that the government does not embrace transparency, in spite of having created the position of the Parliamentary Budget Officer, for example, when it was a minority government.

I believe in all good conscience that the individual members of the Standing Committee on Government Operations and Estimates embraced these recommendations as part of the consensus decision, because they truly believed they would improve our work as parliamentarians. However, the government as a whole does not seem to embrace transparency. Witness, for example, the Parliamentary Budget Officer having to go to court to get information and the difficulty we have had as individual parliamentarians in finding out basic information from budget decisions, including what programs have been cut, what programs are going to be funded and what the impact of the decisions will be. It is a very unfortunate message to send to Canadians that somehow the government does not trust them to share information with them. That is a sad message.

• (2045)

[*Translation*]

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC):** Mr. Speaker, I would like to put a question to the hon. member, who is the NDP finance critic. In my speech, I mentioned that our government was very transparent and was carefully presenting a vision for Canadians.

On page 4 of its platform, the NDP talks about a new tax. For the past year and a half, we have not seen much transparency on the part of this party regarding what it wants to do with this new carbon tax.

This evening, since the hon. member is the NDP finance critic, I would like to give her an opportunity to elaborate on the initiative mentioned on page 4 of her party's election platform. I would like her to explain to Canadians what a vision for the future of Canada might look like with this tax proposed by the NDP.

**Ms. Peggy Nash:** Mr. Speaker, I thank my hon. colleague for the question, which surprises me somewhat, first of all because it has nothing to do with the debate here this evening on the committee's report, but also because we support a carbon market.

That is the same policy that has been adopted by his party. I am really surprised that he would ask this question, because we see pretty much eye to eye on adopting this policy, which is good for the environment. I do not understand why he would ask this question. It is as though he suddenly opposes a carbon market.

I do not understand why his party has flip-flopped on this policy.

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, I would like to thank my hon. colleague for giving such an informative speech on the importance of taking a stand on a report that talks about the budget, taxpayers' money and how it is managed and spent.

Can she tell us why the Conservatives are so afraid to vote on it? What are they trying to hide? Do they not want Canadians to know, because they want it referred to committee, even though the report is coming to us from committee, where it was examined?

Experts gave their opinions and an enormous amount of work was done by all members from all parties. They Conservatives still want to hide information and play a shell game, so that no one knows what is really going on. There are 16 very important recommendations, if I am not mistaken.

Why does the government want to hide them?

**Ms. Peggy Nash:** Mr. Speaker, I would like to thank my colleague for her very pertinent questions.

That really surprises me because 16 recommendations were supported by all members of the committee. These 16 recommendations make a lot of sense. We wanted to add a recommendation concerning the Parliamentary Budget Officer, but the government abruptly changed its mind and has decided that it no longer wants a consensus or accountability. It decided to hide the information and to negate the committee's good work. This truly shows a lack of respect for the committee, a lack of transparency and a lack of respect for Canadians and taxpayers, who pay billions of dollars to the government, money that Parliament is responsible for. It is truly shocking and I do not understand it. The government is afraid of Canadians and transparency.

• (2050)

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Mr. Speaker, I thank my colleague for her pertinent speech. We can now truly talk about real things.

The member who spoke before her talked about open data. I would like her to comment about that. Would it not be right for parliamentarians to have open data? Could she comment on that?

**Ms. Peggy Nash:** Mr. Speaker, I thank my colleague for his question.

Providing open data would be a real change for the government, which just torched the gun registry data. That is why the information being sought by the Parliamentary Budget Officer is so important. As members of Parliament, we need the information to do the work that we were elected to do. We are here for that reason: to make decisions on behalf of our constituents.

If we do not have the basic budget information that we need, how can we make reasonable and informed decisions? That is the fundamental question we must ask ourselves. Why is the government so afraid of data, transparency and Canadians?

[*English*]

**Hon. Ron Cannan (Kelowna—Lake Country, CPC):** Mr. Speaker, it is a privilege and honour to rise in the House this evening to contribute to this debate on the estimates and supply.

*Routine Proceedings*

As a member of the government operations committee, I can say we have definitely had a very rigorous and fulsome debate on this issue. I just want to give a brief recap of where the government has come from and where it is going, moving forward in an open and transparent manner.

The supply process of which the estimates are a part is one of the cornerstones of Canada's democratic government. It dates back to the British feudal system and the development of Parliament as a check on the spending authority of the monarch.

Although the system has evolved since then, its overall principle has remained the same. No payments can be made out of the consolidated revenue fund without the authority of Parliament. The legislative process, including supply, is the mechanism through which this authority is given. The supply process is rooted in both law and parliamentary tradition.

Estimates present information in support of supply bills, and while there have been changes to the presentation of estimates over time, there have been only a few changes to their fundamental form and content. These were largely as a result of recommendations from parliamentary committees.

I am pleased this evening to recognize the significance of the committee's work, as well as the significance for parliamentarians of today and the future, who will be better able to serve Canadians as a result of the committee's efforts.

I was especially encouraged by the scope of the study and the range of views and perspectives presented to the committee. As I mentioned, we had a variety of witnesses from across Canada and around the world giving their input and sharing their wisdom and experience.

I believe this shows the complexity of the issues being studied and the approaches to improving them. In short, the committee has taken considerable time and effort to review the evidence, and its effort is a good start to reforming the estimate process.

I would now like to summarize the government's overall response to this report. First of all, we agree with almost all of the recommendations directed to government. As members know, some of the other recommendations were directed to parliamentary committees and the House of Commons, as has been alluded to this evening.

We have taken note of these other recommendations and offered observations or comments where appropriate. Let me elaborate briefly on the recommendations directed to the government.

Recommendation 1 is that the Treasury Board of Canada Secretariat complete its study of accrual-based budgeting and appropriations and report back to Parliament by March 31, 2013. We agree. This is consistent with our response to the House of Commons Standing Committee on Public Accounts report tabled in August 2012.

Recommendation 2 is that the Treasury Board Secretariat transition the estimates and related appropriation acts from the current model to a program activity model—that is, taking the current model and moving to a program activity model. We are going to assist the federal departments with this process and prepare a

timeline for this transition by March 31, 2013, and transmit this timeline to our committee.

We consider this to be a very significant recommendation to come from a report, a change in the vote structure, so that estimates align with specific strategic outcomes and program activity spending, providing a clear, traceable line between authorities, strategic outcomes and related program activities. The government is committed to developing and consulting on a cost-effective means of implementing this recommendation.

Recommendation 7 is that the government identify separately, in the main estimates and the supplementary estimates, all new funding that is included in the votes and that it be cross-referenced to the appropriate budget source.

Once again the government agrees. We will identify new programs that are receiving first-time funding in the main estimates and the supplementary estimates with the appropriate source of funds from the fiscal framework.

Recommendation 12 is that the departments and agencies include tax expenditures in the reports on plans and priorities, as determined by the Secretariat, to best fit their mandate.

Currently, the expenditures are included in the Department of Finance's tax expenditures and evaluations report. We agree in principle with this recommendation. We are offering a little different approach in the sense that tax expenditures are the responsibility of the Minister of Finance. The allocation of tax expenditures to other departments could be subject to interpretation. Tax expenditures are estimated on the basis of the calendar year, not the fiscal year. We have to make sure there is an understanding that one is based on the calendar year and the other on the fiscal year.

The government believes that information on tax expenditures should not be included in the reports on plans and priorities of other departments and agencies.

● (2055)

Having said that, to give parliamentarians a broader perspective on government expenses, the government will coordinate the release of the tax expenditures and evaluations publication with that of the main estimates on or around March 1 of each year. We will also add a reference with a hyperlink to the tax expenditures and evaluations publication in departments' RPPs. This will include a note indicating that the tax measures in the publication are the sole responsibility of the Minister of Finance and directing Department of Finance officials to provide briefings on the publication at the committee's request. As the committee recommends, Department of Finance officials will update the committee.

Recommendations 4, 5 and 16 are linked. Recommendation 4 is that departments' reports on plans and priorities, otherwise known as RPPs, should contain financial information by program activity for three previous fiscal years and three future years. We are looking at three past and three forward, giving the committee a good perspective and parliamentarians an understanding of the six-year time span. The government agrees with this recommendation. This information should be made more readily available. The secretariat will also look at the electronic presentation of the reports on plans and priorities.

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Recommendation 5 is that the reports on plans and priorities include an explanation of any changes in planned spending over time and any of the variances between planned and actual results by fiscal year, as available. Once again, we agree. The secretariat will provide guidance to departments to enhance the appropriate sections of the reports on plans and priorities and the departmental performance reports.

Recommendation 16 is that the government develop a searchable online database that contains information on departmental spending by type of expense and program. We agree.

Recommendations 4, 5 and 16 are also linked to our open government initiative. Open government is about sharing government information with Canadians. Therefore, the recommendations are timely. There are widespread possibilities for the use of open data to support the desire among stakeholders for better information on estimates and supply.

Once again, it only makes sense that we should take advantage of technology and recent initiatives to do that. I must say that the President of the Treasury Board has been a strong advocate already in many ways of implementing technology to help put this information online and make it more accessible, not only for parliamentarians but for all Canadians.

In short, the government agrees or agrees in principle with all but one of the recommendations directed to it. We disagree with the recommendation regarding the establishment of a fixed tabling date of February 1 for the budget. As a member of the committee, there was a lot of debate on this particular issue and, in the opinion of the government, this would restrict the government's flexibility to respond to global and domestic economic conditions. I understand flexibility is needed especially during these uncertain times globally, with the fiscal crisis that we have come through and uncertain times in the future.

In many cases, these global and domestic imperatives play a determining role in decisions related to budget timing and the government should not be bound by arbitrary dates that constrain its ability to respond to a dynamic economic environment. This is not a partisan issue. It is in the best interests of whichever party is governing our country at the time to make it sure has the flexibility required to make the best decisions for the specific economic situation at the time, at home and around the world.

The report also contains many recommendations directed to other organizations, including standing committees, the Standing Committee on Procedure and House Affairs and the House of Commons, where we are this evening, which is not within our purview to comment on. This speaks to the thoroughness of this work and the wide perspective with which the committee carried out its review.

Overall, our agreement with most of the recommendations directed to the government is a positive result. It is a testament, I believe, to the committee working very co-operatively, as alluded to by previous speakers, with the desire to improve the system and to the government's commitment to advancing accountability and transparency in our public institutions. It also speaks to the ability of parliamentarians to work together across party lines for the good of Canada.

Strengthening accountability and transparency was part of the government's promise to Canadians when we were first elected in 2006. January 23, 2006, as a matter of fact, was when I was first elected. The platform was accountability and transparency and we brought in Bill C-2 in that year, the toughest legislation on accountability. We continue to move forward as an open and transparent government. We have not wavered from that commitment and have been hard at work since then. I will provide a few examples.

● (2100)

One of the first things we did after coming into power was bring in the Federal Accountability Act, Bill C-2, and its accompanying action plan. When the legislation received royal assent in December 2006, we immediately acted to reduce the influence of money in elections. As a result, a law prohibiting contributions to political parties by corporations, unions and organizations and lowering the limit on individuals' political contributions came into force on June 12 of that year.

We also gave the government watchdog, the Auditor General, additional powers. Only individuals could contribute. Unions and corporations were prohibited.

If we look at our friends to the south, it is just a mess down there the way the money has taken over. It was such a prudent decision by the government that we brought this in and brought some reasonableness to the debate that happens during our elections across Canada.

We made deputy ministers the accounting officers who must appear before parliamentary committees as accounting officers accountable for the management of their departments.

We put in place measures to provide Canadians with broader and better access to more information from public organizations than ever before.

We extended the Access to Information Act to cover the Canadian Wheat Board, five foundations, five agents of Parliament, and most crown corporations and their wholly owned subsidiaries.

We also introduced measures to strengthen ethical conduct in the public service.

We conducted open and extensive consultations with lobbyists and Canadians related to regulations on the Lobbying Act to ensure that lobbying and government advocacy is done fairly and openly.

We brought into force the Conflict of Interest Act and named a Conflict of Interest and Ethics Commissioner so that Canadians had the opportunity to voice their concerns about unethical behaviour in government and to hold violators accountable.

To give these accountability measures teeth, we introduced new criminal penalties and sanctions for anyone who commits fraud against the Crown, as consequences for their actions, which is only appropriate.

*Routine Proceedings*

All these reforms helped restore Canadians' trust in our public institutions. However, we did not stop there. We also committed to ensuring that parliamentarians have the information they need to consider estimates and supply bills. We have already taken steps to improve financial reporting and to support parliamentary scrutiny of estimates and supplies.

We have amended the Financial Administration Act to include quarterly financing reporting. This ensures that parliamentarians and Canadians have access to information on government spending on a timely basis.

Financial data sets are now being posted on the Treasury Board Secretariat website and the Open Data portal. The President of the Treasury Board is very aggressive in this matter and wants to use technology to ensure that the information is available to all parliamentarians and Canadians.

In addition, the form and content of reports on plans and priorities and departmental performance reports have been continually improved. Departments and agencies now post their reports of total annual expenditures for travel, hospitality and conferences on their websites. This is on top of other transparency measures already in place, such as proactive disclosure of travel and hospitality expenditures for ministers, ministerial staff and senior government officials detailed in the Public Accounts of Canada.

Let me add that the government has strengthened these internal audit policies and standards and has worked with the audit community to support professional development and capacity. As a result, we have a professional, independent appraisal function in place.

Heads of departments and agencies have to ensure that completed internal audit reports are issued in a timely manner, made accessible to the public and posted on the departmental websites for the public to see. I know it is hard to believe that this was not required in the past. We are holding department heads accountable. In fact, we have been recognized by the Office of the Auditor General for the significant progress made in improving the quality of internal audit across the public service.

Our record on advancing accountability and transparency in Canada's public institutions speaks for itself. We have bolstered parliamentary oversight of organizations, strengthened the rules and tightened scrutiny of government expenditures.

The agreed to recommendations from this committee will do even more to strengthen the understanding of government expenditures.

To fulfill the estimates' time-honoured purpose, such changes are necessary and welcome.

In closing, I once again congratulate the committee for working so hard to improve a process that is at the very heart of Canada's parliamentary democracy. It has been an honour and a privilege to be part of the committee, working together very collegially and in a non-partisan way. I thank the members for their efforts. I look forward to implementing many of the recommendations and to continuing to advance accountability and transparency in the government as these recommendations work through our govern-

ment operations committee and other committees throughout the House of Commons.

● (2105)

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, it has been a pleasure serving on the committee with the hon. member and I have always appreciated his contribution.

We did a lot of work over an intensive six-month period. The committee determined at the outset that past governments had abjectly failed to take any action on the previous 75 recommendations to improve the capacity of members of Parliament to be informed in their voting on budgets. The Conservatives have now decided that they are simply rejecting our report, apart from a number of matters they say they will look into and report back on. There is no real promise of action, but we will wait until next March to see whether they are really committed.

Has the member received marching orders from his government that, when the report comes back to the committee, if that is what the end result of the vote will be, the Conservative members reverse their decision on a good number of the recommendations of the committee?

**Hon. Ron Cannan:** Mr. Speaker, I thank the hon. colleague across the way for her collegiality in working together and representing my old hometown of Edmonton, on the south side of Edmonton where I grew up. I know we have the same interest and desire to ensure there is openness and transparency and that the information is available for all parliamentarians, as I mentioned, and for all Canadians.

Specifically, as a committee member free to work on resolutions, the government has clearly stated that we are implementing these as the ones recommended to the committee, where we will discuss them. The ones that have other implications will be passed through other committees.

The bottom line is that we have already implemented several measures for transparency, including via Bill C-2, which came into play in December 2006. We continue to use technology to make information available.

As the member mentioned, in 1998 and 2003 there were two reports tabled and 75 recommendations. Unfortunately, the previous government did not implement these recommendations. We are still moving forward with our plans to ensure open and transparent government and the understanding of government, and after spending nine years in local government—

● (2110)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. We have time for one short last question.

The hon. member for Winnipeg North.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I will keep my question simple and straightforward. There are 16 recommendations. We were hoping to be able to see concurrence with the report, but the report is now being sent back to the committee. We do believe that is a mistake and that is why the Liberal Party moved the motion that it has, which led to the discussion we are having right now.



*Adjournment Proceedings*

Why does the member feel that the House could not have continued moving forward with the report, which appeared to have the support of members on all sides of the House? Why did the report have to go back to committee?

**Hon. Ron Cannan:** Mr. Speaker, as I was saying, I spent nine years in local government as a city councillor in the city of Kelowna and understand why budgeting is very important for elected officials to make wise decisions on. I believe this is a prudent decision for the government operations committee to review these recommendations.

The government continues to move forward in an open and transparent way to ensure that the estimates and our supply bills and all the rest of our budgeting processes are easy to understand and user friendly. That will take place over time. It is not something that is going to change over one budget, but over several years. As I mentioned, there were 75 recommendations, but unfortunately the previous government did not act on those. We are acting on them and will continue to ensure that there is an open and transparent government.

**The Acting Speaker (Mr. Bruce Stanton):** It being 9:12 p.m., pursuant to an order made earlier today, the question on the amendment is deemed put and a recorded division is deemed requested.

[*Translation*]

Consequently, pursuant to Standing Order 66, the recorded division stands deferred until Wednesday, November 7, 2012, at the end of government orders.

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## ADJOURNMENT PROCEEDINGS

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

[*Translation*]

### THE ENVIRONMENT

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, today I am going to talk about the government's decision to eliminate the experimental lakes program, or to do away with it. I think that decision is catastrophic.

Research on the quality of our water is critical to Canada. The development of the oil sands and the resulting pollution and contamination due to mining operations, not to mention acid rain and so on, are increasingly important stressors for our lakes and rivers. And we are not even talking about the risk of environmental accidents caused by offshore oil and gas development. It is hard to understand why this government has decided to axe a program that was contributing to Canada's reputation abroad.

The program includes research on blue-green algae, on the impact of climate change on our lakes and fish habitat, and on the impact of contaminants on the lakes' biodiversity. The studies being done by scientists in 58 lakes in their natural state are unique and cannot be replicated anywhere else in the world.

Why? Because it is the only place where research is done directly in the lakes, in constantly evolving complex ecosystems rather than in laboratories. Scientists around the world know this very well. That is why they criticized the cuts from the very outset. In Canada, more than 20,000 people signed the petition to continue the existing public experimental lakes.

Why eliminate this program? The government's answer is that it wants to save money. And yet the Conservatives estimate the savings generated by this decision at only \$2 million, when closing the lakes will cost \$50 million.

This irresponsible decision by the Conservatives will cost us \$48 million and threaten the quality of our waterways.

Canada recently announced that it had signed an agreement with the United States on monitoring water quality in the Great Lakes. Will the government be able to meet its international commitments if it cuts all research programs like the experimental lakes program?

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The cuts at Fisheries and Oceans Canada will affect hundreds of scientific jobs all across Canada. In Bill C-38, the first mammoth budget implementation bill, the government took the axe to the environmental assessment process. There were over 3,000 fewer environmental assessments this summer. Bill C-45 goes after lakes and rivers. There are now only 97 lakes and 62 rivers in all of Canada that will continue to be protected. All the water quality monitoring mechanisms are being ditched, one after another.

And then the government goes and tells our neighbours to the south that we will monitor the water quality of the Great Lakes. It is completely absurd.

In addition to axing water quality monitoring programs, the Conservatives are gagging scientists. Scientists working on the experimental lakes program cannot talk publicly about what is going on or explain the impact of the cuts on their research program. Tom Muir, who was formerly a biologist with Environment Canada and who is now an independent researcher, found that there was politicization of research within the department.

Scientists can no longer explain their research findings. They have to refer all questions from the media to the department's communications branch, staffed by employees who are trained to dish out propaganda rather than scientific facts.

Today we learned that Environment Canada research conducted on the oil sands was censored once again. Scientists at the University of Alberta discovered that contamination levels in snow and rain near the oil sands extraction sites were much higher than average.

Here the department made the researchers use a series of canned responses when speaking to the media. In most cases, the scientists were not allowed to answer media questions and had to refer all interview requests to the departmental communications people. We can no longer ask questions, and the public has no right to know whether our lakes and rivers are being polluted.

I have a question for the minister or the parliamentary secretary. What will happen to our Experimental Lakes? Will the program be privatized?

• (2115)

[*English*]

**Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC):** Mr. Speaker, I am pleased to have the opportunity today to respond to the member opposite on the important issue of the Experimental Lakes Area.

As part of the government-wide deficit reduction action plan, Fisheries and Oceans Canada reviewed all of its operations and is now implementing measures to reduce the cost of operations and program delivery. As a result of the review, the Government of Canada made its decisions, and Fisheries and Oceans will no longer operate the Experimental Lakes Area.

However, the department hopes to transfer the facility to another operator better suited to managing it and ensuring it is available to scientists and universities, or elsewhere, that need to do whole lake manipulations. Such a transfer would allow the research to continue by other parties and the department is working hard to find another

operator. Officials are continuing discussions with the Province of Ontario, which owns the land, as well as other interested parties about transferring the facility.

The department is now focusing on work that is being conducted at other locations across the country to meet its research needs. The department will focus its use of research-dedicated resources to priority areas and invest in areas where it achieves the best results for Canadians. Indeed, departmental scientists are out in the field undertaking freshwater research in various locations across Canada, including the Great Lakes, the Fraser River, lakes and streams in the Northwest Territories, Lake Winnipeg and the St. Lawrence River.

The department is conducting research in these areas where scientific advice is needed to guide sustainable development and enhance economic prosperity. Departmental scientists and biologists will continue to conduct relevant research that is essential to guide environmental policies and regulatory decision-making and they will continue to provide scientific advice to support the department's mandate.

Fisheries and Oceans Canada has an active freshwater science program in many priority areas, including aquatic invasive species, species at risk and freshwater fish habitat. For example, staff at the Freshwater Institute in Winnipeg and at the Great Lakes Laboratory for Fisheries and Aquatic Sciences in Burlington are conducting research on freshwater fisheries related to fish habitat and invasive species such as Asian carp and sea lamprey. We are proud of the work they are doing.

Departmental scientists will also continue to collaborate with academia, industry and non-governmental organizations on priority research. For example, departmental researchers will continue to partner on projects with universities and supervise graduate students. The results of these research collaborations are part of the important information that the department uses to develop policies and make decisions about our aquatic environment and fisheries resources.

As we can see, the department remains committed to freshwater science in support of its mandate. The department will continue to conduct research on the aquatic environment and fisheries resources, which supports long-term sustainability and conservation. We will continue to invest wisely in priority science areas that directly support conservation and fisheries management.

• (2120)

[*Translation*]

**Ms. Anne Minh-Thu Quach:** Mr. Speaker, as I said earlier, the government talks about saving money, but here it is losing \$48 million. I do not know whether the parliamentary secretary understood that.

He wants to hand this program over to the private sector. Why lose the expertise of our public sector scientific researchers? Is it not more logical for the federal government to be responsible for the Experimental Lakes Area? That is entirely consistent with the government's mandate.

The federal government is responsible for ensuring water quality, the protection of biodiversity and pollution attenuation. Furthermore, public sector management of the Experimental Lakes Region makes for stable funding and greater accountability.

Development of the oil sands presents significant risks to the quality of our waterways, and the research conducted at the Experimental Lakes Area research station will help develop data to minimize the risks and environmental impacts of this sector, but that irritates the Conservatives and their industry friends.

I am nevertheless asking the government whether it can commit to retaining public management of the Experimental Lakes Area and avoid being partisan in an area that has such a significant impact on human and environmental health.

[*English*]

**Mr. Randy Kamp:** Mr. Speaker, Fisheries and Oceans Canada is continuing to conduct scientific research that supports long-term

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sustainability and conservation objectives in an efficient and cost-effective manner.

The department believes that universities and non-government research facilities are better suited to conduct the type of whole lake ecosystem manipulation that is being done at the Experimental Lakes Area. As such, the department looks forward to transferring the experimental lakes facility to another organization.

In the meantime, DFO will continue to conduct freshwater research in various locations across Canada in response to departmental needs. The department has an active freshwater research program with priorities that include fish habitat and aquatic invasive species.

Science continues to be the backbone of Fisheries and Oceans Canada. We will continue to invest in important research on Canada's fish and their habitats.

**The Acting Speaker (Mr. Bruce Stanton):** The motion that the House do now adjourn is 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 9:22 p.m.)

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