



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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VOLUME 146 • NUMBER 226 • 1st SESSION • 41st PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

**Thursday, March 21, 2013**

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**Speaker: The Honourable Andrew Scheer**

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# HOUSE OF COMMONS

Thursday, March 21, 2013

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1005)

[*English*]

### PETITIONS

#### DEVELOPMENT AND PEACE

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, I just found out today about this petition that I received from my constituents. It is rather appropriate since around this time of year people are giving to the “share Lent” campaign and that money goes to the Canadian Catholic Organization for Development and Peace.

The petition from people in Kingston asks the government to reverse its CIDA funding cuts to the Canadian Catholic Organization for Development and Peace. Funding for the organization used to fund development assistance in 40 countries. Now it is down to seven countries and only one of them is in Africa. Therefore, the petitioners ask, in the spirit of global solidarity, for the government to grant the full funding of \$49.2 million over five years to the Canadian Catholic Organization for Development and Peace.

#### SAFETY OF BUS WORKERS

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Speaker, I rise today to present a petition signed by residents of my Niagara West—Glanbrook riding, as well as citizens across Ontario. The petition calls upon the Minister of Justice and Attorney General of Canada to amend the Criminal Code to recognize the growing incidents of violent assaults against public transit, school bus, para transit and inner city bus workers across Canada in the same fashion as peace officers are recognized in the code.

[*Translation*]

#### KATIMAVIK

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Mr. Speaker, I have a petition here today signed by nearly 3,000 Canadians.

Since today is budget day, I would like to remind the government of the mistake it made when it eliminated the Katimavik program in

budget 2012. I travelled across the country to speak with all of these frustrated young people.

I ask the government to think of these young people when it tables this year's budget and to remember the mistake it made last year. Let us hope it will correct this mistake by restoring funding to Katimavik or otherwise investing in our young people.

[*English*]

#### SEX SELECTION

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, I am proud to stand today to present a petition on behalf of my constituents who are very concerned about the sex-selective pregnancy terminations that are taking place across Canada. This is based on a news report that came out. They are really concerned that terminating pregnancies because of the gender of the fetus is the worst kind of discrimination against girls. There is a growing practice in the country of people getting ultrasounds to determine the sex of their child, and then, if it is not the gender they want, they are terminating that pregnancy.

Petitioners are therefore calling on the House to support Motion No. 408 to put an end to this despicable practice.

#### POVERTY

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, I am honoured today to stand and present several petitions on behalf of people from my riding, and those across the province and across the country.

The first petition is signed by citizens who support an act to eliminate poverty in Canada.

• (1010)

#### PUBLIC TRANSIT

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, the second petition that I rise to present is asking the House of Commons to institute a national public transit strategy.

#### AFGHANISTAN

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, the third petition that I rise today to present calls on the House to remove all soldiers from Afghanistan immediately.

#### JUSTICE

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, the fourth petition that I present today is calling for justice for an aboriginal man wrongly convicted in my riding of Sudbury.

*Points of Order*

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, the final petition I rise to present today calls on the House of Commons to provide justice to a person within my riding of Sudbury.

## SEX SELECTION

**Mr. Colin Mayes (Okanagan—Shuswap, CPC):** Mr. Speaker, I rise today to present a petition from my constituents of Okanagan—Shuswap. Millions of girls have been lost through sex-selective abortions, resulting in a global gender imbalance. Ultrasounds are being used in Canada to determine the sex of the unborn so that expecting parents can choose to terminate the pregnancy if the unborn child is a girl.

My petitioners are calling upon Parliament to support Motion No. 408 and condemn sex selection.

## EXPERIMENTAL LAKES AREA

**Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.):** Mr. Speaker, petitions continue to pour in from across Canada on the Experimental Lakes Area. I have two batches of them this morning, one from the Montreal area, the other from the Winnipeg and Brandon area.

The petitioners are concerned that the government has made an ill-advised decision to close the Experimental Lakes Area. They are calling upon MPs to reverse the decision to close the ELA and to continue to provide staff and financial support for this important scientific institution.

[*Translation*]

## SHARK FINNING

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, I rise today to present a petition calling for a ban on the importation of shark fins to Canada. The petition has been signed by people across Canada.

It is important to understand that when shark fins are harvested, quite often, the fins are severed from the shark and its body is simply discarded at sea. This practice has serious consequences for marine ecosystems.

I therefore present this petition in the hopes of stopping that practice.

[*English*]

## LYME DISEASE

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I rise today to present two petitions. The first petition is from residents of Surrey and Langley in British Columbia, as well as from residents of Halifax, Nova Scotia, calling upon the House to look favourably on private member's Bill C-442, which I have tabled, that calls for a national Lyme disease strategy.

I am hopeful that members on all sides of the House will see fit to give the bill their support.

## FOREIGN INVESTMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, second, I have petitions from residents of Waterloo, Ontario; Victoria, British Columbia; and other locations, calling upon the Prime Minister and his cabinet to refuse to ratify the treaty that now

sits before them between Canada and China. It is not a trade treaty. It is an investor protection agreement that will provide the People's Republic of China the right to challenge domestic Canadian laws that protect the environment, health, labour rights and so on.

[*Translation*]

## SHARK FINNING

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I am pleased to rise in the House today to present a petition calling for a ban on the importation of shark fins, knowing that every year, 73 million sharks are killed. We are talking about the cruel practice of shark finning.

Many people have signed this petition, and I am honoured to present it here today.

\* \* \*

[*English*]

## QUESTIONS ON THE ORDER PAPER

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

**The Deputy Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

## POINTS OF ORDER

## ORAL QUESTIONS

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, this arises out of a point of order that was raised last Friday. The government House leader chose to enter the debate earlier this week. I notified the Speaker then that we would take some reflection on what happened on Friday over the course of question period and respond as soon as we could, which is now.

I spent some time looking at and listening to what transpired on Friday during question period and I looked through the blues. There are two central and salient points of the conversation that may aid the Speaker's office, if there is a ruling forthcoming. I am not sure what the Speaker's views are on this right now.

One aspect of this debate on which I agree with the government is the usage of the terms around calling a minister to account and how it is that we, in question period, pose our questions and use the terms "minister responsible for" or "the minister of", which are proper titles given to ministers. We normally associate that title to their official title. Sometimes that title has a couple of variations, but we attempt in our questioning to adhere to the specific title given to the minister. We think insults or particular impugning of their reputation in that title is inappropriate. We have tried to guide our members in that direction. However, sometimes, either in French or English, that can become a bit murky.

*Government Orders*

The second point is more a point of interpretation as to what happened on Friday, when some members of the government took offence. When I read the transcript in French and in English, there may have been problems, or interpretations of the interpretation, if you will, Mr. Speaker. Over the course of that question period, we can hear, because of the change in the voice, that a new interpreter was in the interpreter's booth attempting to interpret what was going on in the House of Commons and used different words. I will get to that in a second.

There is a specific reason why we use the term “interpreters” and not “translators” in the House of Commons. It is because simultaneous interpretation goes on here. I have the greatest respect for this work because it is an incredibly difficult job, particularly in the cut and thrust of a question period session. Our interpreters try to understand, but not the exact words. That is not what they do. They do not translate word for word what is being said in the House, but they have to very quickly establish the essence of the question or the answer coming from the government and provide an interpretation of that question and that answer to get the best essence of what is being proposed.

The reason this is important in our conversation today is that there were quite serious accusations made and there were obviously feelings hurt on the side of the government, because of the use of the word *saccager*.

• (1015)

[Translation]

The exact words were, “la ministre responsable du saccage de l'assurance-emploi”, the minister responsible for butchering employment insurance.

[English]

The topic being discussed was the misuse and abuse of the employment insurance system, whereby the government has not only thrown many hundreds of thousands of Canadians off employment insurance, making them ineligible, it has also further exacerbated the insult and the problem by going door to door and performing what some, not myself but others, have called a witch hunt upon those who have rightfully claimed access to employment insurance, which they have paid into.

The point of the word *saccager* is that one interpretation of what transpired on Friday had *saccager* as destroying, gutting, wreaking havoc or butchering the employment insurance program. Another interpretation would be the word “looting”. In some of our House discourse, impugning someone by saying he is committing a theft, that the government or a particular minister has stolen something from, in this case, the recipients of employment insurance who have paid into the program, is something that has been found out of order in the past. It has been found to be unparliamentary language. I would agree with that.

In terms of whether a minister is destroying a program, butchering a program or causing a program not to function, there are many candidates within the government that may fall under that particular accusation. We have never found in this place that it is out of order or unparliamentary to suggest that a minister is not performing their job very well. In the opposition's role of holding the government to

account, we find far too many instances in which a minister has not performed their duties to the Canadian people responsibly.

Accusations of incivility and, in fact, misogyny are quite strong to make, particularly when made against female members of the opposition by a female minister of the Crown. It is a bit rich for the Conservative government to suggest that the strong feminist voices coming from the New Democratic official benches are somehow representing a misogynistic view of the world. We take the accusation very seriously.

In terms of civility and general decorum in this place, I am very tempted to look to the constant and uncivil attacks that come from the government benches on a daily basis, in question period and outside, and say that it is a somewhat hypocritical stance for the government House leader to suddenly be seized with the idea of civility. However, I will maintain that the purpose and the cause of our initiative to have more decorum and civility in the House of Commons overrides my temptation to further accuse the government of its various personal attacks on members of the opposition, which happen, again, on a daily basis. The higher cause calls me to say that while we will avoid calling ministers particular names in their titles, or misappropriating their titles to make a point, we will not, because it is not appropriate for us, desist from the role of the official opposition when a minister is badly doing his or her job and badly representing the Crown.

• (1020)

[Translation]

The official opposition will talk about the butchering of the employment insurance program until this government changes its position, until it guarantees that the employment insurance program will be restored to its previous form.

[English]

I was keenly interested in hearing the government House leader call for civility. Perhaps he can call off his member, who consistently uses McCarthyism tactics to call into question the loyalty and fealty of various members of Parliament or others. He suggests that they are somehow traitorous in their actions when they express an opinion or that Canadians are enemies of the state or foreign-funded radicals when they happen to express a view. The government would do well to take some of its own advice in this regard. If civility is what the Conservatives want, then civility is what they will get from members of the official opposition, but it would be hypocritical for a government to call for such civility, decency and decorum in our debate and then not exercise that same civility.

**The Deputy Speaker:** I can assure the House leader of the official opposition that his comments will be taken into account.

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## GOVERNMENT ORDERS

### STRENGTHENING MILITARY JUSTICE IN THE DEFENCE OF CANADA ACT

The House proceeded to the consideration of Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, as reported (with amendment) from the committee.

*Government Orders*

[English]

## SPEAKER'S RULING

**The Deputy Speaker:** There are two motions and amendments standing on the notice paper for the report stage of Bill C-15. Motions Nos. 1 and 2 will be grouped for debate and voted upon according to the voting pattern available at the table.

## MOTIONS IN AMENDMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP)** moved:

Motion No. 1

That Bill C-15, in Clause 4, be amended by replacing lines 11 to 13 on page 4 with the following:

“(3) The Vice Chief of the Defence Staff may, with the consent of the Provost Marshal and in accordance with the respective roles, responsibilities and principles set out in the Accountability Framework signed by the Vice Chief of the Defence Staff and the Provost Marshal on March 2, 1998, issue instructions or guidelines in writing in respect of a particular investigation, providing that the rationale for issuing the instructions or guidelines is also stated.”

Motion No. 2

That Bill C-15, in Clause 4, be amended by replacing line 16 on page 4 with the following:

“section (3) and the relevant rationale are available to the public.”

She said: Mr. Speaker, I rise today for a very specific set of changes with which I hope the House will find favour.

As we know, Bill C-15 is, for the most part, supported by people throughout the House. It is an act to amend the National Defence Act and to make other consequential amendments. The piece I want to focus on is quite critical and deserves consideration at report stage. It is about changes to the military policing process.

If we go back to why it matters, we go back to an incident Canadians would sooner forget: the shameful incidents that occurred in Somalia involving Canadian armed forces and the subsequent efforts to interfere with that investigation. That led to an entirely new accountability framework, which I am holding here. The Vice Chief of the Defence Staff and the Canadian Forces Provost Marshal signed an accountability framework in March 1998 to set out the principles for proper operational flow.

The primacy of operations as well as the need for independence in investigations are recognized. Striving towards these complementary objectives through a transparent, timely and responsive process are described in this framework agreement as being critical.

These are very important principles that are embodied in the document. What Bill C-15 does is throw them out the window. I have brought forward these amendments to get the relationship back to where it should be, under the accountability framework, to ensure that senior military officials cannot interfere in an investigation.

It is unseemly to imagine that we would have a military investigation. Again, let us cast our minds back to a situation like Somalia. We can all hope that such a thing will never happen again. To have some assurance, we need to have good systems of law, accountability, clear lines of authority and absolute certainty that senior defence staff cannot intervene in an investigation to engage in a cover-up. That is why we have the accountability measures that currently exist.

In the section of Bill C-15 I propose to amend, we have something quite extraordinary. We have a change in the relationship. For members who are following along, the relevant section of Bill C-15 is clause 4, proposed subsection 18.5(3). Here we find the bill turning the accountability framework on its head. We find the following words: “The Vice Chief of the Defence Staff may issue instructions or guidelines in writing in respect of a particular investigation”. In proposed subsection 18.5(4) we find: “The Provost Marshal shall ensure that the instructions and guidelines issued under subsection (3)—in other words, by the Vice Chief of the Defence Staff—“are available to the public”.

That is what we have in Bill C-15, and that is why my amendments propose to clean it up. My amendments, very clearly, would ensure that the Vice Chief of the Defence Staff may, with the consent of the Provost Marshal, in accordance with their respective roles and responsibilities and the principles set out in the accountability framework to which I have just referred, issue instructions and guidelines in writing along with the rationale.

My amendment still meets the government's purpose. The Vice Chief of the Defence Staff may still issue instructions, but only with the consent of the Provost Marshal and only if consistent with the framework agreement under which our military policing system has been living since 1998.

Am I the only one who thinks that we need these amendments? No, I am not. I felt that it was important to bring them forward when there was significant testimony before the committee coming from none other than the Military Police Complaints Commission. The Military Police Complaints Commission, which was represented by senior counsel, said, “We don't think it's intended to be used in any kind of nefarious way, but it sort of calls into question what is and isn't improper interference”.

That could be called the understatement of the year. It definitely calls into question what could be called improper interference. This was also pointed out by a very significant witness before the committee, a professor of law from the University of Toronto, Professor Kent Roach, who in his substantive presentation to the committee made some very telling points.

● (1025)

There are reasons we have an accountability framework, and it is very important that this legislation not turn that on its head, undo accountability and open the door to completely improper interference in investigations by the Vice Chief of the Defence Staff. This is, of course, I hasten to add, not specific to any individuals holding the posts in the current era or in the past. However, as a matter of good principle and good policy, one does not put in place a system that is open to such clear abuse.

The provisions put forward by the Military Police Complaints Commission in its brief, which I want to point out, stated:

The provision in question, in clause 4 of the bill, would create a new NDA subsection 18.5(3), which would expressly authorize the Vice Chief of the Defence Staff to direct the Canadian Forces Provost Marshal—the head of the CF military police—in the conduct of specific [military police] investigations.

I should be careful when I speak of investigations in this place and use the initials “MP”. I should quickly clarify that it is military police.

*Government Orders*

In the Commission's view, such an express authority is inconsistent with existing arrangements in place since the period following the troubled Somalia deployment which specifically sought to safeguard [military police] investigations from interference by the chain of command.

Further down, the evidence from the Military Police Complaints Commission states:

the proposed authority of the [Vice Chief of the Defence Staff] to direct the [Provost Marshal] regarding the conduct of particular military police investigations set out in subsection 18.5(3) represents an important departure from the status quo. This proposed authority would effectively abrogate key provisions of the Accountability Framework whose purpose was to adapt the command relationship of the [Vice Chief of the Defence Staff] and [the Provost Marshal], such that the latter would retain appropriate independence from the chain of command in the conduct of individual law enforcement investigations.

Similarly, I want to mention that the University of Toronto professor to whom I referred earlier, Kent Roach, also spoke of the critical importance of police independence in investigations.

I am putting forward two small amendments. They do not deter or distract from the overall purpose of this act. Anyone who examines the history of why the accountability framework was brought forward in 1998 will see clearly that it is good public policy. It is a wise provision to ensure independence. It is not just that justice must be done but that it must be seen to be done. Opening the door to this kind of abuse goes against all principles, natural justice, the rule of law and the independence of an investigator from top-down interference.

I know it is unusual to pass amendments at report stage, but these are clear and straightforward and meet the demands and strong recommendations of the Military Police Complaints Commission itself. They make sense, and I urge members on all sides of the House to support these amendments to Bill C-15 at report stage.

● (1030)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, is the member for Saanich—Gulf Islands aware that one of the purposes of Bill C-15, as reported back unamended to this place from committee, is to make the accountability framework, which to date has been an administrative document only, a statutory component of the framework governing military justice, to give it the status of a statute and to make the role, mandate and mission of the Provost Marshal of the Canadian Forces much more explicit than it has ever been before? Under Bill C-15, unamended, the Provost Marshal would have the absolute ability to make public any instruction he or she receives from the Vice Chief of the Defence Staff on any occasion.

**Ms. Elizabeth May:** Yes, Mr. Speaker, I am aware of that, of course, but just as I am aware of it, so too were other witnesses before the committee. I draw attention to the following statement from Kent Roach, law professor at the University of Toronto:

I think it's always a problem in a democracy when police independence to commence an investigation or conduct an investigation is interfered with.

Michel Drapeau, who is a lawyer with over 34 years of experience with the Canadian military, said:

Would the mayor be able to issue a direction to the chief of the Ottawa police, even if it's in writing, about a particular investigation? The answer is "no." Would the Prime Minister be able to do that with the RCMP? The answer is "absolutely not." So why would it be here?

Those witnesses and experts in military justice knew, just as the Military Police Complaints Commission knew, that the instructions would later be made public. The question is how much damage would be done by demands or instructions from the Vice Chief of the Defence Staff in the course of an investigation, even when the Provost Marshal might make them public later on. There is a very large window for abuse, and we should close it now.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, I thank the member for Saanich—Gulf Islands for bringing forth these amendments. It gives us another opportunity to talk about this important issue.

I wonder if she would comment on the fact that the parliamentary secretary said that the idea was to bring the accountability framework into the legislation, but in fact the amendment actually refers, specifically, to the existing accountability framework bringing it into legislation and it says that in fact the VCDS shall not direct the CFPM with respect to specific military police operational decisions of an investigative nature. That would clearly give legislative effect to the accountability framework that was brought forward, so I do not understand why the parliamentary secretary is saying he wants the accountability framework in legislation and does not seem to be supportive of an amendment that would do just exactly that, by specifically referring to it.

● (1035)

**Ms. Elizabeth May:** Mr. Speaker, I can only thank my colleague from St. John's East, who also is very familiar with this legislation and has worked hard on it, for making my point for me.

The amendment I am putting forward is entirely consistent with what the government says it wants to do. As currently drafted, Bill C-15 would create the opportunity for top-down military hierarchy meddling in investigations where it should not be meddling. With the fact that the amendment, as I have put it forward, specifically refers to the accountability framework and the sections therein and would allow the Chief of the Defence Staff to issue instructions where the Provost Marshal consents, I think we have plugged what could become a very significant hole. I am using the word "hole". It is the kind of weakening that emerges when we allow one part of a framework to allow evil to slip in. We do not want top-down political interference in a military hierarchy. The Vice Chief of the Defence Staff should not be able to give instructions to the Provost Marshal. It is as clear as day that is the wrong way to go if the accountability framework is turned on its head, even in the guise of implementing and giving statutory authority to the accountability framework.

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, it is a pleasure to rise in this place again at report stage debate on Bill C-15, a bill that is absolutely fundamental to the well-being of the Canadian Forces and to the modernization of the military justice system, which is at the absolute core of its mandate.

I would invite all hon. members, if they are ever asking themselves about the relevance of this debate and the relevance of this bill, to have a look at the National Defence Act. It is a weighty document in both languages, which is mostly devoted to the military justice system.

*Government Orders*

Roughly 180 pages out of 230 pages of this document are devoted to the military justice system because of the special need of our Canadian armed forces at home and abroad to maintain discipline and to maintain operational effectiveness while ensuring that justice is done both when they are training on their bases at home in peacetime and also amid the uncertainties and exigencies of the combat they have been involved from time to time throughout their history.

This is an important bill. I find it surprising that the member for Saanich—Gulf Islands would raise amendments at this stage on a very specific part of the bill regarding the role of the Provost Marshal, which is going to be enshrined under this legislation much more clearly in law than ever before, but without mentioning the requirement for operational effectiveness, mission success. That is why we have a military justice system that is separate from the civilian system.

We make a special request of the Canadian armed forces soldiers, sailors and aircrew when they go on missions and when they are at home preparing for such missions. We ask them to live under a justice system that will meet the special requirements of those dangerous situations in which they find themselves from time to time.

The failure to refer to these urgent operational requirements is very revealing in the presentation from the member for Saanich—Gulf Islands. It shows that she has not understood why we have a military justice system and she has not understood the balance that has been struck throughout this legislation, not just in Bill C-15 but in all bills that have established our excellent military justice system over decades.

She has not followed the testimony of witnesses, across the board, in committee and outside of committee, indeed, because most of those best qualified to pronounce on this issue agree with the balance that has been struck in this legislation. The two witnesses the member mentions are in fact the only two I can remember having commented at all positively on the kind of proposal she is making.

It is also extraordinary that the member would introduce these amendments at this very late stage in debate of this bill. We have had dozens of speeches. We have had days and weeks of testimony in committee. This is the fourth Parliament to be considering these amendments.

We are here in the 41st Parliament. There was a similar bill before the 40th Parliament, the 39th Parliament and the 38th Parliament. The recommendations we are trying to enact, at long last, are more than a decade old. They actually came forward in the 36th Parliament.

How many people were here during the 36th Parliament? Was anyone here? There were a very few. Certainly the member for Saanich—Gulf Islands was not here, and neither was I.

I also have a sense of *déjà vu* in that I think some of us were standing in this House a full year ago, on budget day, discussing military justice. It was Bill C-16, an urgent portion of this bill that was taken out of the bill because we were not moving quickly enough on the bill. Here we are again today, going around in circles.

Bill C-15 proposes to put into legislation the appointment, duties and functions of the Provost Marshal as recommended by the Lamer report. He suggested the National Defence Act be amended to define the role of the Canadian Forces Provost Marshal and to set out a framework concerning the relationship between the CFPM, the military police and the chain of command.

The motions before the House today call upon the Vice Chief of the Defence Staff to issue instructions or guidelines in writing in respect of a particular investigation, provide the rationale for issuing the instructions and make sure they are made public.

• (1040)

The proposed section of the bill, as unamended, clearly would provide for written instructions already. The bill reads:

(3) The Vice Chief of the Defence Staff may issue instructions or guidelines in writing in respect of a particular investigation.

I hear the member for St. John's East telling us that we should simply buy into a mention of an accountability framework with a specific date, 1998, in the legislation. We do not mention administrative documents in legislation passed by this House. We do not do that. That is not good legislative practice, in this place or in the other place. What we are trying to do is take the content of that accountability framework, which I agree is important, and turn it into legislative terms, which is what this bill would do.

The intent of proposed subsection 18.5(3) is to recognize the unique circumstances of the military police, who often operate in zones of armed conflict. I will mention that again: zones of armed conflict. I would like to hear the member for Saanich—Gulf Islands, in her subsequent interventions, if there are any, inform this House as to how she proposes to deal with those circumstances.

Military police may be going to investigate a situation, here or there on the battlefield, but they do not have knowledge of the operational next steps of the mission. They do not know if there is going to be direct fire called in at that location. They do not know if there is going to be a live fire training exercise at that location. They do not know if there is going to be an air strike at that location. That is what this provision in the bill, as unamended, seeks to allow the VCDS to inform the Provost Marshal of, and absolutely the Provost Marshal could make public the rationale. That is the default position. That is what is expected of the Provost Marshal. That is what the Provost Marshal would be empowered to do under the bill as unamended.

However, in those rare cases when, for reasons of operational secrecy, the protection of Canadian lives or, if there is personal information involved in the investigation, privacy, the Provost Marshal may not make the instructions fully public or may not make them public at all.

In other words, the intent of proposed section 18.5 is to strengthen the independence of the military police, as the default position is that the instructions must be made public, and it is unnecessary to refer to an administrative document. The VCDS would be responsible and accountable for the instructions he or she gives. While the fact of the issuance of the direction and its contents should be public, the rationale may be classified or engage issues of operational security.

*Government Orders*

Members of the Standing Committee on National Defence heard that some misgivings about section 18.5(3) were actually alleviated by subsequent clauses, which would provide for the transparency of any directions issued. Let us listen to Colonel Gibson, a senior member of the Judge Advocate General's Office, from his testimony on February 13. He said:

...there's the very important transparency provision set out at proposed sections 18.4 and 18.5, which says that the default position is that the instruction must be made public. It gives the discretion ultimately to whether or not to release that, having regard to the impact on a particular investigation, to the provost marshal.

Therefore the Provost Marshal has the hammer if he or she is concerned about this, and it is transparent.

We heard the Provost Marshal and the Vice Chief of the Defence Staff in committee expressing the view that this would be the right way to strike a balance. They were comfortable with this, that their independent ability to conduct investigations on the military police side would be protected.

On our side, there really is not more information or more insight provided on this issue, either by the amendments presented today or by what we have heard in this House so far. I remind the members of the House that there have been three attempts previous to Bill C-15, four if we count this bill, to amend this legislation to bring our military justice system up to date.

We in committee considered a wide range of amendments. We are grateful to all members of the committee for the full discussion we had. There are two amendments coming forward to this place, one of which is urgently required because it would reduce the likelihood that members of the Canadian Forces would be carrying into civilian life a criminal record for offences committed under the military justice system that do not justify a criminal record. We need to enact that change quickly. It has been close to a decade that we have been trying to do this, and we have failed so far. We are not serving the Canadian Forces well as long as we fail to pass this legislation, and we would like to move through report stage and third reading as quickly as possible.

● (1045)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I am happy to fill the parliamentary secretary in on the rules of parliamentary procedure. If he is shocked that I have produced amendments at report stage, I would like to ask him when he thought I could have done it sooner? As the member well knows, as a member of Parliament for the Green Party and as leader of the Green Party, in terms of parliamentary procedure, I have the same rights and privileges as an independent, which means I am not allowed to sit on committees. I do monitor committees. I have wonderful volunteers from universities who attend every committee meeting. I have all the evidence that goes before committees and I use it to produce amendments. My earliest opportunity to present amendments is right now at report stage.

I would remind the hon. parliamentary secretary that the principle of police independence is paramount. Probably the leading authority is Lord Denning in *Ex Parte Blackburn* in 1968. This bill, according to serious experts, and not just one or two witnesses, is casting aside as if it were an irrelevant witness the Military Police Complaints Commission. My friend the parliamentary secretary should give serious regard to these amendments and change his position.

**Mr. Chris Alexander:** Mr. Speaker, once again, the Military Police Complaints Commission is actually relevant to this debate. If there is a problem that the Provost Marshal sees with the instructions he or she has receives or with any of the procedures as exercised under the legislation now proposed as unamended, that person has the right to go to the Military Police Complaints Commission. This is another one of the safeguards embodied in the bill as unamended.

What the member for Saanich—Gulf Islands fails to note is that we have heard proposals for amendments very similar to hers at committee already. She has not addressed the question of operational effectiveness, operational exigencies, the unique role of the Canadian Forces, that means that the independence of police investigations needs to be balanced with other rights, such as the right to life of the Canadian Forces.

Is the member prepared to deny them the information about a threat to their lives in order to protect one principle of a police investigation, which is important but which is clearly trumped by the special circumstances of the battlefield?

● (1050)

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the parliamentary secretary would know it was not just one or two witnesses who opposed this. Glenn Stannard, the current chair of the Military Police Complaints Commission, and Mr. Peter Tinsley, a former chair of the Military Police Complaints Commission and a person of long-standing military police experience, both testified. Retired Colonel Drapeau, a military person who is now a practising lawyer and law professor spoke out as well.

Peter Tinsley called it a “backward step”, and it is a backward step. Since 1998, the accountability framework that was put in place and signed by both the Vice Chief of the Defence Staff and the Provost Marshal provided that there would be no direction by the Vice Chief of the Defence Staff with respect to specific military police operation decisions. It set out the roles of the relationship and that is in the act and we like that. However, this is a backward step. He knows that. There is no justification that makes any sense that has been given for it.

**Mr. Chris Alexander:** Mr. Speaker, it is absolutely not a backward step. It is a necessary step. It is a forward step. It is a step, as the member for St. John's East well knows, toward bringing an administrative document, an accountability framework that had only administrative status that could have been undone administratively at any stage, into law. The member, as a lawyer of long standing and one who practises his trade in the Standing Committee on National Defence in a legislative context, should understand the importance of that elevation of the role, responsibilities and accountabilities of the Provost Marshal and the VCDS.

I certainly understand the rules of this place. I certainly understand the ability of the member for Saanich—Gulf Islands to submit amendments. What I do not understand is our inability to move this legislation forward after a full decade, after 78 speeches in this place, after consideration of four successive drafts in four Parliaments of the same bill.

*Government Orders*

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, the major reason the government gives for rolling back the clock is operational requirements. Both Mr. Tinsley and Mr. Stannard addressed that very directly. Their answer to the parliamentary secretary and the government was that military police were not stupid, that they did not go into conflict zones and conduct an investigation. The key flaw in the government's argument is that there is no restriction in proposed subsection 18.5(3) as to when an instruction might be given.

Could the hon. parliamentary secretary tell the House what the operational requirements were that required chain of command interference in Somalia?

**Mr. Chris Alexander:** Mr. Speaker, it reflects the inability of the member and other members opposite to see the true context of the bill and the amendments we have proposed at report stage of the bill when he is required to refer all the way back to Somalia in even framing a question about this issue.

The military justice system has functioned extremely well in Afghanistan. It has functioned extremely well for two decades, since Somalia, because of changes that were made and accountabilities that were strengthened. Bill C-15 will strengthen them even further.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, I am pleased to speak to the bill at report stage, an important bill about reforming military justice in Canada.

The parliamentary secretary talked about the changes that arose since Somalia. One of them was the document I have in front of me called the "Accountability Framework Between the Vice Chief of the Defence Staff and the Canadian Forces Provost Marshal". It was the Somalia inquiry that brought to light the need for a review of these matters, and there have been some iterations of change since then.

The amendment before us now is a backward step. Most of what is in the bill is positive. We spent considerable time in the House debating what needs to be done to fix it, particularly with respect to the issue of criminal records, to which the parliamentary secretary referred.

We do not believe, as a matter of principle, that individuals going before a military tribunal, who do not have access to the full rights that any defendants in a civil criminal trial in civil society has, should, if convicted, end up with a criminal record. We fought to change that. We argued in the House for many days about that. We argued in the House in the last Parliament to seek to change that. We in fact changed it in committee in the last Parliament, but it never got through because an election was called. There has been a whole process going on to seek to reform the legislation. Our position is that the bill does not go far enough.

This is report stage. We brought forth 19 amendments at committee stage to seek improvements to the bill. One of them involved the removal of this—

•(1055)

**Mr. James Bezan:** Mr. Speaker, I rise on a point of order. The member for St. John's East knows that, as chair of the committee, I am quite a stickler on rules and procedures. I know you are aware, Mr. Speaker, but I also want to ensure the member is aware of this. When we are debating at report stage and dealing with an

amendment, it states quite clearly in *House of Commons Procedure and Practice*, chapter 13, rules of decorum, on page 626:

To avoid excessive repetition of debate, the Speaker has the power to select and to combine motions in amendment.

You have done this with Motions Nos. 1 and 2, Mr. Speaker.

It goes on to say:

The Speaker can also control debate through the use of the relevance rule as applied to debate on clauses of a bill. Despite the similarities between debate at report stage to that at committee stage, there is no allowance for a wide-ranging discussion of a bill as occurs in committee during study of Clause 1. Indeed, once the Order of the Day for the consideration of a bill at report stage is called, discussion is limited to "any amendment of which notice has been given".

We are debating at report stage, under Standing Orders 76.6 and 76.1(6). These are the standing orders that are relevant. We are to be dealing strictly with the amendments proposed by the member for Saanich—Gulf Islands.

I ask the member stay on topic and talk about the specific clauses and not a wide-ranging repetition that has already taken place at committee and at second reading. We need to be very specific and get back to the focus here.

**Mr. Jack Harris:** Mr. Speaker, I do not know what that point of order is about other than maybe to use up the 10 minutes I have to speak about it. I hope it will be taken out of that.

However, when someone is talking about report stage of a bill, it does not seem to be irrelevant to talk about the fact that we are in report stage of the bill, that we had a committee hearing and that there are a number of amendments, including this one, to which I was about talk.

It has not been the practice of the House to be as ruthless in the application of a relevancy rule as the hon. member suggests. It certainly was not applied when the parliamentary secretary and others were speaking in the last half hour, and there is no reason it should apply now.

**Ms. Elizabeth May:** Mr. Speaker, I generally applaud efforts to make points in speeches in this place relevant.

I raised a point of order when my amendments on Bill C-38 were being completely ignored by virtually every set speech of the Conservative members of Parliament. At the point where one member was talking about the economy of Greece, I rose and asked for the relevance to the amendments before us. I was told that they were generally on point because the subject of the bill was economic growth and development.

Therefore, certainly the member for St. John's East was in the ballpark of discussing my amendments, and many previous speeches on other bills have been way out of left field.

**The Acting Speaker (Mr. Barry Devolin):** The Chair thanks the hon. member for Selkirk—Interlake for his intervention and the members for St. John's East and Saanich—Gulf Islands for their subsequent interventions.

*Government Orders*

In terms of general context, the hon. member for Selkirk—Interlake is correct that the Standing Orders state that when members rise to speak to a matter before the House, their comments ought to be relevant to that matter.

It is also fair to say that historically and consistently the Chair has granted what some would consider significant latitude to members in the points they make in their presentations. From time to time, members take very indirect ways to come to their point. It is a good reminder for all members that they need to keep their comments relevant to the matter before the House.

On the second point, the hon. member is technically correct in that the parameters or leeway granted ought to be narrower when the House is considering amendments as opposed to general legislation potentially during second reading or third reading. However, once again I would suggest the Chair recognizes that in the course of a 10- or 20-minute speech, hon. members need to provide context to the comments they wish to make that are relevant to a matter before the House.

As an editorial comment, there are certainly times when members wander far afield from the matter before the House and are possibly beyond the grey area. However, in this case, I would suggest that has not happened. The hon. member for St. John's East is certainly talking in the context of the bill. I trust that before his 10 minutes expires, he will make all of the context relevant to the points that have to do with the amendments currently being debated.

The hon. member for St. John's East.

● (1100)

**Mr. Jack Harris:** Mr. Speaker, I want to assure the Speaker and the hon. member for Selkirk—Interlake that I have no intention to talk about ranching in western Canada or any other matters extraneous to the bill and the legislation before us, which would clearly be irrelevant.

I said that there were a number of amendments, 22 amendments, proposed by us in committee. One of them was very much related to what we have here in the House.

I will say that not a single one of the amendments was accepted by the government members, showing a total lack of flexibility in terms of trying to make a better military justice system.

However, one of our amendments was to remove this power because, as was pointed out, it was a backward step. The accountability framework was put in place as a result of recommendations from the Somali inquiry to ensure that the relationship between the military police and the understanding of its role was in fact spelled out. That is where this came from, and it has been in place for 15 years. No one before our committee, whether they were government officials, the Judge Advocate General representatives or anybody else, indicated that there was any problem with it, that it did not work.

The parliamentary secretary says that the change has been brought to give effect to the accountability framework in legislation because he says it could be gotten rid of at any time. Well, this is taking away one of the most significant parts of this, which would guarantee the

independence of the military police, which I think is the important principle at work here.

There is, and there was, as the parliamentary secretary said in his intervention, a long history of trying to seek to change this. We have been part of that. We have been trying to make the bill better and have spoken quite at length in this Parliament, and in the last Parliament, and in committees in both Parliaments, to seek to make this better.

One of the focuses, of course, has been on the criminal records. My colleague opposite referred to the urgency of that because of people getting criminal records. I do not disagree with that, although I would note that provision would be retroactive: it says not only those who have committed particular offences but also those who have been convicted of those offences. I think my colleague would agree that the provision would be retroactive, so if we pass it today or if we pass it tomorrow or next week, anybody who may be convicted of an offence during that period would not get a criminal record because the legislation would have looked after that. We are not certain that it is given effect to properly and we made amendments to see that. However, we will be watching that extremely carefully to ensure that the military men and women who ought not to have criminal records do not in fact have a record lying around somewhere, on some computer, that might affect their future. We are very attuned to that and have paid great attention to it in committee.

The positive aspects of this legislation do include spelling out the role of the Provost Marshal and do include spelling out the principles of sentencing and military justice, which is quite appropriate to do. The positive aspects of this include the possibility of having an absolute discharge, which was not there before, and allowing an intermittent sentence if someone is confined to detention.

There are a number of positive aspects to this legislation that move the bar somewhat forward, but not to where it ought to be.

One thing that came through during the hearings at committee was an overwhelming confidence by the witnesses on behalf of the government. The government witnesses were extremely certain that all the measures that were being proposed were constitutional and were within the Charter of Rights and Freedoms—charter-proof, in fact.

● (1105)

However, that has not been the experience of the military justice system since 1990, when the Court Martial Appeal Court determined that the standing court martial was unconstitutional, that the procedure for selection of mode of trial was unconstitutional and that the general court martial was unconstitutional. These are things that have happened despite the fact that the government took the position that everything was within the Constitution and charter-proof.

We have a concern about that. There is a need for an overall review. This, however, is a backward step and ought not to happen.

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, obviously we have never taken the position that there were not improvements required to ensure the constitutionality of this legislation.

*Government Orders*

That is why, in addition to the four failed attempts we have had to amend this legislation, there have also been Bill C-60 and Bill C-16. That means six pieces of legislation for this House, over four parliaments, without a full, thorough-going modernization, update, taking place yet.

Could I ask the hon. member to return to the issue at hand today? Why is it that he is speaking, after all our consideration in committee of this issue, in favour of a reprised amendment, essentially, that goes against the testimony of the Provost Marshal of the Canadian Forces on March 2, when he said that the safeguards in place are robust, and goes against the testimony of the Vice Chief of the Defence Staff, who says that this provision is required to potentially save lives on the battlefield, using the example of a live fire exercise?

**Mr. Jack Harris:** Mr. Speaker, the testimony at committee is somewhat belied by the accountability framework itself, signed by Vice Admiral Garnett, the Vice Chief of the Defence Staff, and the colonel, then the Canadian Forces Provost Marshal in 1998, who put that very provision in an accountability framework developed as a result of the recommendations made out of the Somali inquiry.

We may have different opinions, but I accept the testimony of someone who is experienced in the field who says that military police officers do not walk into the line of fire to conduct an interview with somebody during a police investigation. They are not stupid people. Not only that, they would certainly take advice from the commanding officer in the field if he said, by the way, it was not a good idea to go over there or to that place.

This is not about somebody in the field telling what is going on. This is about the Vice Chief of the Defence Staff sitting in Ottawa issuing written instructions to somebody anywhere, maybe even in Ottawa, that they shall not do a particular investigation. That is what we are trying to avoid.

• (1110)

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I am directing the hon. member's attention to the impugned section, which says that the Vice Chief of the Defence Staff may issue instructions or guidelines in respect of a particular investigation.

Would the hon. member care to comment on whether that is only guidelines, which are restricted to live fire exercises, zones of conflict or any other variety of things where Canadian Forces might find themselves?

In my judgment, and I am assuming he would agree with me, this is a wide open field. At any point, at any time, the VCDS could issue instructions to a Provost Marshal and guide the instructions of the police to investigate in a particular way or not in a particular way.

I would be interested in his observations with respect to the drafting of subsection 3.

**Mr. Jack Harris:** Mr. Speaker, I am afraid the member for Scarborough—Guildwood is precisely right, that there is no qualification, and that the qualification we are hearing here is essentially a justification for a possible particular circumstance, whereas the actual rule is very general in nature.

As I just said, we are not talking about the person in charge of a particular operation; we are talking about the Vice Chief of the Defence Staff, who is part of the chain of command that the Provost Marshal reports to, and it is precisely because of that relationship that the accountability framework was put in place to ensure that, while there was a right to give instructions to maintain professional standards, et cetera—and it says, as “other police” forces would have—that the operational investigations could not be interfered with by the VCDS. I think that is a good rule.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, may I say at the outset that we are generally supportive of this bill? It is a wonderful opportunity to move military justice from the 19th century into the 21st century.

Regrettably, for some reason or another, the government stopped at the 20th century. The debate that has been going on for the better part of an hour is somewhat typical of the government's resistance to, in effect, moving a military system all the way up into the 21st century, so that a soldier, sailor or airman or airwoman is entitled to the same rights and protections as those to which we, as civilians, are entitled. As one witness said, just because they put on a uniform, it does not mean they lose their rights as Canadians.

The parliamentary secretary is quite correct to say that this bill has seen a lot of reiterations prior to its arrival here on the floor of the House. Some of the reasons it is here at this very late stage are good, and some of the reasons it is here now are not so good. However, I am not going to spend my time criticizing who actually controls the pace of legislation in this House.

It is not very often that we get an opportunity to reform our military justice system, and it is kind of disappointing on the part of the government to reach for mediocrity. In the words of Winston Churchill, it is “The Tory fault—a yearning for mediocrity”.

It is a bit of a shame, because we expect so much of our men and women in uniform. I think they should have every right to expect from us an attitude where we give them the best possible justice system. They should be entitled to equal treatment before the law. If we said that to people out on Wellington Street, they would reply that of course they are entitled to equal treatment before the law.

In fact, men and women in uniform have a higher burden. It is kind of ironic that we ask them to risk their lives, and they have an unlimited liability, yet we do not give them the same basic procedural fairness that we, ourselves, expect when we go before a judge in certain circumstances.

The additional burden that men and women in uniform bear is with respect to service offences. I do commend the government for actually having moved on this. The core issue was that service offences, which run all the way from wearing the military uniform in an improper manner right through to treason, are difficult offences, additional burdens that civilians do not bear.

At both ends of the spectrum, the most serious and the least serious, the treatment is probably appropriate. It is the stuff that is in between that is somewhat problematic.

All investigations start with a police investigation of some kind or another. Members would take the view that police investigations should be free from political interference.

*Government Orders*

Mr. Speaker, I know you are from the beautiful town of Haliburton. We know that is one of the most beautiful places in all of Ontario, if not all of Canada. You and I share that view. Nevertheless, it would be improper for the mayor of that community to phone up the local police chief and say that the chief can do this investigation but not that one, or that if the chief does the investigation, it should only go here and not there. We would rightly regard that as interference in a police investigation.

However, the clause we have been talking about here actually retains that power. The Vice Chief of the Defence Staff may issue instructions or guidelines in writing. We would never allow a bylaw or a law in civil justice to say that the mayor or the premier, or the Prime Minister for that matter, may issue instructions or guidelines in respect of a particular investigation.

• (1115)

This, of course, caught the attention of the current ombudsman and the former one. The former ombudsman said:

My very brief summary submission is that if Bill C-15 is passed into law in its present form, inclusive of the new [subsection] authorizing the VCDS to interfere with police operations and investigations, it will be inconsistent with the principles of police independence as recognized by the Supreme Court of Canada at late as 1999... I can tell you internationally in developed countries, which recognize the importance of police independence [they] prohibit police service boards or similar executive bodies from giving directions [or instructions].... It would also effectively contradict, even repudiate, the notion of improper interference by the chain of command as established in the oversight jurisdiction of the Military Police Complaints Commission and thereby effectively eliminate oversight by statutory authorization....

This is not merely a speculative issue. We have heard references previously made to Somalia. Somalia was an accident. It was a grotesque accident that did not reflect well on the military. The only reason that it got any kind of investigation at all, which ultimately resulted in an inquiry, was by happenstance. The happenstance was that there were reporters present at the time doing what reporters normally do. Otherwise it never would have seen the light of day.

What made that investigation quite problematic was the interference of the chain of command who did not want it to occur. If it was going to occur, they wanted it to occur in a particular way and they certainly did not want any kind of inquiry. That is what drove this issue and ultimately resulted in a protocol. The protocol essentially said that one cannot interfere in a police investigation. This has been the protocol that has been in existence since the Somalia inquiry.

However, the government seems to want to appropriate back to itself the right of the Vice Chief of the Defence Staff, Chief of the Defence Staff, the minister or the Prime Minister the opportunity to give instructions and guidelines with respect to a particular investigation on any particular situation. Reference has been made as to whether this is charter proof or not. Certainly the government's line is that it is charter proof because it says it is charter proof, which is inadequate. There certainly is no proof that it is.

I had suggested to witnesses that this is similar to the government painting a big target on its forehead and saying: "Sue me. Challenge us in court". However, the problem is that the investigation on which it will be launched, which I think is a certainty, will be a horrible fact situation. It will be on an awful fact situation that some defence

lawyer will challenge this section, and if it is overturned, then the whole investigation will go sideways and justice may not be done.

We have suggested on the opposition side that the government stay with the current protocol. "If it ain't broke, don't fix it". Currently, it is working. The military police feel perfectly free to conduct investigations as and when it sees fit.

The government has made this crazy argument that this is for operational requirements and all that sort of stuff. That is just nonsense. Most military police do not go into live fire zones to conduct an investigation. They do not interfere with exercises and all of the other things that our men and women in uniform do for us. Therefore, the government's arguments are thin indeed.

Unfortunately, I have not been able to talk about several other elements of the testimony. I regret that we were not able to get into the basic concept that we should treat our men and women in uniform in exactly the same manner as we expect to be treated, absent of compelling reasons to the contrary. On the absence of a compelling reason to the contrary, the burden is on the military, i.e., the government, to justify either interference in a police investigation or interference in a soldier's or sailor's rights.

• (1120)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, in the interests of giving my hon. colleague for Scarborough—Guildwood as much time as possible, given his hard work on the committee, I would like to provide an opportunity for him to tell us more about the witnesses whose testimony he did not have sufficient time to further elaborate on or share with us the concerns of those who believe that the bill, as currently drafted, is taking us in the wrong direction.

**Hon. John McKay:** Mr. Speaker, the one area that struck me as quite compelling was the issue of summary trials, particularly Col. Drapeau, who stated, "[an] accused before a summary trial has no right to appeal either the verdict or the sentence". Then he went on to talk about the limitations on transcripts, evidence and access to counsel, all of which could potentially result in either a Criminal Code conviction or detention. Access to counsel, transcripts, rules of evidence and a right to rebut, these are all things that we as civilians would rightly expect and all of those things are absent. That is an area where the government could have done better. However, in its reach for mediocrity, it achieved it.

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, it is extraordinary that the member for Scarborough—Guildwood would begin his speech by calling on us to bring the military justice system into the 21st century and then cite, as the only reason for supporting these amendments, a case that is quite far back in the 20th century. However, that is typical and it is typical of the stalling tactics by the opposition. In three years under a Liberal government, there was a failure to implement the Lamer recommendations, and in four Parliaments the opposition has conspired to hold back the amendments embodied in the bill.

*Government Orders*

The member for St. John's East talked about the military police being able to avoid walking into the wrong place at the wrong time because they are not stupid. What if these amendments passed and the ability of the Vice Chief of the Defence Staff to provide instructions was not in the bill? Then the VCDS stupidly obeyed the law, which is that police investigations in this country are independent, and military investigators, not knowing on a battlefield that an operation was taking place or a live fire exercise was taking place, went to the place where something like that was in fact happening? Who would be stupid in that case? Would the member—

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

• (1125)

**The Acting Speaker (Mr. Barry Devolin):** Order, please. The hon. member for Scarborough—Guildwood.

**Hon. John McKay:** Mr. Speaker, I do not even know whether I should deal with a sad and pathetic question such as that. He is impugning seasoned military officers on the military police force with a level of ignorance that is unfathomable.

We have gone through Afghanistan on the basis of the current protocol. We have gone through Libya on the basis of the current protocol. We are in Mali on the basis of the current protocol. As far as I know, unless someone can demonstrate otherwise, none of the investigations that have arisen by virtue of police investigations have resulted in any military police being killed, injured or maimed in the entire process.

What really concerns me about this particular bill is that it could have been so much better. For whatever reason, the government wishes to play the “it's all your fault” game. Frankly, it is regrettable to say, but we could have done better for our men and women in uniform.

[*Translation*]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, before addressing clause 4 and the related amendments, I would like to provide some background on Bill C-15, so that things are clear for everyone who is watching or trying to follow the debate.

Bill C-15 has appeared in various forms. First of all, Bills C-7 and C-45 died on the order paper because of prorogation in 2007 and the election in 2008.

In July 2008, Bill C-60 came into force. It was intended to simplify the structure of the court martial system and establish a method for choosing the type of court martial that would mesh better with the civilian system. After that, in 2009, the Standing Senate Committee on Legal and Constitutional Affairs studied Bill C-60 and made nine recommendations containing amendments to be made to the National Defence Act.

Then, Bill C-41 was introduced in 2010. It responded to the 2003 Lamer report and the Senate committee report I just mentioned. It contained provisions on military justice, including sentencing reform.

The issue of military judges was addressed in Bill C-16 and therefore was not covered in Bill C-15. Bill C-15 also addressed military committees, summary trials, court martial panels and the Canadian Forces Provost Marshal, and contained a certain number of

provisions related to the grievance and military police complaints processes.

Then, Bill C-41 died on the order paper because the election was called, but I would like to point out that this bill had been studied in committee and that there had been amendments—

**The Acting Speaker (Mr. Barry Devolin):** Order. The hon. member for Selkirk—Interlake wishes to rise on a point of order.

[*English*]

**Mr. James Bezan:** Mr. Speaker, I know that I have already risen once on the issue of relevance and that chapter 13 of O'Brien and Bosc is quite clear that when we are dealing with issues, especially amendments, at report stage, the discussions should be focused upon those amendments.

I respect my friend from across the way considerably for the input that she has on committee, but I do not believe that it is a good use of our time here in the chamber to be discussing a lengthy history of the entire process of getting to where we are today on Bill C-15, when we are dealing with the amendments by the member for Saanich—Gulf Islands on her Motions Nos. 1 and 2. We are to deal specifically with those amendments for clause 4 of Bill C-15 and I ask that you enforce the rules.

We have rules in the House to improve decorum and to improve the use of time for all members of the House, as well as making valuable use of taxpayers' resources. Members need to be focused on what matters as business, which is what has been put forward through orders of the day. Currently, we are dealing with the amendments at report stage on Bill C-15.

• (1130)

[*Translation*]

**Ms. Christine Moore:** Mr. Speaker, I would like to remind the hon. member that at the beginning of my speech I briefly mentioned—and perhaps he was unable to hear—that I would begin by quickly commenting on what happened in committee before speaking to clause 4 and the provisions set out in the amendments put forward by the member for Saanich—Gulf Islands. I was coming to that, but the member seems to be in a rush. He should give me a bit more time.

[*English*]

**The Acting Speaker (Mr. Barry Devolin):** Once again the Chair thanks the hon. member for Selkirk—Interlake for rising on this point of order and the member for Abitibi—Témiscamingue for her reference to it as well.

I would like to reiterate a point I made earlier and possibly offer a suggestion on a go-forward basis.

The member for Selkirk—Interlake points out quite correctly that there are rules of relevance in this place, in particular that when we are at report stage and the House is dealing with specific amendments that have been put forward, debate ought to be focused on those amendments rather than on a broad, general discussion of the entire bill or the subject in general.

He has also suggested, if not stated outright, that in this way business before the House is in some ways similar to how a committee would deal with amendments. The points that he has made are all quite relevant.

*Government Orders*

The question becomes the latitude that the Chair grants to members to discuss business before the House, such as what would be considered allowable context, preamble or reference to other pieces of legislation or other amendments that had been brought forward on the same piece of business, possibly at committee, or other experiences that the hon. member has had.

Therefore, I would remind all hon. members that it is in the collective interest of this place and of all members that time in the House be used efficiently, that members stick to the matter before the House, keep their comments relevant to it and avoid repetition of points that have been made to the same end in terms of the efficiency of this place.

I would suggest to the hon. member for Selkirk—Interlake that the Chair will review the comments he has made today regarding the points of order related to the debate that is taking place in the House today and will return to this matter if it is deemed necessary. However, within that context I would like the House to resume debate on this matter and would state that the Chair will continue to exercise judgment of relevance in a way similar to the way it has been exercised in the past, rather than in the more restrictive way requested by this hon. member. That will remain the practice of the Chair until the Chair has had an opportunity to review the matter. If changes to that practice of relevance are made, they will be announced in the House.

The point that the hon. member for Selkirk—Interlake makes goes beyond this debate today and is a more general point. With all due respect to that point, it will be considered and if deemed reasonable or necessary, the Chair will return to this matter in the future.

The hon. member for Abitibi—Témiscamingue.

[*Translation*]

**Ms. Christine Moore:** Mr. Speaker, I will conclude my brief opening remarks.

I would like to go into some detail about clause 4, which should make the chair of the Standing Committee on National Defence happy. He seems to be quite anxious that I discuss clause 4, which is the subject of the amendments proposed by the member for Saanich—Gulf Islands.

Bill C-41 was amended in committee, but it died on the order paper. When Bill C-15 was introduced for second reading, the amendments contained in Bill C-41, which had received widespread approval, were not included in their entirety.

As a result, we initially opposed the bill at second reading because we felt it was a step back. There had already been a similar bill, complete with approved amendments, but those amendments were not included in the new bill. We therefore decided to oppose it.

A number of amendments were proposed in committee. The NDP put forward 22 amendments and five subamendments. The Conservatives proposed two. One addressed dates and the other addressed clause 75, which would increase the number of sentences that would not result in a criminal record. That is why the amendment was passed. We have now decided to support Bill C-15 because of that improvement.

However, some problems have still not been resolved. The situation is not perfect, but progress has been made. This bill has not taken us as far backward. We are moving forward.

The NDP proposed amendments to clause 4 of Bill C-15. They were rejected. The hon. member for Saanich—Gulf Islands is not a member of the Standing Committee on National Defence. She does not have the right to sit on committee. The hon. member is now presenting amendments, and this is a perfectly normal part of the democratic process, since she did not have the opportunity to do so before.

These amendments pertain to the section of the bill related to the Canadian Forces Provost Marshal and the investigations that will be conducted.

The wording of the second amendment, Motion No. 2, would be changed to read as follows: “The Provost Marshal shall ensure that instructions and guidelines issued under subsection (3) and the relevant rationale are available to the public.” “[A]nd the relevant rationale” is what is being added.

I agree with this amendment because it specifies that the Provost Marshal is not just making the guidelines available to the public but also the reasons for them.

This is a worthwhile amendment because it makes it possible to make the instructions and the reasons for them public. It makes it possible to provide a rationale for the guidelines. This lends weight to the instructions that the Provost Marshal could ultimately issue. It is worthwhile.

The other amendment, Motion No. 1, will read as follows if it is passed:

The Vice Chief of the Defence Staff may, with the consent of the Provost Marshal and in accordance with the respective roles, responsibilities and principles set out in the Accountability Framework signed by the Vice Chief of the Defence Staff and the Provost Marshal on March 2, 1998, issue instructions or guidelines in writing in respect of a particular investigation, providing that the rationale for issuing the instructions or guidelines is also stated.

For the people listening to my speech, it is important to understand what the current provision of the bill says. It reads:

The Vice Chief of the Defence Staff may issue instructions or guidelines in writing in respect of a particular investigation.

The motion moved by the hon. member for Saanich—Gulf Islands adds a lot of details.

It is important to note that both amendments seek to ensure that a rationale is provided.

• (1135)

I find that really interesting because when such important decisions are made, it is crucial that there be an explanation of how and why they were made. That makes them much easier to accept and it gives a better idea of the intended direction.

I would also like to talk about the importance of strengthening the Military Police Complaints Commission, the MPCC. The underlying issue is guaranteeing the independence of the MPCC.

*Government Orders*

Some aspects of clause 4 concerning the MPCC are a step backwards for the military justice system. Furthermore, there could be interference by the chain of command in military police investigations. Thus, I believe ensuring the independence of the MPCC would be the responsible thing to do.

The amendments specify that the rationale is to be provided, which would at least explain what happened. At the very least, there could be a better understanding of the interference and it might not seem unwarranted because the reasons would be provided.

I would like to point out that a former chair of the MPCC, Peter Tinsley, and the current chair, Glenn Stannard, have expressed their concerns about this provision. Both recommended that it be deleted from the bill. The provision at issue concerns the Vice Chief of the Defence Staff and his authority to issue guidelines and instructions in respect of military police investigations.

One of the important things to point out is that the amendments proposed by my colleague would make it possible to provide additional information about the reasons for the investigation. However, clause 4 is problematic.

Of course the NDP will undertake to resolve this situation when it is in power.

• (1140)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I have two questions for my hon. colleague.

First, in light of her preamble, does she not think that 10 years is a bit long to implement Justice Lamer's recommendations?

Second, our colleagues from St. John's East and Scarborough—Guildwood have shown contempt for the reality facing members of our military. As a former member of the Canadian armed forces, does the member not agree that this bill must contain specific provisions to ensure that the Canadian Forces Provost Marshal is made aware of the situation on the battlefield, if necessary, when he or she is conducting an investigation on a battlefield where such a danger exists?

**Ms. Christine Moore:** Mr. Speaker, I would first like to say that I do not think that any member should claim that another member has contempt for the Canadian armed forces. I think his comments were unacceptable. The parliamentary secretary should retract his comments. Just because we have a different idea of what constitutes national defence, that does not mean that we have contempt for our soldiers. I find those comments particularly insulting. I work with my colleague from St. John's East every day, and I know that he respects the men and women of our military.

Yes, 10 years is a long time to implement Justice Lamer's recommendations. The Liberals were in power and they did not do so. I do not know why.

That said, instead of introducing a bill similar to Bill C-41, which had been amended, the government introduced Bill C-15, which was a step backwards.

If the Conservatives had introduced a Bill C-15 that was similar to what Bill C-41 had become, we would have perhaps wasted less

time. Instead they chose to go backwards. What can we do? They are the ones who introduced the bill, and they decided to go backwards.

[English]

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I largely agreed with the sentiments of the member, at least until she got to the part about the Liberals. In addition to being a very able member of the defence committee, she is also a very mean right winger on Wednesday night hockey. In fact, she flattened the hon. colleague behind her last night. She is embarrassed, but he is even more embarrassed.

I want to ask a specific question with respect to the government's core argument on proposed subsection 18.5(3), which is about live fire exercises, et cetera: does she really believe that military police are so stupid as to not recognize when live fire is occurring on a battlefield?

• (1145)

[Translation]

**Ms. Christine Moore:** Mr. Speaker, I am very sorry. I had trouble hearing the end of my colleague's question because of the noise in the House. I am very sorry, but I did not hear the question. If you could let—

**The Acting Speaker (Mr. Barry Devolin):** Will the member for Scarborough—Guildwood please repeat his question.

[English]

**Hon. John McKay:** Mr. Speaker, does the member, having been an experienced member of the armed forces, really believe the government's core argument that the military police are so stupid that they will pursue an investigation into a live fire zone?

[Translation]

**Ms. Christine Moore:** No, Mr. Speaker. I think that the commanders of our units and platoons are smart enough to figure out when an investigation is appropriate. You do not carry out an investigation when you are being fired upon. That would be ridiculous. When you are being fired upon, you defend yourself and you get out of there. It is not time to get out your paper and your pencil and take statements.

I think that, logically, everybody knows that an investigation will take place when the time is right, not in the middle of an attack or an operation. No military police officer would try to gather evidence while his platoon is carrying out a tactical operation or some other manoeuvre. If that was my colleague's question, I think that the answer is obvious.

[English]

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** I want to start my remarks by thanking you, Mr. Speaker, regarding the issue that was raised about relevancy. I think the various Speakers in this place are quite, pardon the term, liberal in the way that they allow us to put things into context, because each one of us brings to the House a particular life experience.

*Government Orders*

I hate to say this, but in my case it was 50 years ago that I was in the Canadian military for a couple of years. I recall one of the first things we were talked to about was good order and discipline. I want to take members back for a moment, again, in the sense of a context of the power and the control that is exercised within military circles. If we were in the military in 1914 and going through basic training, they would be firing live ammunition over the top of us as we crawled through a field. Obviously, over time, those kinds of things changed.

I was in the military in 1963-64. Two years before, a corporal would have had the right to strike me if I was doing something he was not satisfied with. That changed. At the time I was there, they still found ways to draw our attention to their dissatisfaction. As we stood at attention, they would come over and say, "Excuse me, I'm adjusting your tie" and then adjust it so tight that we would start to turn blue.

The context and the reason I am saying this is that it shows the thinking of those people in power and why there has to be some kind of limitation. Rights have evolved for all Canadians in this country over a number of years, particularly the last 50 to 75 years. Other speakers today have talked about the fact that Canadians, average Canadians on the street, would believe that those rules and rights apply to all citizens. Therefore, we find ourselves in a situation, and I will not give the history as others have done, where corrective measures were started in previous houses of Parliament. We did not succeed at those times in concluding them. Then we got to the point where Bill C-15 was brought forward. I understand it was a year, roughly, since the last report calling for change had been received.

There are other remarks I would like to make but I want to speak directly to the amendments that have been proposed today. I want to say very clearly that we do not agree all the time with the member for Saanich—Gulf Islands. However, in these two amendments, she is attempting to go further than the members of the committee were allowed to go by the government, because some of the amendments we proposed in that committee were voted down by the government.

This, at least, affords us all the opportunity to discuss at length some important aspects of the bill that are missing. If we give consideration to the requirement of the Vice Chief of the Defence Staff to make a relevant rationale available to the public regarding his or her instructions or guidelines given to the Provost Marshal, that is a very serious application of accountability.

When I describe the things that have changed within the military from those past years, from the live fire in training to striking people and all those things, over time people came to clearly understand what improper usage is.

This is one of those cases where now we have the Vice Chief of the Defence Staff put in the public purview where the public will be able to see what his rationale was. I think that would improve the situation. It would require a level of due diligence that is not required today. Therefore, I certainly support that amendment.

The second amendment would require that instructions or guidelines given by the Vice Chief of the Defence Staff, again, to the Provost Marshal, be in accordance with the respective roles, responsibilities and principles set out in the accountability frame-

work, signed by the Vice Chief of the Defence Staff and Provost Marshal back in 1998. Think of that date. We hear government members on the other side talk about how long it has taken to accomplish changes. It certainly has been a while.

Again, I want to stress that the NDP supports these amendments.

• (1150)

The accountability framework states that the Vice Chief of the Defence Staff shall not direct the Canadian Forces Provost Marshal with regard to military police operational decisions relative to an investigation. We have an area here where we are going to have a contradiction in the framework resulting from the amendment, which could be problematic going forward. From our perspective, that whole provision should have been removed. Hopefully I am being clear in the sense of the relationship between these things.

We do believe, though, that the amendment is an improvement. It does not go where we would like it to go totally, but it is an improvement on what is in the bill. We strongly believe that granting the Vice Chief of the Defence Staff the authority is in clear violation of that previous aspect. Very clearly, that just means, to the government side, that there is going to be more work required here on this.

I would like to go back to some of the notes I put together a little earlier. I had added those additional thoughts as I was sitting and listening to the debate here. In this place we often comment, particularly across to the other side, about the limitations on debate and the fact that time allocation, over and over, has prevented us from properly looking at a bill.

In this place we all know that sometimes when we are sitting here on House duty that there are debates that do not have the depth that they should have. Most times there is something we can learn from listening to the other members of Parliament. For example, for myself, the first few minutes of my presentation today came about because of the reminders coming from the statements from the government side and from previous members who spoke before me. The value of having that open debate is so important to this place and to what we are able to do.

Let us go back to a previous bill, Bill C-41, which I have not studied to the depth that committee members would have. When it came out of committee it had some recommendations that had passed at the committee stage but were left out of Bill C-15. We are kind of struggling on this side of the House to understand why that was necessary. When there was agreement in the previous committee on Bill C-41, why would the government not say, "We have looked at this. We have studied it. We will advance it forward in Bill C-15"? The government chose not to.

I would suggest a major omission was the failure to include a broadened list of offences, removed from the consequences of a criminal record. During the process on Bill C-15, New Democrats, both in the House and in committee, pressed for changes and amendments in that area. The purpose of that was to reduce the effect of disciplinary offences regarding possible criminal records.

*Government Orders*

We also challenged the failure of full charter rights in these cases. Full charter rights are as fundamental as it gets. There is no excuse or justification in my mind for a person who is serving their country, in some instances putting their lives at risk, to not have the value of the Charter of Rights and Freedoms as every other Canadian has. Our military members, if anyone, who defend our Charter of Rights and Freedoms, who defend our very freedom, should have the absolute rights of all Canadians. I think it is incumbent upon this place to ensure that happens.

• (1155)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I stand by the view that members opposite have shown scorn and disregard for the particular situation that military members find themselves in when on mission, which requires the military justice system to be separate from the civilian justice system.

That is at the heart of the debate we are having today about these amendments. It would not be necessary to empower the VCDS to give instructions to independent military police if that special situation the Canadian Forces face did not exist. Does the member who has just spoken understand the bill?

At 18.5(4), in the unamended version, it says that:

The Provost Marshal shall ensure that instructions and guidelines issued under subsection (3) are available to the public.

That is in the bill as unamended.

The member also mentioned the desirability of not having some offences heard at summary trial translate into a criminal record. Is the member not aware that the bill as unamended contains an amendment of article 75, which would do just that? By making more speeches in this place, we are delaying the coming into—

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

**The Acting Speaker (Mr. Barry Devolin):** Order, please. The hon. member for Hamilton East—Stoney Creek.

**Mr. Wayne Marston:** Yes, Mr. Speaker, I am aware that in Bill C-15 there were measures put in place that we agree with. We have already said that we agree with them. However, there are other aspects we are putting forward. To some it is repetitive, yes. Some people have similar comments, because our beliefs are similar.

We believe that the government has not gone far enough. We have had several reports over a number of years delivered to various governments. It is not the sole responsibility of the government. However, the onus has been on the government for the last eight years, and it has not responded. To take it a step further, one of the things that interfered with the delivery of previous bills was the prerogation of the House, which was done by the government.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, when the hon. member started out in 1914 and said that he had been in the army, I thought that the hon. member was older than I remember him to be.

We all know the hon. member has a very keen interest in matters to do with human rights, and human rights do not end just because one puts on a uniform. He made that point quite eloquently.

I would be interested in his comments on the way the British do it with respect to summary trials. The British say that a summary trial cannot take place unless the accused is represented by counsel. There is a right of appeal to a summary appeal court. The appeal court is presided over by a civilian and two military members, and as a general rule, imprisonment or service detention cannot be imposed where the soldier does not have legal representation.

It seems simple, straightforward and consistent with 21st century values. Why is it not here?

• (1200)

**Mr. Wayne Marston:** Mr. Speaker, the reality is that the Parliament in Britain is our mother Parliament, in some sense of the word. The evolution of democracy, in another sense of the word, occurred—

**The Acting Speaker (Mr. Barry Devolin):** The Parliamentary Secretary to the Minister of National Defence is rising on a point of order.

**Mr. Chris Alexander:** Mr. Speaker, there was no syllable, no particle of that question, and presumably not of the answer, that had anything to do with the amendments in the two motions that are now before this House.

**The Acting Speaker (Mr. Barry Devolin):** Before I address that point of order, I would remind all hon. members of another practice, and that is that when the Chair rises to deal with a point of order, other members will take their seats.

On several occasions this morning, the issue of relevance has arisen. The last time it was raised by the member for Selkirk—Interlake, the Chair recognized the point the member was making. The member for Selkirk—Interlake was essentially taking issue with what I would call the standard practice of how the Chair deals with relevance in this place.

That was recognized, and it was suggested that the Speaker would review this matter and return to the House to clarify those issues. At the same time, I said that for the balance of the debate today, in the interest of proceeding with the business before the House, the interpretation of relevance that has been the standard practice in the House will continue to be exercised, notwithstanding that some members think it is too broad.

I would ask the hon. parliamentary secretary and other members to respect that judgment from the Chair. The question of relevance, particularly as it arises related to report stage when the House is dealing with amendments, and whether comments that relate to general aspects of the bill should or should not be tolerated will be looked into. However, it has been suggested that at this point, the Chair will not be re-categorizing or re-establishing what those parameters are for the terms of this debate today.

Was the hon. member for Laurentides—Labelle rising on the same point of order?

[*Translation*]

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Mr. Speaker, I do not want to belabour this point of order for no reason.

*Government Orders*

However, what I heard this morning helped me to understand the situation. I did not feel that the member for Abitibi—Témiscamingue and my other colleague were being repetitive in their remarks. They gave the matter a lot of thought. They have a sense of duty, and they are doing their work as elected representatives very conscientiously.

However, I did hear very repetitive arguments from the other side of the House, and I know their talking points by heart by now.

That being said, when I heard the member for Abitibi—Témiscamingue earlier, I knew exactly what she was getting at. I knew that she was explaining to people what was going on with this so that they could be better informed.

Mr. Speaker, I appreciate what you have said on the subject.

[*English*]

**The Acting Speaker (Mr. Barry Devolin):** I will state one more time, to clarify, that I believe the issue raised by the hon. member for Selkirk—Interlake and the Parliamentary Secretary to the Minister of National Defence was more focused on relevance than on repetitiveness, even though the two are often linked. Once again, I would ask all hon. members to allow the House to proceed with the debate, as has been the practice in this place, with the assurance from the Chair that the matter will be reviewed. If it is deemed appropriate, the Chair will return to this matter in the future after having had an opportunity to review all the relevant facts.

We will go back to the hon. member for Hamilton East—Stoney Creek for a short answer to the question.

• (1205)

**Mr. Wayne Marston:** Mr. Speaker, I am going to prove that I am not as old as everyone thinks, because I can actually remember the question.

The important thing to consider is that we hear from the government side how much delay there has been, yet it has delayed repeatedly in the House today by interrupting speakers and questions. Who is doing the delaying?

Getting back to the commentary on the British system, the rights given their military personnel are exactly what Canadians believe we have already. If we were to go out on the street and talk to average Canadians, they would believe that we have that. The government would be wise to consider the approach of the British government in dealing with its military and in protecting its rights. Canadian soldiers, sailors and personnel deserve exactly the same rights as well, as their charter rights.

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, I am pleased to join the debate. I had the great pleasure of being before the committee with the Parliamentary Secretary when there were some witnesses who were talking about the very things the amendments today refer to.

I am pleased, because during that debate in the committee, there was a sense, on the issue of summary conviction, that we were not going to get to where we needed to be. I can say to my friends across the way from the committee that I am pleased that we almost got all the way there. I say almost, because it was not all the way, in our view. Nonetheless, on the summary conviction piece, it seems that the testimony was heard.

Without a doubt, the fact that the government side brought forward a change to that piece was welcome. Those are the things we were talking about during those particular two hours with the witnesses. It was a key piece to finding our way through, as much as we had asked for it before. It had been passed historically. Lots of folks have gone through that history and have noted where we were at certain points in time.

This brings us back to the Vice Chief of the Defence Staff and his authority. There is no question that ordinary people who have never served in the military—I am one of them; there are more of us who have not served than who have—do not truly understand the nature of the criminal justice system within the defence department, because it is unique. Folks are asked to do things that the rest of us are never asked to do in most circumstances. Some of us may have been asked to do certain things, but certainly not to the same degree. As a result, it becomes a unique piece unto itself. The issue is whether that uniqueness changes our ability to give those folks who are in that unique area the same rights as everyone else.

I am not suggesting that it is easy. It is not. This is a complicated piece. The parliamentary secretary, quite articulately, asked about being under live fire. That does not necessarily mean being at war. It could be a live-fire exercise. Live fire could be on Canadian soil at a base somewhere where they are actually doing something.

How do we make sure that folks do not do that? The government's sense is that we need a chain of command, because that is what the forces are used to. They have a sense of a chain of command and who gives the orders. That is how the system works. It is a hierarchical system, and it has to be that way in the sense that when one gives a command, someone has to follow the command and do whatever that is.

How do we fit that piece in a civilian justice system? These are still Canadian citizens, albeit in the armed forces, who we expect to be treated a certain way. I would suggest that they need to be treated in a special way, but not necessarily inside the justice system. That is simply out of respect for them for the things they do.

How do we manage to do that piece? I hear the government side saying that we need to have a chain of command, and we need to trust it. I do not want to put words in the government's mouth, but my sense is that the Vice Chief of the Defence Staff can instruct the Provost Marshal and the Vice Provost Marshal to do the right thing. I am not saying that it is wrong to have that trust. However, what if they get it wrong? Is there a check and balance in the system so that if we get it wrong, we have the ability to check it? Unfortunately, the way the legislation is, we do not have that.

In a normal justice system, we absolutely have checks and balances. We may see folks who we would all agree should maybe be incarcerated. Perhaps they should be, but the system was not followed the way it was meant to be followed, with the right evidence, the right to a fair trial, the right to be told that one might be charged and the right to representation.

*Government Orders*

•(1210)

Some of us may have read about, and many of the folks here who are lawyers may have had experiences with, the fact that folks have been discharged from a criminal charge in the civil system because of their rights not being followed in an appropriate and correct manner. Yet we could probably agree that the people might be guilty. However, the rules are meant to protect all of us who might be charged unjustly. The weakness is not so much a mistrust for the armed forces because we have none. The piece is about the safeguards for the individuals. We need to consider whether their rights under the charter have been waived. There is a lot of evidence to say that is not the case. When people sign on the dotted line to say that they intend to come and work on behalf of whomever, they have not waived those rights as individuals under the charter. Therefore, how do we work with those pieces?

My friend from St. John's East has been working on this file for a while now. I have to thank him for the opportunity to go and sub for him from time to time when he is elsewhere. I have had the great pleasure to hear what folks have commented on this. That was the intent that this side had in proposing amendments. We were pleased the government took hold of the amendment on summary conviction. The other amendment is around this sense of the Vice Chief of the Defence Staff and how he or she might instruct an investigation.

In the past we have seen where instructions in a civil investigation can go sideways if it looks as though it is not being done in an open, transparent and fair manner. In civil society we then hear the traditional phrase that it is a whitewash because there is no faith in the system. It is not good enough for a system to function, especially a criminal justice system. It must be seen to function not only effectively but fairly and justly, otherwise it is deemed to not be working at all, regardless of who is inside it.

That is the piece we are trying to get the government to see. It is not the case that we cannot trust the Vice Chief of the Defence Staff. I do not believe my friend from St. John's East has ever said that. From this side, I have heard a number of my colleagues talk about the great faith they have in the defence department and the men and women who serve in it and the honour they carry forward. The issue is one of how we make the system such that people look at it and deem it to be fair, just and transparent enough so they can say that it works.

I suggest that not everybody who is charged is actually guilty. We get what the parliamentary secretary has called the live fire exercise, which is a situation where we are engaged in hot theatre. Those are two particularly unique circumstances where one would hope the training of the military police officers would not enter into. However, let us assume they did not know there was a live fire at Gagetown, Petawawa, or wherever in the country. Would they expect the commanding officer to say that there was a live fire? We would expect that to happen. The issue then would they could not go in until, rather than they could not go in at all. The problem with a command not doing it at all perhaps becomes not seeing justice done fairly.

Both sides are not far away from where they want to be. What we are debating is this whole sense of how we get there. The belief on

the government side is to do it through a chain of command that we trust. Our sense is through a civilian piece or a part that looks like a civilian piece that could be included here. Some of the key witnesses who have experience in the area of military court proceedings, whether it be Lamer, Létourneau or other justices of the courts, have said that we ought to head in that direction. Frankly, I place a lot of trust in where they have decided to take us and where they think we should go.

Therefore, I would encourage the government to take a look at those pieces and move in a holistic approach to this. A band-aid on a problem is just that, a band-aid. It does not heal the situation or fix the overall piece. It simply puts a band-aid on it, which is really where we are with this.

I look forward to questions or comments from my colleagues.

•(1215)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I want to go to another portion of section 18 that we have not discussed yet in relation to my amendments. It is one of the ones that disturbs me.

We heard from the parliamentary secretary that there are safeguards because these instructions will eventually be made public from the Vice Chief of the Defence Staff, who in my view should not be interfering in military police investigations. However, when we look at section 18.5(5), we find that there are instances where the legislation contemplates never making it public at all. The Vice Chief of the Defence Staff has given instructions and interfered with an investigation if the Provost Marshal considers “that it would not be in the best interests of the administration of justice for that instruction or guideline to be made available to the public”.

We know military justice is different. How far from the Charter of Rights and Freedoms do we move if there are also provisions that these instructions are never made public?

**Mr. Malcolm Allen:** Mr. Speaker, the thing about justice is it must always be seen to be transparent, being done as well as accomplishing a fair trial and process. The justice system is not just about charge and conviction, or charge and acquittal. It is about a process that starts from an investigation, to a charge, to a process trial of some description and an outcome. It has to be seen as being open, fair and transparent. That means we need to be inside that piece.

There is special legislation around certain aspects where that is not the case. However, inside the military in these aspects it is very much necessary for it to be open. It cannot be any other way if we are to truly have a fair justice system that folks respect. That is really what it is about, respecting the system. It is not about the outcome of individual cases. It truly needs to be seen as being transparent. It needs to be seen as being done in a fair and honest way and cannot be done in any other fashion.

To have pieces where we can say “This can go, but this cannot” then starts to impugn the system in the minds of folks looking at it. It is not necessarily the way to have a system that would actually, at the end of the day, deem itself to be fair or seem to be fair. That is a major problem.

*Government Orders*

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, as chair of the Standing Committee on National Defence, I want to thank all the members of the committee who did yeoman's service in getting our bill through and back here at report stage. I also appreciate the amendments from the member for Saanich—Gulf Islands.

I have two main concerns about the motions being brought forward to amend Bill C-15 at report stage. One is making the reports and the rationale public. I am concerned about how that might impact upon the privacy information of those who were investigated. I am also concerned about how that could, in some situations, have an impact on national security matters that national defence and the Canadian Forces have to deal with from time to time. That is one set of concerns I have with Motion No. 2.

With Motion No. 1, we are setting a dangerous precedent. This is something where we would refer to a technical document in legislation. It could be expanded and become more of a policy document. Usually in legislation we only refer to regulations and never to technical documents. We are taking away the ability of parliamentarians to review everything that is legislatively responsible to Canadians, in this case the Canadian Forces. We are turning that technical document, which is a living, breathing entity that changes from time to time, depending on who the vice chief of defence staff is, and others are, into legislation. That management document should never be referred to in legislation.

• (1220)

**Mr. Malcolm Allen:** Mr. Speaker, I hear what my colleague, the chair of the defence committee, is saying about the first piece. That needs to be reviewed by folks who understand the technical aspects and nature of it, and that is fair. Regarding the second piece, clearly, there are provisions where massive security is involved. That type of issue would have to be dealt with because it would be a national security issue.

The court system deals with the rights of privacy all the time. It is judged whether it is in the public interest to be open or to be closed. That happens on the civilian side quite often, such as in the most recent Magnotta trial, where folks ask if it should be closed or open. Those rights are determined by the judge inside of the courtroom. That determination would be done on a case-by-case basis, not a unilateral basis.

My view is it needs to be open as many times as it possibly humanly can, with the exception of unique situations that the judge would determine at that moment in time, with the rights to appeal and all those other pieces.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, I am pleased to be on my feet today to talk to Bill C-15 at report stage and to deal with a colleague's proposed amendment to Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts.

The title is interesting. One wishes there were a shorter handle on the title, but it is also more commonly known as the "strengthening military justice in the defence of Canada act".

We have had lots of discussion this morning on the issue of relevance of the debate and what we are talking about. What is

important to understand and appreciate here is that the amendment before us for discussion and debate is a piece of a system. It sits in the broader context of the military justice system. It is important to understand the relationship of that amendment and the issues implicated by that amendment in the context of the broader justice system.

Members may recall that we had opposed this bill at second reading on this side of the House, but an important amendment has come out of committee that allows us to reluctantly support the bill when we move on to third stage. I say "reluctantly" because the bill would still be far from what it ought to be. It would make a number of changes to the military justice system that would be positive, but not all of its changes would be positive, and that is why our colleague's proposed amendment to the bill is welcome today. It is an important issue to contemplate and debate.

The bill has had a long history. It was 10 years in the making to get to this point, and it is important that it get a thorough vetting. The parliamentary secretary talks as though his party was not in government for seven of those years, but in fact it was, and he should be asking questions back in the lobby about why we waited around for seven years for this important bill to arrive.

Nevertheless, there is a long history to this bill. It emerges out of a couple of very comprehensive reports.

The Rt. Hon. Antonio Lamer had a crack at it in 2003. He made 88 recommendations, which is suggestive of some of the very significant deficiencies in the military justice system.

There was a Senate committee report dealing with the same matters. Then again there was another report by a former chief justice of the Supreme Court, Patrick LeSage, and the parliamentary secretary should contemplate why the Conservatives sat on that report for a year before bringing it forward if he is in such a hurry to see this bill and these changes implemented.

In the interim, we have had elections. The Liberals had two years with it as well, and they did not do anything, and we have had a Conservative prorogation. It seems there is a general resistance. In fact, we have even walked backwards from where we have been in earlier Parliaments, when we had Bill C-41 die on the order paper.

The significance of Bill C-41 was that it dealt with an issue that is very important to our party, and that is the issue of service-related offences that can proceed through summary trial and result in a criminal record.

Former Colonel Michel Drapeau has spoken at length about the unique nature of military justice systems and the need to balance an expeditious justice system providing for deterrence and ensuring discipline, and the importance of that in having efficient armed forces while also ensuring that the rule of law predominates.

Therefore, in the military justice system we get this summary trial process which, in the normal course in civilian life, we would not recognize as a form of fair justice.

*Government Orders*

● (1225)

In this process, one's own commander can sit in judgment and there are no transcripts, no right to counsel, et cetera. This is important, because about 95% of cases that go to trial go through this system.

However, we are supporting the bill because at the end of the day we have managed, over the years, to persuade the Conservative Party that fewer of the offences that can go through the summary trial procedure can actually attract a criminal record that a member of the armed forces might take into civilian life. Bill C-15 would lessen the number of those offences. That is a very positive thing and that is why the bill, with or without this amendment, is worthy of our support.

Nevertheless, we are left with an approximate form of justice with this summary trial process, and this is where the importance of the amendment comes in. It is the investigation that precedes that approximate form of justice that becomes extremely important, and that investigation process must be done properly.

The Conservatives have taken the accountability framework that was put together following the Somalia inquiry that set out the relationship between the Vice Chief of the Defence Staff and the Provost Marshal and are turning that administrative document into statute, which is a worthy thing to do. However, in the course of doing so, the Conservatives have done something quite unfortunate, and that brings rise to the amendment today.

This amendment is worthy because the bill would provide new powers to the Vice Chief of the Defence Staff with respect to military police investigations, those very investigations that will end up in summary trials. Clause 4 of the bill proposes adding a subsection 18.5(3) to the National Defence Act to say that:

(3) The Vice Chief of the Defence Staff may issue instructions or guidelines in writing in respect of a particular investigation.

Currently the accountability framework language says:

The VCDS shall not direct the CFPM with respect to specific military police operational decisions of an investigative nature.

Further, it says under section 7(a) that:

The VCDS will have no direct involvement in individual ongoing investigations but will receive information from the CFPM to allow necessary management decision making.

Those provisions are there, and they flow from the principles and purpose of the accountability framework. Of course, this accountability framework flows from the extremely unfortunate incidents in Somalia, which, although they may have been in the last century, are critically relevant to this discussion today.

The purpose of the accountability framework that came out of the Somalia inquiry is to ensure the provision of a professional and effective military police service for independent investigations, to balance competing interests and priorities and, critically, to ensure that the Provost Marshal is accountable to the Vice Chief of the Defence Staff for "developing and maintaining police standards which are consistent with those of other police agencies". Who in Canada would want to deny the men and women of our Canadian armed forces an investigation into alleged misconduct that is consistent with those of other police agencies?

That is what the accountability framework allowed. History proves that it is a workable document and provided for reasonable, fair investigations leading into these summary trials.

● (1230)

It is most unfortunate and very much a backward step for the government to now propose in Bill C-15 an investigation process that is inconsistent with those of other police agencies in this country.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I am trying to contemplate how the government side can say that turning this key component of the Federal Accountability Act on its head is in the interests of military combat situations.

We are talking about military police investigating events of a criminal nature after the fact. The Provost Marshal would certainly be able to control when military police are investigating an event. The idea had never occurred to anyone until 1998 that the Chief of the Defence Staff should ever give instructions to affect the investigation of an event being investigated by military police. We are now told that in 2013 we have suddenly realized that since 1998 this separation of authorities would have somehow put people at risk in a field of battle.

Conservatives say I do not understand it, and they are right. I do not believe it. I do not understand how it could possibly be the case that one would want to accept this reason for causing this entire bill to potentially violate the charter.

I would ask my friend from Beaches—East York for his thoughts.

**Mr. Matthew Kellway:** Mr. Speaker, the government side has offered up this very narrow hypothetical set of circumstances to put a bill, which is on the whole a very positive step forward, in danger of being deemed unconstitutional. The general rule and principles set out in the accountability framework should survive in Bill C-15. It is the expectation of Canadians that any justice system be fair and reasonable; I would even dare suggest that most Canadians would suggest that there be a higher onus on a justice system that applies to the men and women of our armed forces in light of what we ask them to do on our behalf.

● (1235)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, the member for Welland said that there was no mistrust on the NDP benches toward the military. There obviously is, because New Democrats are not taking the advice of military people, past and present, who have knowledge of this issue; they are taking the advice of people who want to undermine the core principles of the military justice system and civilianize it.

He also said there are no checks and balances. There are. The Provost Marshal is required in the unamended bill to make public the instructions, and if there is improper interference, he has the right to go to the Military Police Complaints Commission.

The only argument we have heard from the other side is what I call the argument from stupidity, from the members for St. John's East and Scarborough—Guildwood: the idea that military police are not so stupid that they would ever go to the wrong place at the wrong time. Conservatives also agree that they are not stupid.

*Government Orders*

However, what would the member for Beaches—East York think of the following situation? If the VCDS chooses to obey the law, which this amendment would have him do as we do in a civilian context, by never interfering or breathing a word to military police conducting an investigation, and military investigators went to a place where an exercise or military operation was about to take place that they did not know about, were not informed of and on which they did not have the benefit of secret operational information, where would the responsibility lie?

**Mr. Matthew Kellway:** Mr. Speaker, I would point out that it is not a matter of mistrust of the military. The accountability framework emerged from an inquiry in a very unfortunate part of our military history. It set out very clear purposes and principles that Canadians believe in and that New Democrats accept and demand for civilians of this country. That accountability framework was signed by Vice-Admiral Garnett, who was the VCDS at the time, and Colonel Samson, who was the Provost Marshal at the time.

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I am pleased to rise today.

I am delighted to have the opportunity to speak to Bill C-15 after my colleagues. I must admit, they made very interesting and very precise speeches on the amendments proposed by the hon. member for Saanich—Gulf Islands. I thank the hon. member for her efforts and for presenting these amendments.

First of all, I must say that I support her amendments. We had presented practically the same ones in committee. Clearly, we are going to support them because they are quite logical.

I will come back to that a little later in my speech because it has been mentioned a few times that consideration of the amendments must be very precise at report stage, which is what I will try to do as much as possible today to enlighten my colleagues on this bill and, more specifically, on the amendments.

If I may, I would like to give a little background before moving on to the heart of the subject, even if it does not please my colleagues.

I think Canadians listening to us would be very pleased to know how Bill C-15 ended up in the House, what we are currently doing and what still needs to be done for it to eventually become law.

The process began in 2003. In this debate today, we have been saying that the process began 10 years ago, following on the report of the Right Hon. Antonio Lamer, former chief justice of the Supreme Court. The report contained 88 recommendations.

Bill C-15 is a kind of legislative response to the recommendations in that report. However, there is a big “but”, because Bill C-15 does not completely reflect those recommendations. In reality, it responds very little to the report that contained 88 recommendations. In fact, the government has attempted to implement only about 20 of them since then.

Since 2003, the report by the hon. Patrick LeSage, retired Chief Justice of the Ontario Superior Court of Justice has also been presented. That was in December 2011. On June 8, 2012, the Minister of National Defence himself tabled that report here in the House. Although the Conservative government has had the LeSage

report for over a year, it still did not incorporate any of its recommendations into Bill C-15.

As the hon. member for Beaches—East York pointed out, the government has been sitting on that report for a year now and nothing has been implemented. The NDP, however, did try to have some of those recommendations incorporated into Bill C-15.

There have also been several other versions. I will not spend too much time on this, since that is not really what interests us the most at this stage of the bill. However, there was also Bill C-7 and Bill C-45, which both died on the order paper because of the 2008 election after Parliament was prorogued. Then, in July 2008, there was another version, Bill C-60.

The bill that was most in line with what we wanted was Bill C-41, introduced in 2010, also further to the Lamer report. All of the bills introduced after that report were basically in response to that report. Bill C-41, which had fortunately been amended in committee, also died on the order paper because an election was called, which, as some people may recall, was due to a case of contempt of Parliament on the part of the Conservative government, on a question of access to sensitive documents. That is also not the subject of today's debate. We all remember what happened.

Bill C-15 is similar to Bill C-41, which was the result of committee work in the last session. However, significant amendments made at committee stage during the last Parliament were not included in Bill C-15. When Bill C-15 was introduced, one of our biggest disappointments was that it did not contain all of the changes made to Bill C-41 during the previous Parliament. We were very disappointed, and we wondered why they had not been included in Bill C-15.

● (1240)

However, I should point out that we had a small win in committee and we managed to do some good. Not that long ago, we had to make changes so that nearly 95% of the offences in the code of discipline would no longer result in a criminal record. That is an important win for us. Canadians who do not serve in the Canadian Forces are subject to the Canadian Charter of Rights and Freedoms, which uses a fair and balanced justice system to protect the public. However, we felt that members of the Canadian Forces were not offered the same protection as other Canadians.

That brings me to the two amendments proposed by the member for Saanich—Gulf Islands. I would like to read Bill C-15, as it now stands. We are talking about clause 4 of the bill, which would add sections 18.3 through 18.6 to the current National Defence Act, after the existing section 18.2. The two amendments focus on subsections 18.5(3) and 18.5(4), which read as follows:

(3) The Vice Chief of the Defence Staff may issue instructions or guidelines in writing in respect of a particular investigation.

(4) The Provost Marshal shall ensure that instructions and guidelines issued under subsection (3) are available to the public.

*Government Orders*

We tried to amend these provisions in committee. Unfortunately, those amendments were not accepted and the provisions remained unchanged. Today, two motions were moved. We want to expand on clause 4 to make it a bit more specific by adding the following:

The Vice Chief of the Defence Staff may, with the consent of the Provost Marshal and in accordance with the respective roles, responsibilities and principles set out in the Accountability Framework signed by the Vice Chief of the Defence Staff and the Provost Marshal on March 2, 1998, issue instructions or guidelines in writing in respect of a particular investigation, providing that the rationale for issuing the instructions or guidelines is also stated.

This motion further narrows the proposed amendment to Bill C-15 in order to ensure the transparency of orders given by the Vice Chief of the Defence Staff and the Canadian Forces Provost Marshal, a position created by this bill. All of clause 4 is, in fact, an addition to the current National Defence Act with regard to the Canadian Forces Provost Marshal.

In our opinion, subsection 18.5(3) was much too problematic. The statement that “[t]he Vice Chief of the Defence Staff may issue instructions or guidelines in writing in respect of a particular investigation” means that the Vice Chief of the Defence Staff has the power to give instructions to the Canadian Forces Provost Marshal with respect to a particular investigation.

I liked the analogy used earlier by the hon. member for Scarborough—Guildwood about the military and civilian police. He spoke about the mayor of a city calling up the local police chief and telling him how to proceed with an investigation or what he can or cannot do. We would regard that as direct interference in the right to an independent police investigation, whether it was being conducted by the civilian or military police. The law must be much more clear and transparent to ensure that there is no interference in investigations, which must remain as independent as possible.

My time is up. I would be pleased to answer questions.

• (1245)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I am somewhat perplexed by the member for Sherbrooke's remarks. He claims that the NDP wanted to put in amendments proposed by the NDP and adopted in the last Parliament, that is, in the 40th Parliament. Bill C-41 was introduced in the 40th Parliament.

At report stage, there was no mention of clause 4 or the amendments proposed today by the member for Saanich—Gulf Islands.

Why was the NDP prepared to pass the unamended bill, with the current version of clause 4, whereas today it wants to accept the amendments proposed by the member for Saanich—Gulf Islands? What has changed? Is this not further proof that the NDP merely wants to prolong the debate?

**Mr. Pierre-Luc Dusseault:** Mr. Speaker, clearly, as a parliamentarian and legislator, my goal is not to prolong debates, but to make a positive contribution to the debate in order to ensure that a law that is passed is well written and that there is no chance that a bad bill will have direct consequences for the people covered by the bill. That is the duty of legislators.

I cannot speak for the MPs in the 40th Parliament. Like my colleague, the member for Ajax—Pickering and the Parliamentary

Secretary to the Minister of National Defence, I was not a member in the 40th Parliament. However, I do know that some specific things were asked for and they were not included in Bill C-15. We were never given an answer by the government about that.

As for our position on clause 4, I would say that if the proposed amendments are not adopted, it will not prevent us from voting in favour of Bill C-15 in its present form.

• (1250)

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I would like to ask my NDP colleague a question about Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts. My question is about amendment No. 6020589.

As the representative for Canadian Forces Base Bagotville, I would like to point out that the NDP feels that the Canadian Forces should be held to an extremely high standard of discipline, and in return, members deserve a justice system that adheres to a comparable standard. A criminal record can make the life of a former member very complicated, especially when the member is looking for work or an apartment or wants to travel. Clearly, the NDP has good intentions.

I would like to ask my NDP colleague if he could elaborate on that for our Conservative colleague across the aisle, who does not seem to understand why we are supporting the amendments, and amendment No. 6020589 in particular.

**Mr. Pierre-Luc Dusseault:** Mr. Speaker, I want to say right off the bat that I share my colleague's passion for the armed forces. I have many reservists living in my riding and I visit them quite often. I also frequently visit two regiments in my riding, the Sherbrooke Hussars and the Fusiliers de Sherbrooke. These are two extraordinary regiments and I salute them today.

My colleague mentioned that everyone should have the same rights, but that military justice is unique, since there is a chain of command. My colleagues have spoken about that already today. There must be a difference, of course. We must ensure that the people who serve our country and who dedicate their lives to Canada are entitled to the rights enshrined in the Canadian Charter of Rights and Freedoms.

As I mentioned at the beginning of my speech, the charter gives everyone the right to fair and equitable justice and access to counsel. That is not covered in Bill C-15. Despite the differences in the military justice system, members of the military must have the same rights as all Canadian citizens, which includes access to a fair and equitable justice system. As stated in section 10 of the charter, they must also have the right to retain and instruct counsel and receive legal advice, which is not currently the case. Members of our military deserve some respect for everything they go through every day.

*Government Orders*

[English]

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, I appreciate the opportunity to join in the debate. I am pleased to be on my feet yet again to speak to the bill. We are of course supportive of the amendments that are in front of us. We have been supportive of the negotiated and agreed bill that came out of previous Parliaments. I echo other members who have said this could have been passed quite a long time ago. It is absolutely true.

I cannot help but think of those soldiers who have criminal records from maybe six months, eight months or a year ago, who would not have a criminal record if it happened six months from now, assuming the bill actually finds its way into law. Is that not a shame, because for some time now the official opposition has been—I am going to use this word—harping on this issue of criminal records?

I was reviewing some of the earlier issues of *Hansard*, and there are quite a few on a relatively straightforward bill. I recalled my time as our defence critic when I worked with the parliamentary secretary on the bill. I was not on the committee that crafted it, but I was the critic at the time it was working its way through the House.

I remember working with the hon. member. I enjoyed the experience. There was a great deal of co-operation. Of course we are talking about back when it was a minority government. Things were very different then. The government was a little more open to listening and considering other points of view then, and the proof that it changed was when Conservatives had a majority government and then brought in what should have been the same bill. It was the same bill sans a number of important clauses that we thought should be in it, up to and including the issue of—

• (1255)

**The Deputy Speaker:** Is the member standing for a point of order? It appears he is not.

The hon. member for Hamilton Centre can go on with the debate.

**Mr. David Christopherson:** Mr. Speaker, when I glance at the other side, I will move my glance past that member and move on to the parliamentary secretary, who is clearly here to do some serious business.

Before the hon. member got up on who knows what point, I was commenting on the level of co-operation, and I was glad for that. It is an important file regardless of whether one is the minister, the parliamentary secretary or a critic for the official opposition, third or fourth party. The fact that we could come together said a lot about the members of Parliament who were on that committee and the intention of all sides.

I was saying that the level of co-operation switched when the Conservatives got a majority government. We had a document that was not perfect in the view of the official opposition. We know the government did not think it was perfect. Everybody put a little water in their wine and compromised a little, so that on the vast areas where we did agree, we could actually bring in a bill and get it passed.

However, because of politics, we are all going to be playing the blame game, pointing to other members and saying they slowed it

down, saying they did not do the right thing. The fact remains that our fellow citizens in uniform cannot be too pleased with the way we are treating their legal system.

If I might say, it is one thing to be saluting the troops, acknowledging the troops and thanking them, but there is a whole lot more to it than just sending them off to be in harm's way. There is so much more to what it means for a nation to be supporting its soldiers, rather than just waving, saluting and saying “Yay, way to go.” This is one of those times and one of those areas.

I was looking at the debate last time, and it was interesting because the accusations being hurled from the government members were that we were trying to slow it down, and I think their main reason was that we supposedly did not like defence or we did not like the armed forces, which makes no sense whatsoever. The government side was accusing us of that.

We kept standing up and saying we did not want to delay it but we wanted to get some improvement. We wanted to get it improved to the point where it was as close as possible to the bill we already agreed on. If we could get that far, we were prepared to support it even if it did not contain all the changes we wanted.

However, because of the tenacity of the official opposition in refusing to let go of that issue and in refusing to allow ourselves to be browbeaten into supporting something we did not want to, we were being accused of unfairly holding things up. That argument does not hold a lot of water, given the fact that most of what we were seeking in those previous debates is now here in this bill.

We have an opportunity today to make an even greater improvement, and that is a good thing. What would be even better is if the government would take seriously the review of the entire military justice system and not just do it piecemeal. This is not just us. There are judges—and I will probably get a chance to read the quote in a response. This is coming from our jurors, our judges, saying that we should not do it in a piecemeal way, that we would better serve the defence of Canada and the soldiers who staff it if we did an entire review, wall to wall.

The government did not do it. It did not even bring in all the recommended changes from the first review. It received another review. It was tabled in June 2012, and there was no response to that one. Interestingly it took the government six months to table it.

Then a year later there is still nothing done. It raises the question of how serious the government is. We had to drag it, kicking and screaming, to this point, where we could protect the future of our soldiers through their not having criminal records.

I do not know why the parliamentary secretary is laughing at that. I do not see anything humorous in it. I did not mean it to be humorous. I was pointing out the importance and severity of the issue.

Finally, the official opposition is now at a point where, reluctantly, it will support the bill.

*Government Orders*

• (1300)

There has been no artificial delay. We said we would not pass the bill because it did not have these components and in particular this one here, the criminal records. We focused on it. We said so over and over, to the point where the government accused us of just deliberately delaying for some unknown reason. The government accused us of that.

However, we did not blink. We said no. The government could use its majority and ram it through; we could not stop it, but make no mistake, at every opportunity we had, we would not fast-track the bill. We would not let it go through any more quickly than necessary. We were going to stand up and keep making these points under the leadership of our defence critic, and that is what we did.

It is always a bit risky. However, at the end of the day, the government came to its senses enough to realize that, by acquiescing, it not only solved a bit of its problem with the party opposite it in the House, but I would like to think it also realized that this is in the best interests of our soldiers. That is who the legal system is there to serve.

Remember, we are a country where one is innocent until proven guilty. We respect so greatly the rights that individuals have. The government accuses us of being soft on crime and all this stuff. This is the same application. All we in the official opposition are saying is that there are ordinary citizens who voluntarily join and offer up, ultimately, their lives to the service of defending this country and its people. They deserve better than a piecemeal approach to reviewing the military justice system; they deserve better than a government just accusing the opposition of not caring enough; and they deserve better than to see it take so long for some justice to actually be brought to our military justice system.

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, the member for Hamilton Centre spent an entire speech without referring to the motion that is before us, which is to amend the bill. He says he wishes the bill to pass, as we agreed at committee, yet he is speaking here as part of a party that has said it is in favour of the amendment.

My question for the member for Hamilton Centre is, therefore, very simple. It was not answered by the previous member. I have not heard an answer yet. Why is the NDP favouring this amendment to an article of the bill whose version in the previous Parliament, in Bill C-41, it was prepared to accept? What is it in the tenacity of the NDP that leads it to invent a principle, invent a commitment that it never showed in committee, in this Parliament or the previous Parliament, at the last minute, and put up a number of speakers today to delay debate on a point that is now suddenly important to it, which we have never heard it speak on before, in four parliaments? What is that other than delay of an important issue, delay of the very objective that the member for Hamilton Centre has himself articulated today?

**Mr. David Christopherson:** Mr. Speaker, I would just point out to the member that, apparently, there were witnesses who came forward and gave evidence to this effect.

In fact we know that once the bill is passed, it will still need more work because an entire review needs to be done. We have made the commitment that the NDP, when it forms government, will do that

wall-to-wall review, even if the current government will not. There is the difference. The difference is that we recognize there is still work to be done, even with this amendment and even with this bill passing. This House will be seized with this matter again in a few short years, and we will be making things even better.

Does that mean we should not pass the bill today? No.

• (1305)

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, one of the issues on the amendment that has come up from time to time is what I call a bogus issue of the live fire exception: that somehow the VCDS—not the commanding officer, not the guy in the field—will know that there is potentially a live fire operation. When it is the VCDS sitting in Ottawa, the guy who tells the chief of police—that is, the Provost Marshal—what to do and not the investigators in the field, the real worry here is other types of investigations. What about detainee issues in Afghanistan? What about the incident that occurred when our committee was in Afghanistan, when the commanding officer was charged with conduct prejudicial to good order and discipline and sent home because of an inappropriate fraternization with another officer? What about potential interference with those things?

These are the kinds of worries we have. They are worries that the relationship is not proper and professional and at arm's length. That is why we think the protocol that was signed in 1998 is the proper way to go, not the backward step that is being taken here.

Does the member have any comment to make in that regard?

**Mr. David Christopherson:** Mr. Speaker, my first thought is how lucky we are in the official opposition to have such a fantastic defence critic who understands these issues so well. I am not a lawyer, not everyone here is. I am a layperson so I bring whatever practical experience and knowledge, as well as tapping into expertise. However, I listened to the hon. member point out in a very short period of time the flaws in the one example that the Conservatives stand on.

Is that not what people do when they do not have a really good argument? I have done it myself, so I know it works. They take one good issue and put it down on the ground and just stand on that one little thing and do not move. That is their one position. That one example is not nearly enough for us to be swayed to see this differently.

The hon. member for St. John's East has pointed out other equally important examples that also make the case that this would be the right change to make. Therefore, the Conservatives' one example, in our opinion, is not nearly enough. It is a point, but it is just one point. It is not enough in the tsunami of points that our defence critic can bring forward to justify the position we have over the position the government has.

*Government Orders*

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, I am pleased to rise today in the House to speak to Bill C-15, an act to amend the National Defence Act and to make consequential amendments to other acts, and to speak to the amendments made by the member for Saanich—Gulf Islands.

Let me begin by underscoring the fact that there are many important reforms in the bill, and the NDP will be somewhat reluctantly supporting this long, overdue update to the military justice system when it comes up for a vote at report stage.

That being said, New Democrats also recognize that the legislation is just a first step, with much more left to accomplish to effect the type of change we are seeking for Canada's military justice system. Members of the Canadian Forces are held to an extremely high standard of discipline, and they in turn deserve a judicial system that is held to a comparable standard.

At its core, Bill C-15 is similar to the version of Bill C-41, which came out of committee in the 40th Parliament. However, important amendments passed at committee stage in the last Parliament were not included by the government in Bill C-15. One such omission was the failure to include a measure to broaden the list of offences removed from the consequences of a criminal record.

Most Canadians would be shocked to learn that the people who bravely serve our country can receive a criminal record from a system that lacks the due process usually required in civilian criminal courts, which is why New Democrats fought relentlessly to ensure that the necessary changes were made to streamline and modernize Canada's military justice system.

When Bill C-15 was first presented in October 2011, New Democrats immediately recognized the deficiencies of the bill and set to work, both in the House and at committee, to ensure the legislation was the best it possibly could be to achieve the goal of modernizing Canada's military justice system. My colleagues at committee pressed for the necessary changes and amendments to reduce the effect of disciplinary offences, of possible criminal records, and challenge the failure of the legislation to grant full charter rights.

Thanks to the hard work of New Democrats on the defence committee, particularly the member for St. John's East, the list of offences and the number of cases that will not attract a criminal record has been broadened and now account for approximately 95% of offences. New Democrats additionally fought to ensure that previously convicted CF members would actually have their records expunged. We also moved a series of amendments to improve the bill, demonstrating our commitment to reform.

Some of the key amendments presented by my colleagues included giving the Chief of the Defence Staff the financial authority to compensate CF members in the grievance process; changing the composition of the grievance committee to include a 60% civilian membership and exclude active duty CF members, enhancing the independence of the board; a provision ensuring that a person who is convicted of an offence during a summary trial is not unfairly subjected to a criminal record; and clarifying the letter of the law, as recommended by Justice Lesage, to make it clear that a charge must be laid within a year of a service offence.

In spite of all of the successful amendments that New Democrats were able to make at committee stage, we recognize that much still needs to be done to ensure that Canada's military justice system is the best that it can be. Some of the changes New Democrats would still like to see include conducting an independent wall-to-wall review of the military justice system, and providing a legislative response to the Lesage report within a year.

Here the NDP stands with esteemed Justice Létourneau in calling for the Canadian government to end its one-off approach to amending the military justice system and to conduct a comprehensive and independent review of the entirety of the sections of the National Defence Act pertaining to the military justice system. In addition, the NDP is calling for the Conservative government to bring a legislative response to the Lesage report within one year.

● (1310)

The members of the Canadian Forces deserve no less.

Let us look at the reforming of the summary trial system. Although some progress has been made, we believe that further reforms are necessary and a review of the summary trial system is required. Currently, a conviction of a service offence from a summary trial in the Canadian Forces may result in a criminal record without proper procedural fairness for the CF member. Summary trials are held without the ability of the accused to consult counsel. There are no appeals or transcripts of the trial, and the judge is the accused person's commanding officer. This process can have an unduly harsh effect on the offender in question and lacks traditional judicial standards. New Democrats would like to see more reform in this area.

We would also like to see the expansion of the service offences exempted from receiving criminal records. The New Democrats understand that minor service offences should not lead to criminal records that impact CF members outside of their military duties. We fought for an expansion of these offences since Bill C-15 was first introduced and we will continue fighting on behalf of the service men and women whose post-military lives could be affected by minor service offences that result in criminal records.

We need to reform the grievance system. A major flaw in the military grievance system is that the Chief of the Defence Staff presently lacks the authority to resolve any and all financial claims arising from a grievance, contrary to a recommendation in the Lamer report. Despite the fact that the Minister of National Defence agreed to this recommendation eight years ago, the matter is still not resolved. The New Democrats believe that the minister should finally implement this recommendation at the earliest possible date.

*Government Orders*

We also believe that the government needs to strengthen the Military Police Complaints Commission. Bill C-15 gives the Vice Chief of the Defence Staff authority to direct military police investigations. This measure is inconsistent with existing arrangements in the accountability framework as a clear violation of maintaining the independence of the Military Police Complaints Commission. Allowing the chain of command to interfere with military police investigations is an irresponsible measure that flies in the face of the harsh lessons learned from the Somalia inquiry. Past and present chairs of the Military Police Complaints Commission have stated as much. Come 2015, the New Democrats will work to make the changes necessary to ensure the full independence of the MPCC.

In conclusion, with colleagues such as the member for St. John's East and the member for Sackville—Eastern Shore, and their continuing commitment to military families and our veterans, Canadians can be assured that the NDP will continue fighting to bring more fairness to the Canadian military justice system for the members of our armed forces who put their lives on the line for the service of Canada each and every day.

• (1315)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I listened closely to the remarks by the member for Sudbury, listening hard for the insight I was hoping to have with regard to the motion in front of us. We are discussing a motion to amend a bill that has already been considered at great length at second reading and in committee. However, he did not even mention clause 4, which is the subject of the motion.

Neither he nor any of his colleagues have yet to explain why today the NDP is supporting a motion that would drastically amend clause 4 when in committee in this Parliament, and in the previous Parliament, the New Democrats were prepared to accept clause 4 as unamended. Why were they happy to have the version of the bill we all agreed to in committee back in a minority Parliament, when they had more leverage and influence in committee, accept clause 4 as it was in committee in this Parliament, and then all of a sudden at report stage an amendment pops up from someone who was not in the committee and they are prepared to support it?

Does this not speak to the motives of the NDP?

**The Deputy Speaker:** Order. We have a point of order.

I would just remind members that when there is a request for a point of order, the Chair is on his feet and everyone else sits down.

The hon. member for St. John's East on a point of order.

**Mr. Jack Harris:** Mr. Speaker, on a point of order, I do not think it is appropriate for a member of Parliament who is on a committee to put facts that are not true to another member of Parliament who was not there and ask him to comment on it.

There was an amendment proposed and defeated in committee on the section the member is talking about. The bill passed at committee on division, not supported by this hon. member. Therefore, I do not think it is appropriate to put untrue matters to a member and ask him to comment on it based on—

**The Deputy Speaker:** That is not a point of order.

I would ask the parliamentary secretary to go back and finish the question.

He is using up a substantial amount of time. I do not know if he wanted to add anything further or if I could go to the hon. member for Sudbury to respond.

**Mr. Chris Alexander:** Mr. Speaker, the question is very simple. Clause 4 was in this version, the version of Bill C-15 that was reported back to the House in the 40th Parliament. It was in the same version after consideration by his colleagues in committee in this Parliament. Why is there suddenly, after four Parliaments' consideration of the bill, a desire on the part of the NDP to amend clause 4?

**Mr. Glenn Thibeault:** Mr. Speaker, I am very honoured to answer that question, because it seems to me that it has been answered numerous times. The only question the parliamentary secretary has is the same one over and over again.

I thought we were in a debate. I thought we were listening to new ideas to try to find ways to make the bill better. I believe that at the top of this, the hon. member for Saanich—Gulf Islands brought amendments forward to make it better. Perhaps the hon. parliamentary secretary is confused. We are in the House of Commons to try to create legislation that works for Canadians rather than to ask a simple question over and over again.

This question has been answered numerous times. I would actually like to ask him a question. Why has the government not recognized that we need to fix Bill C-15 to ensure that we have the same standards that all Canadians can expect from their legal system?

• (1320)

**The Deputy Speaker:** That is not the way the process works.

The hon. member for Scarborough—Guildwood has the floor.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, it is ironic to me that the opposition, both official and otherwise, is basically saying that this is good and is a move forward but that it is not perfect and could be better, and here is a small way in which it could be made better. Yet we get this wall of resistance to what is ultimately a relatively minor change. This is what happens in committee. This is what happens here. We get this bizarre system of ridicule, which makes it very hard to support the government, even when, by the operation of random luck, it actually gets it right, or mostly right.

If the hon. member looks at the section being debated, which is a very small section, it does not restrict the VCDS to simply saying that there is live fire, so we cannot go there. It lets him or her tell the police that this is where they go, this is where they do not, and this is how to conduct its investigation. It is a pretty serious issue.

I would be interested in his comments on the enemy of perfection.

*Government Orders*

**Mr. Glenn Thibeault:** Mr. Speaker, it is true that it makes us scratch our heads as we sit in the House of Commons talking about and debating a bill, trying to find ways to make it better. When we do support something that is being brought forward, they still question it. It makes us wonder where their thinking is. Sometimes it seems ideological rather than an attempt to make the best laws for Canadians.

I would also like to mention that there are many validators of this position. Peter Tinsley, the former chair of the Military Police Complaints Commission, spoke to this. He said:

My very brief summary submission is that if Bill C-15 is passed into law in its present form, inclusive of the new subsection 18.5(3) authorizing the VCDS to interfere with police operations and investigations, it will be inconsistent with the principles of police independence as recognized by the Supreme Court of Canada as late as 1999 as underpinning the rule of law, as well as run counter to the norms of police-government relations...

[*Translation*]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, it is my great pleasure to rise in the House to speak to Bill C-15 on military justice once again.

I would like to begin by saying a few words about what was truly an excellent week for the official opposition, the NDP. Yesterday evening, speaking of justice, one of our colleagues succeeded in getting a bill on sexual identity and the protection of transsexual and transgender people passed. Congratulations! That was a good example of our New Democratic values.

We also put forward a motion on science, which the Conservatives rejected. We revealed the truth about the Conservative government: it does not like science, rational thought or facts. We already knew that, but now we have incontrovertible proof. What a victory for the NDP.

Now, with this bill, thanks to the hard work of my New Democratic colleagues in committee and in the House, we have persuaded the government to listen to reason and we have improved this bill, which, initially, was deeply flawed.

This is a step in the right direction, and I am very proud of the NDP's work. The official opposition has made things better and ensured greater respect for the men and women who defend our country and serve in the armed forces.

There is room for improvement in this bill. The government waited too long. We need a comprehensive overhaul of the military police justice system. Unfortunately, the Conservative government has dragged its feet. It has made small changes here and there that do not meet the needs of the men and women of our armed forces. It has refused to adopt a comprehensive approach that would solve all of the problems at once.

Justice Lamer's report came out in 2003, and it is now 2013. That means that these recommendations have been pending for 10 years, over several Parliaments. Both Liberal and Conservative governments have dragged their feet, proving that even though they claim it is a priority, they do not have much respect for the men and women who serve in the Canadian armed forces. Sadly, their actions prove that this is not a priority. There is also the issue of respect for our veterans, which comes up often.

The official opposition is often accused of not liking the armed forces. The Conservatives often make somewhat dishonest, vicious and mean attacks in that respect. The NDP's work in this area shows how rigorous we are and how much we respect the people who serve in Canada's armed forces.

We ask a lot of them. We often ask them to sacrifice their family life, to go abroad and put themselves in extremely dangerous situations where they risk not only getting hurt, but also losing their lives. We cannot ask these Canadians and these Quebecers to give so much unless we, as a country, as a government, as legislators, put in place a set of mechanisms that will ensure that they are treated with respect, fairness and compassion.

More and more countries are thinking about how to ensure that the military justice system in large part respects human rights and international conventions. Thanks to pressure from my NDP colleagues, we managed to improve the situation of our soldiers. Since we are asking so much of them, we must give them back as much.

As the representative of the people of Rosemont—La Petite-Patrie, I believe it is important to move in the right direction. That is what we have done and what we are continuing to do here today. I say this in anticipation of the parliamentary secretary's question when I finish my speech in 10 minutes. Our successful work means that 95% of disciplinary code breaches no longer lead to a criminal record. That progress is in large part responsible for the fact that the NDP caucus is now united in supporting Bill C-15.

At the time, I remember rising in the House and making much more critical comments, because there had not been amendments, which were made later.

● (1325)

We had a problem with the current system because relatively minor disciplinary infractions left a permanent mark on the lives of these people, who are often relatively young when they retire from the armed forces and who have a career after leaving. Members can imagine how difficult it can be for them to find a new job, new occupation or new profession, especially if their military criminal record, resulting from a breach of conduct or bad behaviour when they were members of the Canadian armed forces, follows them.

It was unfair. This hung a millstone around people's necks and put them at a disadvantage for the rest of their careers. However, we fought for them. We stood strong. We argued. The members of the committee did their work. Our excellent defence critic led the fight on this. Today, given the improvements made to this bill, the NDP caucus will support it.

The amendments made to clause 75, which pertains to criminal records, are a great victory for the NDP. That is why I started my speech by talking about our recent victories, which always make us happy, despite the fact that we are dealing with a majority government that rarely listens to parliamentarians or Canadians.

*Government Orders*

That is not all. I also wanted to point out that the NDP fought to ensure that many members of the Canadian Forces who have already been convicted can have their criminal records erased. This is not simply for the future; it also rights past and present wrongs. That was very important to us.

We also moved a series of amendments to improve the bill in order to show our commitment to our men and women in uniform, as well as to a more comprehensive reform of the system that would make it possible to implement a more logical, consistent and respectful structure. For example, we suggested giving the Chief of the Defence Staff the financial authority to compensate members of the Canadian Forces as part of a grievance resolution process. This is found in the amended version of clause 6 of Bill C-41, in direct response to a recommendation made by Justice Lamer 10 years ago.

We also want to make changes to the composition of the grievance resolution committee to include 60% civilian membership and to not include active members of the Canadian Forces. This was the amended clause 11 of Bill C-41, which would help make the committee more independent. These changes are important to us, because there is a problem with the current system, in that the judge is both judge and jury. The danger of being judged by one's peers is that they are involved. We believe the judicial process must be independent to protect the rights of the accused. That is a basic judicial principle that is generally applied in civilian society.

We think that the process should be made more civil, in the sense that more civilians should be involved in the process so that people who are directly involved do not end up judging their subordinates, especially in cases of insubordination.

We also proposed a clause to ensure that a person convicted of an offence during a summary trial is not unfairly subjected to a criminal record. This is the bill's famous clause 75.

The NDP also proposed that we guarantee the independence of the police by abolishing subsections 18.5(1) to 18.5(5), in clause 4 of the bill, to prevent the Chief of Defence Staff from issuing specific instructions on an investigation to the Canadian Forces Provost Marshal. Once again, this is a matter of independence, respect and the basic principle of justice.

Lastly, we asked for precisions regarding the letter of the law, as recommended by Justice LeSage, to indicate that a charge must be laid within a year after the offence was committed.

This concludes my speech to show how much the NDP—the official opposition—cares about this issue. We care about the men and women who defend our country, who bear arms and who risk their lives. They do their job, and we—in the NDP and in the opposition—do ours too, in their best interests and in the best interests of all Canadians.

• (1330)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, once again, my question is very simple. Why is the NDP favouring an amendment that it has never mentioned before today? It never mentioned it in committee, at second reading or during the previous Parliament.

Is it because the NDP lacks expertise and had to wait to hear from the hon. member for Saanich—Gulf Islands in order to understand the idea? Or is it simply because the NDP is trying to needlessly prolong this debate?

**Mr. Alexandre Boulerice:** Mr. Speaker, unlike the Conservative government, we in the NDP like debate. We do not try to muzzle anyone. We do not stop debates unnecessarily, as this government has done by imposing 30 time allocation motions in this Parliament, showing utter contempt for parliamentarians and the work we do.

Why can we support amendments here today that come from other political parties? Because we are capable of listening. We are capable of hearing and seeing what is in the best interest of Canadians. I would remind the House that when the orange wave swept through Quebec nearly two years ago, our slogan was “Working Together”.

This is a perfect example to illustrate that we in the NDP are capable of working together.

• (1335)

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I would like to congratulate my colleague from Rosemont—La Petite-Patrie both for his speech and his exchange with the Conservative member, who is obviously not listening to Canadians.

Before I ask my question, I would like to say that when the NDP is in power it will make the military justice system fairer for members of our armed forces who risk their lives to serve Canada. The members opposite can take notes if they want to change their policies. The Conservative government has been systematically incapable of putting in place appropriate mechanisms to ensure the independence of the Military Police Complaints Commission and the courts of the military justice system.

I will now put a question to my colleague, who takes note of amendments no matter who proposes them. Can my colleague tell me why the NDP will support the amendments? I would like him to talk to us about amendment no. 6021288, which was proposed by a colleague in the House of Commons.

**The Deputy Speaker:** The hon. member for Rosemont—La Petite-Patrie for a short answer. Then we might have time for another question.

**Mr. Alexandre Boulerice:** Mr. Speaker, I thank my colleague for his comments and his very specific question. I would also like to say to members that I recently had the pleasure of visiting Chicoutimi—Le Fjord with him. He is lucky to represent such a beautiful riding.

This is what we are proposing. We want to undertake a comprehensive study and reform summary trials, which are the most common type of trial, but present certain problems with respect to basic justice. We want to expand the list of military offences that do not result in a criminal record, and we want to reform the grievance system.

Therefore, unlike the present Conservative government, we are committed to a military justice system that will work in the best interests of members of the military.

*Government Orders*

[*English*]

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I want to reflect on the parliamentary secretary's question for the member. The NDP actually did put forward an amendment on this very item. It was a better amendment than the one being proposed and debated today, in my opinion. However, before there is too much back-patting, I want to note that the NDP has in some respects moved the debate forward in terms of a simple and elegant way of dealing with the very subject that the hon. member spoke to, namely, the disconnect between the severity of the offence and the actual service offences.

All parties in the opposition have every right to ask for a relatively simple move toward fairness and justice for our soldiers, sailors and air people, and that is the motivation behind the issues around subsection 3.

Could my hon. colleague reflect upon the issue that has been raised, namely, the openness, the way in which one could actually drive a truck through, subsection 3, if a VCDS chooses to drive a truck through this section? It is not restricted in the same manner that the government is saying it is restricted.

[*Translation*]

**Mr. Alexandre Boulerice:** Mr. Speaker, I am not sure I understood the truck analogy.

I am rising in the House to thank my colleague from the Liberal Party for his kind words, for his appreciation of the work of the New Democrats and his willingness to set the record straight.

I spoke about science and fact at the beginning of my remarks. I thank him for taking the time to correct the comments of the Parliamentary Secretary to the Minister of National Defence.

In fact, the NDP had tabled an amendment on that issue because it was a concern. However, we, like the Liberal Party, are also capable of accepting that other political parties have good ideas. We proved that today. When an idea is good, regardless of political stripe, we can support it.

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, sometimes we wonder why we do certain things in life. Minutes, days or weeks go by and we wonder if we were struck by lightning or something. I must have dreamt about the parliamentary secretary last night, and I mean nothing untoward by that. I do not want to start any rumours.

After a crazy day filled with justice issues, I knew that I still had to prepare a speech on Bill C-15. I do not believe that there are many military justice experts in the House, and I do not claim to be one myself. Some members have some military experience that must surely help them.

Still, I did as I always do and I began by reading the bill. Then, I enjoyed reading what happened in committee, because we are at report stage and we are looking at the amendments proposed by the Green Party member.

Since this morning, the parliamentary secretary has been rising, proudly bringing us to order and trying to convince the Speaker that we are breaking the rules because we are not talking about the amendments or the business at hand. It is as though I were reliving my nightmare from last night.

After reading what happened in committee, I was not surprised to see that they took this path, which does not do justice to the file we are debating. The majority of those who have spoken in the House have said that this is not the first time this has been studied during a parliament. However, it could be said that this is being used as an aggravating factor.

It is clear that, on a number of occasions, federal parliaments have decided that changes needed to be made to military justice. There is nothing inherently wrong with pushing for amendments that are fully warranted for a sector of the Canadian public.

We need to move beyond slogans about how great the army is and how wonderful our men and women in uniform are. We need to move beyond words. We need to do more than what this government constantly does. No matter what the topic, they focus on photo ops and headlines. However, when it comes time to act, nothing happens.

Yesterday evening, I was definitely having a nightmare, but I was very happy to be reconciled with the fact that I am a member of the Standing Committee on Justice and Human Rights. I sometimes find it tedious to have to convince my colleagues to propose certain amendments to various bills, however well-meaning they may be. I got a glimpse of another committee, of which, thank God, I am not a member.

I considered the file before us and the proposed amendments. The official opposition is not proposing those amendments like some sort of crude magic trick, like pulling a rabbit out of a hat. These amendments are being proposed as a result of testimony heard from people who have experienced military justice first-hand within our armed forces.

Just for fun, I decided to dig up some of the testimony that was particularly relevant to the amendment proposed by the member from the Green Party. Here is some of what Colonel Drapeau had to say:

At the end of the day, I hold a firm belief that we owe our soldiers an immeasurable debt of gratitude for bringing glory to the Canadian flag, for bringing unflinching solidarity to our allies, and for impeding a global threat to national security.

In deploying to Afghanistan, our soldiers carried with them our rights and values...they put their lives at risk so as to give the Afghan people a taste of democracy and the rule of law. Sadly, many did not return.

I believe that Bill C-15 should in many ways be in recognition of, and be the incarnation of, their courage, their commitment, and their sacrifices. Out of gratitude as well as justice to these soldiers, Bill C-15 should be first aimed at protecting their rights, not creating more bureaucracy, military lawyers, and military judges. It should be written from the perspective of soldiers and their commanders, not the military legal staff serving in the safe enclave of National Defence Headquarters.

I will spare the House some of his other comments, for he had some criticisms of various aspects of the bill.

We are at report stage, looking at the amendments proposed by the hon. member from the Green Party.

*Government Orders*

● (1340)

I have been hearing a bitter undertone to these criticisms even though the debate should touch on as many aspects as possible out of respect for the men and women who sacrifice themselves, dedicate themselves and do things on a daily basis that very few of us would do. They risk their lives in defence of our values. They deserve more than a petty debate that cannot seem to get past the comments and insults that I have read about people who gave their lives. I am astounded at how some Conservative members treated some of the witnesses, including Colonel Drapeau, by accusing them of just trying to sell books.

Back to the amendments. I would like to go off on a tangent because even though I am not an expert on the subject, this issue is important to me. Many of the people who live in the riding of Gatineau work for the armed forces. I would like to take this opportunity to thank them.

Yesterday evening, I was reading testimony to prepare for this and become more informed about the subject, knowing full well that I would be hearing the outraged and sometimes outrageous remarks of my colleague, the Parliamentary Secretary to the Minister of National Defence. Life is full of coincidences. I realized that one of the witnesses who appeared before the committee was a former law school classmate, Lieutenant-Colonel Jean-Marie Dugas. I would like to give him my regards. He came to talk about his experience as a lawyer and as the director of the Canadian Forces Defence Lawyers. I would also like to congratulate him on the work he has done defending the rights of these people.

The Green Party amendments were not pulled out of thin air. The Parliamentary Secretary to the Minister of National Defence may have been ignorant of the facts or may have failed to understand, when he said that the NDP never suggested any amendments. That is false and insulting and not the case at all. My colleague from Scarborough—Guildwood was absolutely right.

The good thing about the NDP's proposed amendment is that it was based on something even better than what the Green Party amendment attempts to do. It was based on the recommendation of the Military Police Complaints Commission. That is exactly what the NDP suggested. The commission recommended removing the section in question.

However, as we know, and I see it all the time at the Standing Committee on Justice and Human Rights, government bills are often so badly written and fundamentally flawed that we know they will wind up in court one day. We would like to be able to delete clauses, but we all know that we cannot. They cannot be deleted simply because they go beyond the scope of the bill.

When these kinds of amendments are proposed, we are told that they cannot be presented. We have to proceed as our Green Party colleague did and introduce an amendment that makes the bill a little more palatable, although not perfect.

I probably will not have time to repeat everything that the Military Police Complaints Commission had to say about the famous new subsection 18.5(3) in clause 4, the subject of the Green Party member's amendments. Basically, the Commission believes that there is a problem in the clause related to the independence of

operations and accountability. We would have preferred that the clause be deleted.

I highly commend the NDP members who sit on the Standing Committee on National Defence. I commend them for their patience. They were subjected to a number of unpleasant and mean-spirited comments. My colleague from Rosemont—La Petite-Patrie mentioned this earlier. This sometimes surprises me coming from people with diplomatic experience. I just cannot fathom it.

● (1345)

Therefore, I congratulate the team that did its utmost to make this a fair law that respects our charters. I am saying that for our men and women in the Canadian Forces. Unfortunately, because we have a closed government that does not want to listen to anyone, the bill is the way it is. It improves on what we had in the past, but it could have been so much better.

● (1350)

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, during previous discussions about Bill C-15, we spoke about the interference of the Vice Chief of the Defence Staff in the Military Police Complaints Commission. We want to avoid such interference. The parliamentary secretary gave examples of investigators that could find themselves in the middle of a conflict.

I would like the hon. member to better define the concept of interference. I think that there is a distinction to be made between a situation in which a commander tells someone that this may not be the best time to conduct an investigation without necessarily being able to say why and one in which he gives instructions and interferes in an investigation. Can the hon. member explain that distinction?

**Ms. Françoise Boivin:** Mr. Speaker, the hon. member for Abitibi—Témiscamingue has already mainly explained this nuance. She is one of the people I would like to sincerely commend for the patience she showed on the Standing Committee on National Defence. In all seriousness, despite my almost respectable age, I would not have had such patience and I might no longer be an MP because I might have said some really disgraceful things. I will avoid doing that.

Since my colleague has presented me with the opportunity, I would like to quote the commission. The commission said that it does not take issue with the general supervisory role of the Vice Chief of the Defence Staff—the VCDS—vis-à-vis the Canadian Forces Provost Marshal—the CFPM—set out in subsection 18.5(1), nor with the authority of the VCDS to issue general instructions to the CFPM in respect of the discharge of his responsibilities. The problem arises when those instructions start to interfere in cases. Then it comes dangerously close to interference.

The government's problem is that it did not make a distinction. The government is not detail-oriented, which is not a compliment. This is a bad habit that would be in the government's best interest to break, particularly when it comes to such important portfolios that affect our men and women in the Canadian Forces. These people give of themselves to serve our country and I think that we should try to stick as closely as possible to the principles of justice, fair play, natural justice and equality before the law. There is not necessarily any evidence of that in Bill C-15, at least not as much as there should be.

*Statements by Members*

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I listened carefully to the speech by the hon. member for Gatineau and to her response to the first question. However, I still do not know how she feels about the amendments. She has yet to speak about them and has not shared a single new fact about her opinion.

Does she know what is in the amendments? Why does the NDP support the amendments today, when it did not support them in committee? It did not propose them or support them at second reading or during previous parliaments. What has changed over the last 10 years?

**The Deputy Speaker:** The hon. member for Gatineau has one minute to respond.

**Ms. Françoise Boivin:** Mr. Speaker, he contradicted himself a bit in his question. He started by saying that he listened to my speech, but that is clearly not the case.

Perhaps he wants me to talk about the two motions moved by the hon. member for Saanich—Gulf Islands. The first motion proposes that clause 4 of Bill C-15 be amended by replacing lines 11 to 13 with the proposed amendment. Perhaps he wants me to talk about the second amendment as well. We have already said it and I will say it again. This time, he should listen carefully.

We did better. Even the member for Scarborough—Guildwood said that in committee, the NDP did more than just propose amendments such as the ones proposed by the member for Saanich—Gulf Islands. The NDP called for the clause to be removed completely. That would be a very smart amendment to make.

However, the amendment was not in order because it went beyond the scope of the bill. It could have been accepted by the government opposite. Just because an amendment is not procedurally in order does not mean that we cannot continue. It makes no sense.

I argued before the commission about this clause. The commission feels that it would be best to remove the clause. That is what should have been done. The member should not say that I have not spoken about the amendments. We were not about to ask for anything less than what should be done. That is what the parliamentary secretary is accusing us of. That is ridiculous.

• (1355)

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I would like to thank the member for Gatineau, who covered this topic so well.

I am pleased to rise today to speak to Bill C-15 as well as the committee amendments that we are debating today.

I would also like to thank our defence critic, the member for St. John's East, for the work he has done on this file. He has done a marvellous, remarkable job.

I heard the Parliamentary Secretary to the Minister of National Defence say over and over again that the opposition was not doing anything, that it was just debating and not offering any sort of solution. When we look at what really happened, we can see that meaningful changes came out of those discussions.

This bill was introduced, debated and studied in committee during the 40th Parliament. Then it was deferred until today.

When the government introduced this bill, it did not take into account the amendments that had already been proposed, considered and passed by the parties. Once again, the government came back with a bill filled with holes and things that could have been fixed at that time.

One of the main things that concerned me, and that I mentioned at second reading, is the matter of criminal records. In the NDP, we believe it is important not to say two different things when it comes to the men and women of the Canadian Forces. These people help us, and we owe them the greatest respect. We must not change our tune: we cannot support them when we send them off and forget them when they return.

We rose to speak about the impact this could have with respect to criminal records. This is a victory for the NDP and the opposition. We made sure that the government backed down on criminal records. It gave more consideration to the consequences this would have for CF members.

One of the important points we are talking about today involves the Military Police Complaints Commission and guaranteeing the independence of the MPCC. We discussed the aspect related to the interference that this involved.

As drafted, clause 4 presents a number of problems in that respect. On February 11, 2013, Glenn Stannard, the chair of the Military Police Complaints Commission, stated in his testimony:

As far as the commission is aware, there have been no problems with the accountability framework that justify its revocation at this time, and proposed subsection 18.5(3) runs counter to various efforts over the years to shore up public confidence in the independence of military policing.

Therefore, we are talking about subsection 18.5(3). In committee, the NDP made some proposals and asked to have it removed. That is exactly what Mr. Stannard said as well.

It is important to listen better. Unfortunately, once again, the government did not listen to us. That is why we are rising today and discussing that point.

[English]

**The Deputy Speaker:** I must interrupt the debate at this time for statements by members. The hon. member will have six minutes to complete his speech.

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## STATEMENTS BY MEMBERS

• (1400)

[English]

### NATIONAL CAREGIVER DAY

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, on behalf of the Canadian Hospice Palliative Care Association and the Quality End-of-Life Care Coalition of Canada, I rise in the House today to bring attention to National Caregiver Day on April 5.

*Statements by Members*

As the Canadian population ages, more of us are becoming caregivers. We care for those close to us with devotion, patience and love as they live their final days with a life-limiting or terminal illness, as my uncle recently demonstrated in caring for my Aunt Linda.

A 2007 study estimates that annually, 23% of Canadians care for a family member or a close friend with a serious health problem. Current estimates for replacement costs for unpaid care given in Canada indicate a significant economic contribution by caregivers. The estimates are in the billions of dollars.

Let us stand together and thank all caregivers for their contribution to Canadian society and their devotion to assuring quality end-of-life care for their loved ones.

\* \* \*

[Translation]

**THE BUDGET**

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, in two hours, the Minister of Finance will table his budget. People in Montmorency—Charlevoix—Haute-Côte-Nord are worried. They are already dealing with fallout from changes to the employment insurance program. They hope that the government will finally wake up and realize that it has to continue investing in the economy if it does not want to sabotage and depopulate our regions.

The government must not balance the budget at the expense of our economy, our regions, our workers and our families. It must not balance the budget by cutting provincial transfers.

Canada is a huge country, with different job market realities from one region to the next. The provinces are well aware of these realities, and that is why they are in the best position to take charge of worker training.

The government has an opportunity to listen to what the people are saying. Where I come from, people want the government to invest in infrastructure and job creation. They want government measures that will spur economic recovery, not measures that interfere with what the provinces do best.

\* \* \*

[English]

**TANKER SAFETY**

**Mr. Bob Zimmer (Prince George—Peace River, CPC):** Mr. Speaker, while the majority of northeastern B.C. residents are in favour of developing our natural resources responsibly, some of my constituents have expressed concerns about shipping these resources overseas.

Our government understands the importance of protecting our nation's waters. That is why we have introduced a comprehensive plan to develop a world-class tanker safety system here in Canada, in particular off the west coast. This new plan would implement eight new tanker safety measures; introduce a safeguarding Canada seas and skies act; and create a tanker safety panel to review Canada's current tanker safety regime and propose further measures to strengthen it. Although we already have strong tanker safety in

Canada, these new measures would represent the first steps toward developing a world-class tanker safety system.

Our government will continue our efforts to increase trade while protecting our environment for generations to come with a first-class tanker safety system second to none in the world.

\* \* \*

[Translation]

**MAGNUS POIRIER**

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Mr. Speaker, I am pleased to rise in order to pay tribute to a true Quebec institution, as Magnus Poirier celebrates its 90th year in operation.

On March 15, 1923, Magnus Poirier was founded, and it has grown exponentially over the years to become one of the finest establishments of its kind, by bringing comfort to thousands of Quebecers in their darkest hour through their commitment to serving their clients with warmth, support and respect.

Under the guidance of the Poirier family, Magnus Poirier is constantly seeking to better serve its community as a truly modern company, all while maintaining the traditional values that have made it a model company and a leader in the community through its countless charitable initiatives.

I would like to congratulate the chairman of the board, Claude Poirier, president and CEO Jacques Poirier and executive vice-president Marc Poirier for carrying on the Poirier family legacy with such class and excellence, while preparing the next generation to successfully assume the tremendous responsibility that comes with bearing the name "Poirier".

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[English]

**UNITED CHINESE COMMUNITY ENRICHMENT SERVICES SOCIETY**

**Ms. Wai Young (Vancouver South, CPC):** Mr. Speaker, this year marks the 40th anniversary of the United Chinese Community Enrichment Services Society, more commonly known locally as S.U.C.C.E.S.S.

Established in 1973, S.U.C.C.E.S.S. is one of the largest social service agencies in British Columbia. Its mission is to build bridges, celebrate diversity and facilitate integration. Serving over 100,000 clients in eight different languages each year, S.U.C.C.E.S.S. provides services in settlement, English as an additional language, employment, family and youth counselling, seniors' and women's programs, business and economic development, and health care, housing and community development.

*Statements by Members*

Last Saturday, in a testament to the strength and value of this organization, 1,000 supporters celebrated 40 years of community service. As a community, we are truly thankful for S.U.C.C.E.S.S. and its contributions to B.C. and to Canada. On behalf of the people of Vancouver South, I thank S.U.C.C.E.S.S. and congratulate its founding members, board of directors, employees, and volunteers on this important 40th milestone.

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● (1405)

*[Translation]***RACIAL DISCRIMINATION**

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I would like to point out that today is International Day for the Elimination of Racial Discrimination and also the start of the Week of Solidarity with the Peoples Struggling against Racism and Racial Discrimination.

Every day, people experience discrimination based on their origins, religion, colour, ethnocultural affiliation or gender. This discrimination is pervasive in Canada and elsewhere, and it is quite simply unacceptable.

We must not tolerate the fact that almost 1,500 hate crimes are committed every year in Canada. We must not tolerate the fact that visible minorities with equal skills have unemployment rates that are 1.7 times greater than the average.

As parliamentarians, and also as Canadians, it is our duty to speak out against this and to oppose acts of discrimination and those who support this discrimination through their actions or their silence.

It is our duty to take action to eliminate all forms of discrimination and to promote equal opportunities for everyone.

\* \* \*

*[English]***WORLD DOWN SYNDROME DAY**

**Mr. Colin Carrie (Oshawa, CPC):** Mr. Speaker, I want to take this opportunity to recognize the 35,000 people who live in Canada and have Down syndrome. People with Down syndrome are amazing, and today is World Down Syndrome Day.

Tonight in Toronto, Circle 21, an organization that provides leadership to the Down syndrome community, will be bringing together dozens of support organizations from across Canada to acknowledge their contribution and hard work in helping make life better for people who have Down syndrome. At this inspirational event, there will be hundreds of people gathering, many of whom have Down syndrome themselves.

This date, March 21, is symbolic, as Down syndrome is caused by having three copies of the 21st chromosome instead of two copies, like we have. March, representing the third month, and 21, makes for a great day to celebrate World Down Syndrome Day.

While there is work yet to be done, we are blessed to live in such a wonderful country, where people with Down syndrome are included in our society.

**NEW DEMOCRATIC PARTY OF CANADA**

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, the people of Oakville are shocked that the official opposition voted against our bill that would remove foreign criminals faster from Canada. They are also worried that the opposition parties will revive their socialist coalition to reverse all the bills our government has introduced for safe communities, lower taxes and a dynamic economy.

What bills would such an opposition introduce? We know from their voting record that they would introduce the slower removal of foreign criminals act and a new CETA, the cancel every trade agreement act. Their first move would be the carbon tax on everything you need to live act. They would prioritize the borrow billions to bail out European banks act, quickly followed by the never-ending long gun registry or duck farmers act. However, to seal the deal, the NDP would have to accept the Liberal political loan shark forget about it act.

\* \* \*

**HAMILTON CENTRE FOR CIVIC INCLUSION**

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, last November, in my riding of Hamilton Centre, I was honoured to join with the Hamilton Centre for Civic Inclusion as it held its first ever conversation café at the Beasley Community Centre on Elgin Street. Attended by more than 150 people, the conversation café brought together members from many of Hamilton's cultural communities, including the Turkish, Somali, Chinese, Spanish and Arabic communities, as well as seniors and youth representatives, to discuss changes residents would like to see in their neighbourhoods and how they would like to get involved in their community life.

The conversation café continues the outstanding work of HCCI and its executive director and Diamond Jubilee medal recipient, Evelyn Myrie, who works to assist the City of Hamilton, as well as major institutions, business, service providers and others, to provide equity and create inclusive environments in all areas of civic life. This important work continues to play a critical role in Hamilton's multicultural development.

I would like to congratulate the Hamilton Centre for Civic Inclusion for the excellent work in our community and wish it continued success with more conversation cafés.

\* \* \*

● (1410)

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

**Ms. Eve Adams (Mississauga—Brampton South, CPC):** Mr. Speaker, later today, the Minister of Finance will deliver our economic action plan 2013, a plan to create jobs, economic growth and long-term prosperity.

*Statements by Members*

Our economic action plan stands in sharp contrast to the risky NDP, who would hike taxes on the job creators and kill thousands of jobs in Canada. Where the NDP leader was not attacking the pro-Canadian Keystone XL project in Washington last week, he was demanding a \$34 billion tax hike on job creators.

The Canadian Manufacturers and Exporters report that if the NDP had its way, there would be 200,000 fewer Canadians working today. The NDP leader's plan to kill 200,000 Canadian jobs is just more proof that Canadians cannot afford the risky economic theories of the NDP.

\* \* \*

[*Translation*]

**150TH ANNIVERSARY OF WEEDON**

**Mr. Jean Rousseau (Compton—Stanstead, NDP):** Mr. Speaker, celebrations have started for the 150th anniversary of the municipality of Weedon, in the RCM of Haut-Saint-François, in the Eastern Townships. The Weedon we know today, which is part of Quebec's relay-village network, is the result of an amalgamation of four entities in the 1990s: Saint-Gérard, Fontainebleau, the township of Weedon and the village of Weedon. The people of this region have shown courage, bravery and tenacity in the face of socio-economic challenges over the past few decades.

They have not had it easy. They have faced early spring floods, the decline of the manufacturing and forestry sectors, students dropping out of school and demographic changes. Without a spirit of solidarity, this region would have become a ghost town.

Nevertheless, over the next few months, residents of Weedon will celebrate the success of a municipality where people have pulled together when the need has arisen. I would like to commend the hard work done by all of the volunteers involved in organizing the festivities, as well as the municipal council, led by Jean-Claude Dumas.

I wish Weedon all the best in the future.

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**THE ECONOMY**

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, let us look at the facts surrounding Canada's economic leadership on the international stage. *The Wall Street Journal* reported that Canada is "one of the developed world's most stable economies". The article then went on to say that Canada "outperformed most of its peers in the Group of Seven".

German Chancellor Angela Merkel said that "Canada's path of great budgetary discipline and a very heavy emphasis on growth and overcoming the crisis...can be an example for the way in which problems on the other side of the Atlantic can be addressed." Moody's said that "the Canadian banks still rank amongst the highest rated banks in our global rating universe."

When the Conservative government tables the 2013 economic action plan this afternoon, members can be certain that it will allow Canada to continue to be an economic leader on the international stage.

[*English*]

**INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION**

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, on March 21, 1960, South African police opened fire on a peaceful anti-apartheid demonstration, resulting in the deaths of 69 people. In 1966, March 21 became the International Day for the Elimination of Racial Discrimination.

Canadians have fostered a nation of tolerance and acceptance. I am honoured to represent the citizens of Markham, an incredibly diverse and accepting community. However, more must be done. Canada must remain a leader at home and abroad in ending racism and fostering acceptance.

On behalf of the Liberal Party, I would like to take this opportunity to renew our commitment to diversity and equality. I will close with the words of Nelson Mandela:

No one is born hating another person because of the color of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love....

\* \* \*

**THE ECONOMY**

**Mrs. Stella Ambler (Mississauga South, CPC):** Mr. Speaker, today our government releases economic action plan 2013. Our economic action plan would create jobs, economic growth and long-term prosperity. There are no more sleeps. The wait is over, and I cannot wait to hear from the world's greatest finance minister and my former boss, Canada's Minister of Finance.

However, I already do know that one thing our economic action plan would not do is hit Canadian families with an NDP job-killing \$20 billion carbon tax that would increase the cost of gas, groceries, electricity and everything else.

Unlike the New Democrats, who would hit Canadians with increased taxes, our Conservative government has cut taxes 140 times, putting an average of \$3,000 back in the pockets of Canadian families. The NDP leader can try to run from his job-killing carbon tax, but he cannot hide. Canadians know that from our Conservative government they would get a low-tax plan for jobs and growth, and from the NDP leader they would get a job-killing \$20 billion carbon tax.

\* \* \*

●(1415)

**THE ECONOMY**

**Mr. Dan Harris (Scarborough Southwest, NDP):** Mr. Speaker, this Minister of Finance is great. He is great at ushering in an era of skyrocketing household debt, great at ballooning our debt by over \$120 billion, great at allowing credit card and mortgage debt to go through the roof, and great at building the largest deficit in the history of Canada. To top off that legacy of shame, he is now meddling in the private affairs of individual companies, pressuring them to increase mortgage rates.

Even the Conservative Minister of State for Small Business understands that this is wrong. He gave his Minister of Finance a tongue-lashing yesterday, saying, "I would not dictate to businesses what prices to decide". We agree, and Canadians deserve better.

Thankfully for the member for Beauce and for all Canadians, there is the NDP. We will fight reckless Conservative interference and in 2015 we will form an NDP government and finally bring sound public administration to Ottawa.

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### THE ECONOMY

**Mr. Phil McColeman (Brant, CPC):** Mr. Speaker, our government is focused on jobs, growth and long-term prosperity. Thanks to the leadership of our Prime Minister, our Conservative government has been delivering results. The World Economic Forum rated Canada's banking system the world's best for the fifth straight year. The OECD is projecting Canada to lead the G7 in economic growth over the next 50 years. We have cut taxes 140 times, putting an average of \$3,000 back in the pockets of families. We are proud of our record on the economy and proud to have created 950,000 net new jobs since July 2009.

However, while we are focused on the economy, the NDP leader is scheming to implement a \$20 billion job-killing carbon tax on Canadians. Such a tax would ruin our economy and would raise the price of gas, food, electricity and everything else. Our government will continue to fight the NDP leader's \$20 billion job-killing carbon tax.

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## ORAL QUESTIONS

[Translation]

### EMPLOYMENT INSURANCE

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, today *Le Devoir* revealed that the Conservatives are going on a witch hunt to find those who exposed the intimidation tactics being used against the unemployed.

The executive director is launching an investigation into what she describes as an "unauthorized disclosure of documents".

They went after the unemployed, and now they are going after public servants.

Why do the Conservatives want to keep Canadians in the dark about how their tax dollars are being spent?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, employment insurance is very important for those who paid their premiums and who expect the program to be there when they are unemployed.

It is important that the program's funds be used to protect people who lose their job.

[English]

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, whistleblowers like this are heroes and they should be honoured, not hounded. This Conservative cover-up will not stop people from being outraged

### Oral Questions

about these home inspections and by Conservative attacks on employment insurance.

Conservatives were not transparent about their plans. They refused to consult with the people who were affected and now they are trying to cover their tracks. Why are the Conservatives investigating their own public servants for telling Canadians the truth?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, employment insurance is a very important program that Canadian workers pay into to ensure there is a fund there when they lose a job due to no fault of their own and find themselves unemployed. It has long been the responsibility of public servants to ensure that the fund is used for the people who are entitled to it and who genuinely need it. Obviously we support them in that important work.

\* \* \*

● (1420)

### ETHICS

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, Conservatives once honoured whistleblowers and now they are subjecting them to witch hunts, but their war on accountability gets even worse.

The Prime Minister is now defending a cheater and a rule breaker, Peter Penashue. This is a man who broke election laws. He made spending announcements after he realized he broke the law and he launched his re-election advertising campaign before he resigned.

When will the Conservatives stop using the Prime Minister's Office to promote their disgraced candidate?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, Peter Penashue has worked very hard on the things that the people of Labrador elected him to do and made considerable progress. The people of Labrador are the ones who will make the appropriate decisions in this regard. Minister Penashue has an important record he can point to and I think that will be much more important to the people of Labrador, their interests and what can be done to serve their interests than any sort of campaign by the NDP.

\* \* \*

[Translation]

### THE ENVIRONMENT

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, if you are the best, then you do not resign. If you are not good, you resign.

Speaking of "not good", the Minister of Natural Resources tried to hide Conservative inaction on the risks related to oil spills by smiling for the cameras.

However, the largest cleanup ship got stuck on a sandbar on its way to his news conference.

What is the system for preventing ships from running aground for a Conservative photo op?

*Oral Questions**[English]*

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, our marine safety system has served Canada well without a major tanker accident ever. Still, we will do more and that is why the Minister of Transport and I announced a comprehensive eight-point plan to develop a world-class tanker safety system.

Canadians can count on our government to responsibly develop our resources with strong science-based environmental protections, unlike the NDP who reject science.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I think the vote last night proves the contrary. However, the minister stood there claiming he could protect B.C.'s coast after all his government's cutbacks to protection, even though he knew hours earlier the largest oil spill response skimmer coming to Vancouver for his photo op had run aground.

Photo ops will not protect our shores any more than reality TV will protect our borders, or TV commercials will stimulate our economy. When will the minister work to prevent spills and accidents instead of causing them?

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, it was not our side of the floor that denounced a 2,000-page independent, objective, scientific evaluation performed by the State Department of the United States.

Canada already has a strong tanker safety system. We made it mandatory for ships in Canadian waters to have double hulled tankers, to have pilots onboard, to be accompanied by tugboats, to have advanced navigation equipment, and we will do more.

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**ETHICS**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, Mr. Penashue received his letter from Elections Canada outlining the illegal donations and the overspending, a letter that was sent on February 12. That would mean the Prime Minister and the Prime Minister's Office would have been aware of that letter shortly thereafter. It took over four weeks for the minister to resign. Then he had several trips paid for by taxpayers, several messages that were paid for by taxpayers, several meetings paid for by taxpayers.

How could the Prime Minister have allowed this to go on for so long without asking for his resignation?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I know the position of the Liberal Party on Labrador is that it is against the seal hunt, for the long gun registry and against the Lower Churchill hydro project. These are things that Peter Penashue has taken the opposite position on, positions that he and we feel more strongly and better represent the people of Labrador and the positions of the people of Labrador. Obviously we are encouraged by his fight for those things.

• (1425)

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, as usual, more whoppers than are served at Burger King in a week.

I would like to ask the Prime Minister to simply deal with the facts of this situation. If there is a slur campaign that is being run, it is being run by Elections Canada because it is Elections Canada that

has talked about illegal contributions. It is Elections Canada that has talked about overspending. It is Mr. Penashue who has paid back nearly \$50,000. It is Mr. Penashue who has resigned.

However, the point is that before he resigned, he and the Prime Minister took part in a systematic campaign to have the Government of Canada pay for the election expenses of Mr. Penashue. That is exactly—

**The Speaker:** The right hon. Prime Minister.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I do not think anybody on this side of the House makes any apologies for working hard for the interests of the people of Labrador.

These are important matters, as I have said before, ranging from the Goose Bay military base to the seal hunt to the Lower Churchill project to the ending of the long gun registry, all things that matter to people in that part of the country. We are very proud of our record on those things.

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**FINANCIAL INSTITUTIONS**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, Canadians know very well that being a Tory means never having to say sorry. That is exactly what has happened.

*[Translation]*

The Prime Minister never said sorry, not even for—

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

**The Speaker:** Order.

The hon. member for Toronto Centre has the floor.

**Hon. Bob Rae:** Mr. Speaker, the Prime Minister never said sorry, not even when the Minister of Finance meddled in the mortgage market.

A consumer with a \$400,000 mortgage will have to pay over \$10,000 for the Minister of Finance's interference.

How can the Prime Minister justify such interference in the country's markets?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, mortgage rates are currently at their lowest in the history of Canada because of sound economic management. The government regularly takes action to ensure that the market remains affordable and stable in the long term.

*[English]*

I should also point out that recent actions taken by the government would lower interest payments on the average mortgage over the life of that mortgage by \$150,000 for a Canadian family.

*Oral Questions*

[Translation]

**EMPLOYMENT INSURANCE**

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, as if it were not enough that the Conservatives are making the lives of unemployed workers very difficult, now they have started a witch hunt against public servants who criticize government policies.

Instead of trying to get their critics out of the way, they should listen to the message and change their bad policies. Why are they still treating Canadians like criminals when they themselves are the ones who contravened the Canada Elections Act?

[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 the Prime Minister has already mentioned today, the purpose of EI is to support those who have lost their jobs through no fault of their own. Service Canada has the responsibility to find and stop inappropriate claims so Canadians who have paid into the system can access the benefits when they actually need them. For those who are unable to find employment, as we have mentioned in the House many times before, employment insurance will continue to be there for them when they need it.

[Translation]

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Mr. Speaker, do you see how ridiculous this situation is? The Conservatives are asking public servants to investigate and blow the whistle on other public servants who blow the whistle on ridiculous policies. They have already sicced their secret police on unemployed workers and now they are targeting public servants. Who will they target next?

Instead of wasting time and energy on their secret police, why do they not offer better service to unemployed workers? If they have enough resources for a witch hunt, why are they cutting Service Canada?

[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 have just mentioned, the purpose of employment insurance is to support those who have lost their jobs through no fault of their own. Service Canada will continue to take on the responsibility to find and stop inappropriate claims for Canadians who have paid into this system to access these benefits as they actually deserve them.

Unlike the NDP we are here to support Canadians and create jobs, in fact, 950,000 net new jobs since the downturn of the recession. I encourage the NDP today to please support all the initiatives in our budget that will help create new jobs.

• (1430)

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, it seems like the secret police for EI were simply not enough for the Conservatives. In another underhanded attempt to infringe on the rights of Canadians, the Conservatives have imposed secret police on their secret police. Public servants who dare speak out or question will be sought out and questioned.

How much is this new bigger brother scheme going to cost?

**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, the purpose of employment insurance is to support those who have lost their jobs through no fault of their own. Employment insurance will continue to be there for individuals who have lost their jobs through no fault of their own as it always has been in the past.

As I just mentioned, we have created 950,000 net new jobs since the downturn of the recession. We encourage the NDP to support today those initiatives that we will be doing to create jobs, grow our economy and have long-term prosperity, unlike the opposition, who likes to travel abroad and destroy jobs by making decisions that—

[Translation]

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

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, there is a law to protect people who blow the whistle on financial fraud. There is also a law to protect people who blow the whistle in the public service.

Now it looks like we need a law to protect public servants against the excesses of the Conservatives' secret police.

Instead of wasting their time investigating people who blow the whistle on their bad policies, maybe the Conservatives should investigate electoral fraud in Labrador.

[English]

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, the purpose of employment insurance is to support those who are temporarily unemployed through no fault of their own. Our government will continue to support them by providing employment insurance to those individuals.

As the member opposite has mentioned, our government brought forward the whistleblower protection act 13 years ago under the scandal-plagued Liberals. If public servants know of some wrongdoing, we encourage them to bring that forward.

[Translation]

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, the Conservatives still do not have the first clue when it comes to employment insurance. They are unaware of the negative consequences of their reform.

While they rest on their laurels, one Canadian, New Brunswick's Maurice Martin, has been on a hunger strike for 16 days. Sixteen days! This is Canada. This situation is unacceptable.

When will they do something good for honest workers who lose their jobs instead of attacking them? Our Prime Minister should be ashamed of this.

*Oral Questions**[English]*

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, our government has created 950,000 net new jobs since the downturn of the recession. That is why we are putting in place policies and initiatives, such as the youth employment strategy, and making sure that apprenticeships are provided support through grants such as the completion grant and the initiation grants.

I encourage the NDP opposite to support those job creation programs and the long-term prosperity of the country that will be put forward in the budget today. Employment insurance, as we have mentioned before, will continue to be there for those who need it.

\* \* \*

*[Translation]***ETHICS**

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Mr. Speaker, they conduct a witch hunt against the unemployed and public servants, yet they can turn a blind eye to the illegal financial dealings of Peter Penashue in Labrador.

The Conservatives would have everyone believe that a campaign volunteer is to blame for violating the Canada Elections Act, except that right after the campaign, the Conservatives appointed that incompetent volunteer to the Canada-Newfoundland and Labrador Offshore Petroleum Board.

Will the Conservatives assure this House that they will stop using that office to hide their scapegoat?

*[English]*

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, I do not know why they are so negative over there all the time.

Yesterday was March 20 and it is springtime in Labrador. Thousands of people are working on natural resources projects. Hunters are free to hunt. Workers are free to work. School children are free to reach the world through high speed Internet. Canadian Forces Base Goose Bay is cleaned up and built up, and everywhere things are looking up.

It is springtime in Labrador and with Peter Penashue the future is looking bright.

\* \* \*

**NATURAL RESOURCES**

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, it is fall for the Conservatives.

As of last week, there is a vacancy on the Canada-Newfoundland and Labrador Offshore Petroleum Board—

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

**The Speaker:** Order, please. There is far too much noise in the chamber. I am having difficulty hearing the hon. member for St.

John's South—Mount Pearl. Order, please. We need a little bit of order.

The hon. member for St. John's South—Mount Pearl.

● (1435)

**Mr. Ryan Cleary:** Mr. Speaker, as of last week there was a vacancy on the Canada-Newfoundland and Labrador Offshore Petroleum Board.

Reg Bowers, former campaign manager for Peter Penashue, resigned from the C-NLOPB just hours after Penashue stepped down as MP. With the vacancy, I am sure the Conservative puppet masters are waiting patiently until they can make their next appointment.

This time can the minister at least promise, and I ask this on behalf of all Newfoundlanders and Labradorians, that the next patronage appointment will not be an inexperienced volunteer?

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, our government will work as expeditiously as possible to fill the vacancies with highly qualified and independent individuals. The offshore board's top priority is the health and safety of workers and protecting the environment. Canada has strong and independent regulators that will not approve any project other than what is safe for workers, safe for Canadians and safe for the environment.

\* \* \*

**ETHICS**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, penalties for breaking election laws can carry a five-year ban on running. That is five years. Mr. Penashue knows he broke the law. The Conservatives have paid back over \$40,000 in illegal donations, but instead of waiting for Elections Canada to finish its investigation, the Prime Minister has chosen him to run and is promoting his candidacy.

Should the government not let Elections Canada finish its investigation so the voters would at least know whether or not Mr. Penashue can even sit in the House of Commons?

**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 voters of Labrador will decide whether or not Peter Penashue can sit in the House of Commons.

It is clear why NDP members would not want Mr. Penashue to run. They do not want to tear down the efforts that he has made to deliver for the people of Labrador. Whether it is the project at Muskrat Falls that has delivered thousands of jobs, his work to eliminate the wasteful long gun registry, his defence of the seal hunt or his securing of funding for the new paving of the Trans-Labrador Highway, this is a man who has delivered for Labrador.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the Conservatives might try to tell people that Peter Penashue invented the Internet, but he still had to resign in disgrace for breaking the law. Those are the facts.

*Oral Questions*

We know that Peter Penashue accepted \$5,000 in illegal donations from Pennecon, but that is only a small number of the larger illegal donations that brought him down. The finances were in such a state, no one could even tell where these donations were coming from. There are donors who do not remember donating. There are receipts that were suppressed. There are donor names that do not even match the Elections Canada review file, and we have a disgraced former MP who may be facing charges.

Before the Prime Minister allows this man to run, why will he not insist that Peter Penashue come clean?

**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, Canadians are still waiting to find out when the NDP will finally come clean. It accepted \$340,000 in illegal union money. NDP members still have not taken responsibility. They have shown no accountability. One-third of their caucus is former union bosses and union bureaucrats, and their entire policy agenda is dominated by the union agenda.

On this side of the House, we work to deliver results for our constituents. That is why Peter Penashue has been so successful for his constituents, and why we believe they will re-elect him.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, on March 11, Peter Penashue flew back to Labrador on the taxpayers' dime on the very same day his campaign website was registered.

Will the Conservatives refund the taxpayers for the campaign spending? Since Pete is gone, perhaps “re-Pete” could get up and take some responsibility for a change.

**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, I would like to thank the very clever wordsmith for his question.

Peter Penashue delivered on the Muskrat Falls project to deliver jobs for his constituents and the Liberals opposed it. When Peter Penashue worked to get rid of the long gun registry, the Liberals opposed him. When he worked to defend the seal hunt, Liberals in the Senate once again opposed him. The reason they do not want to run against him is because he has delivered for Labrador and they have so demonstrably failed.

• (1440)

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, the European Union put a ban on seal products. Where did it happen? On your watch, my friend, your watch.

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

**Hon. John Baird:** He is blaming you. Why is it your fault, Mr. Speaker?

**The Speaker:** Order. I do not think I was Speaker at that time.

The hon. member must remember to address his comments to the Chair and not directly at other members.

**Mr. Scott Simms:** I apologize, Mr. Speaker.

On Peter Penashue the record is clear. He ran away from the TV cameras. He ran away from the public. He ran away from all of his commitments. The only time Peter Penashue felt it necessary to stand in the House was to use the washroom. It is absolutely ridiculous.

Will the Prime Minister take—

**The Speaker:** Order, please. The hon. parliamentary secretary.

**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, Peter Penashue is proudly running for the people of Labrador. He has a strong record to run on. He delivered thousands of jobs. He helped scrap the long gun registry. He defended the seal hunt against Liberal attacks. He defended the polar bear hunt. All along the Liberals opposed him.

They should know what George Bernard Shaw said. He said that if you don't believe it can be done, the very least you should do is get out of the way to let those who are doing it get it done.

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, Penashue's current campaign manager across the way insists that having a fraudulent election campaign is not a serious offence under the Canada Elections Act. Guess what? It is.

Let me tell the Conservatives right here and now that Labrador is not for sale at any price. It is only Conservative ethics that are at a bargain basement price right now.

With the cost of a fraudulent election campaign now at \$50,000 and climbing, will the Prime Minister stand in this place and say to the people of Labrador that the Conservative Party of Canada is apologizing for elections fraud and for denying the people—

**The Speaker:** Order, please. The hon. Parliamentary Secretary to the Minister of Transport.

**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 Liberals ask the same questions over and over again. We deliver the same answers, which are that this was a member of Parliament who delivered for his constituents. He goes back to them with a track record of the Muskrat Falls project, which created thousands of jobs. He has helped scrap the Liberal long gun registry. He has defended the seal hunt, protected the polar bear hunt, helped have the funding made available for the Trans-Labrador Highway. He has delivered for the people of Labrador and they will have a chance to make their decision.

*Oral Questions***SCIENCE AND TECHNOLOGY**

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, the Conservatives' war on science continues. Yesterday, they stood one by one and voted against public science, basic research and evidence-based policy-making. The Conservatives voted to continue their anti-science policies and to muzzle their scientists. They committed to end research that does not serve their ideological agenda and slash overall scientific funding.

How can Canadians have faith in any scientific research that comes out of the government when it so blatantly puts its partisan agenda ahead of the scientific community, ahead of the public interest and ahead of Canadians?

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, the only people in the House who are trying to silence scientists are the members of the opposition. They reject and ignore the science on the Keystone XL pipeline. It is a bit rich to hear from the members opposite when they also reject all of the scientific articles that show that bitumen is not more corrosive than any other type of comparable heavy crude.

When will the NDP stop pretending to support scientists and stop attacking Canada?

• (1445)

[*Translation*]

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** When the Conservatives talk about science, they have no credibility. Our scientists must be able to carry out their research without fear of any political repercussions. Despite the public outcry provoked by the closure of the Experimental Lakes Area, the Conservatives continue to deny the inestimable value of that research. That closure will be devastating to the scientific community.

Will the Conservatives cancel that budget cut and stop waging war against our scientists?

[*English*]

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, if it were up to the NDP, there would be no funding for science.

The NDP votes against funding for science at every opportunity. It rejects science anyway. It rejects the science behind the Keystone XL pipeline and the scientific studies that show that bitumen is no more corrosive than comparable heavy crude.

It would be my advice, Mr. Speaker, through you, that you stop pretending to support science and stop attacking Canada and Canadian jobs on the world stage.

**The Speaker:** I just want to remind the hon. minister that he cannot say “through the Speaker” and then use the second person, if he could keep that in mind.

[*Translation*]

The hon. member for Beauharnois—Salaberry.

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, why are they walking away like this? Why reject scientific expertise? Why throw away years of such useful and

important studies? Why kill Canada's role in studies to preserve ecosystems?

The Experimental Lakes facility is being completely dismantled. The Conservatives are literally killing scientific research piece by piece.

Why destroy decades of crucial research with this scorched earth policy? Why are they refusing to allow Canada to assume its responsibility for measuring the impact of climate change?

[*English*]

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, again, this side of the House put forward more than \$100 million to do exactly that kind of research.

That member and her party vote against it. They reject science, in fact inches thick of science that show the Keystone XL pipeline to be viable, and that it will create jobs for Canadians.

Mr. Speaker, if you would kindly tell the opposition members, they need to stop trash talking Canada and threatening Canadian jobs on the world stage.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, here is the truth on who is scorching science.

Last week the government re-announced research dollars for a University of Alberta study on nanomaterials to enable expanded use in electronics, computing, manufacturing and health care.

Simultaneously, the government mislead Trent University into thinking it could continue directly related NSERC-funded research at the Experimental Lakes on potential environmental and health impacts of those particles. The result: a full year of data lost and a third of the public investment.

Does the government defend this as good science or good governance?

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, actually my officials are working with this scientist to explore other options that do exist, because we fund science in Canada. The NDP vote against it—areas such as the Dorset Environmental Science Centre and the Turkey Lakes Watershed.

I want to ask this member, who is in fact from Alberta, how she could be in a party that goes south of the border and continues to attack Canadians, Canadian jobs and our lifestyle, when the science suggests nothing less.

### THE ECONOMY

**Mr. Mark Adler (York Centre, CPC):** Mr. Speaker, our Conservative government remains focused on what matters most to Canadians: jobs, growth and long-term prosperity. We are on the right track for Canadians.

However, Canada is not immune to the global challenges from beyond our borders. That is why economic action plan 2013 will keep working hard to grow Canada's economy and grow jobs.

While we are focused on protecting Canada's economy, the NDP has a very different plan. Would the parliamentary secretary please discuss, evaluate and comment on—

**The Speaker:** The hon. Parliamentary Secretary to the Minister of Finance.

**Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC):** Mr. Speaker, I want to thank the member for the question. Indeed, the NDP did recently release a pre-budget wish list.

This socialist spending spree included all the reckless taxing and spending that we have come to expect from the NDP, like a \$21 billion carbon tax, check—

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

• (1450)

**The Speaker:** Order. The hon. Parliamentary Secretary to the Minister of Finance has the floor.

**Mrs. Shelly Glover:** Mr. Speaker, they cannot handle the truth. It includes a \$21 billion carbon tax, a \$34 billion tax hike on job creators and \$56 billion in new risky spending.

\* \* \*

[Translation]

### PUBLIC SAFETY

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, it is difficult to understand the twisted logic of the Minister of Public Safety. Instead of looking after the safety of our communities, he prefers to play the apprentice television producer. There is not one Canadian who asked to watch refugees get arrested in HD. These refugees have probably gone through traumatic experiences. Exploiting people's misery is unacceptable. Border services officers do serious and dangerous work. It is not entertainment.

When will the minister stop defending the indefensible and put a stop to this dangerous publicity stunt?

[English]

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, this show is about the situations faced daily by front-line border officers. The privacy of individuals is protected at all times. The majority of episodes deal with front-line CBSA officers stopping criminals from entering Canada.

We expect the CBSA to enforce Canada's laws and ensure the safety and security of law-abiding Canadians.

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, every time the minister is asked this question, the diversion just gets bigger. He has a responsibility to be honest with Canadians on this question.

### Oral Questions

The minister personally approved a reality TV show that recklessly exploits immigration raids when he knows that Canadians value fair treatment, just as they value the safety of our borders and the safety of our communities. Now the minister is allowing border services to be cut while continuing to turn immigration raids into a reality TV show. When will he finally employ some common sense on this and put a stop to this program?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, our government has increased front-line border officers by 26%, and that member voted against that provision. Rather than standing up for law-abiding immigrants who work hard and play by the rules, the NDP chooses to make things easier for those who defy our laws and take advantage of Canadians' generosity. In fact, NDP members even voted against the faster removal of foreign criminals act.

\* \* \*

[Translation]

### NATIONAL DEFENCE

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, a growing number of armed forces members and their families are concerned by the announced cuts to military family resource centres. These centres are located across Canada and provide vital support to military families. These families want answers.

How much will the Conservatives cut from military family resource centres? What services will be cut or reduced? Will some of these centres be forced to close their doors because of the cuts? The families want answers.

[English]

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, the answer is simple. In fact, since 2006, we have seen a 25% increase in spending when it comes to support for the military family resource centres.

I met with some of the leaders of the military family resource centre this week and thanked them for their outstanding work that they do across the country. In addition to supporting them, we have also opened 24 new joint personnel support centres.

We are proud of the priority programs we have put in place to support the military and their families, while this member and her party continue to oppose and vote against all of these improvements.

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Mr. Speaker, I met with those same folks from the military family resource centre.

When 158 Canadian heroes paid the ultimate sacrifice on the battlefields of Afghanistan and thousands more were injured, it was the 34 military family resource centres across the country that provided the support and transition services to the families of these Canadian heroes.

*Oral Questions*

I would like the Prime Minister to stand in his place, look into those cameras and tell the people who work at the MFRCs why they must pay for the ineptitude and fiscal irresponsibility of this government.

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, what I would like is that once, just once in this member's long career in this place, he look military members, their families and veterans in the face and tell them the truth about his abysmal, abominable voting record of having opposed every investment this government has made in seven years to improve their lives, their equipment, where they live and where they work. All of the support that this government has provided, he has opposed, and he has worked against the improvement of the military every step of the way.

\* \* \*

• (1455)

[Translation]

**THE ENVIRONMENT**

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Mr. Speaker, over half of the Canadians who were asked about the government's economic action plan advertising campaign thought that the ads were a partisan move and a waste of money.

Why not use even a fraction of the money wasted on self-promotion to save the Experimental Lakes Area program? When will the government stop funnelling taxpayers' money into Conservative propaganda and instead invest it in protecting our aquatic resources?

[English]

**Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC):** Mr. Speaker, it is pretty rich, again, listening to the opposition members talk about any of this. In fact, every single time we put forward support for science or our veterans or our military, they vote against it; so it is pretty rich when they reject the science on things such as the Keystone XL pipeline, which is so important to Canadian jobs and Canadians.

Through you, Mr. Speaker, they should stop trash-talking Canada on the world stage.

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**GOVERNMENT ADVERTISING**

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, by 2015, the government will have spent nearly \$1 billion on partisan advertising. That is nearly three times what it spent on food safety this year, twice as much as what it spent on public health and more than 10 times what it spent on search and rescue. The Conservatives spent \$1 billion on its economic action plan ads. I would just like everybody to imagine what we could have really done, what Canadians could have done with that \$1 billion.

When is the government going to stop this wasteful spending of taxpayer money and put that money where it is supposed be, which is in the pockets of Canadians, helping Canadians?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, I really must disagree with

the hon. member. We have spent advertising dollars to ensure that the public is aware of government programs and also on public health grounds, such as the H1N1 virus and vaccines. These are important things for the health and safety of Canadians. I hope the hon. member is not suggesting we stop funding that.

Having done all of that, our spending is far below, 46% below, the spending of the last Liberal government.

\* \* \*

**FOREIGN AFFAIRS**

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, international pressure continues to grow for an independent investigation into the very serious allegation of war crimes that were committed in the final days of the Sri Lankan civil war.

New Democrats have long called for just such an investigation and, yesterday, the United Nations Human Rights Council passed a resolution that, once again, underscores the need for accountability.

Today, Conservative senator Hugh Segal is in Sri Lanka.

So, to the minister, will the senator be pushing the Sri Lankan government for an immediate independent inquiry into those reprehensible actions during that civil war?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, no other government in the world has worked harder, has pushed harder to ensure that there is accountability, meaningful reconciliation and a return to human rights in Sri Lanka. No other leader in the world has been more outspoken, more morally clear, on this issue than the Prime Minister of Canada. All Canadians can be tremendously proud of that.

We will continue to work through the Commonwealth, through the United Nations, to ensure that there is real accountability, meaningful reconciliation and a return to decent human rights in that country.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, it is essential that Sri Lanka not be rewarded for its inaction. Unless Sri Lanka complies with the United Nations' calls for an independent investigation, Canada must not participate in the upcoming Commonwealth meetings, and that is a period: no Canadian participation at all.

I have a very simple question for the minister. Would the minister make that clear commitment to Canadians here and now?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, the Prime Minister has been tremendously clear. We want to see meaningful progress with respect to reconciliation; we want to see meaningful progress with respect to accountability; and we want to see meaningful progress with respect to human rights abuses, which have occurred since the war concluded.

Canada has spoken out loudly at every international forum. Often, we are the only one with the courage to do so. I can certainly commit that this government, this Prime Minister, will continue to do the right thing on this important issue.

\* \* \*

• (1500)

### NATURAL RESOURCES

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, the Irving refinery is a key employer of highly paid workers in New Brunswick. I am proud to say I support a pipeline from Alberta to Saint John to support jobs and economic prosperity.

The Minister of Natural Resources recently visited the Saint John refinery and expressed our government's support for this pipeline. On the other hand, the NDP leader recently made unclear and contradictory remarks about the pipeline.

Could the Minister of Natural Resources update this House on our government's position on the west-east pipeline to Saint John?

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, while our government has supported a west-east pipeline since it was first proposed, the NDP leader has been less than clear. After he met with U.S. lawmaker Nancy Pelosi, she said that Canadians do not want the pipeline in their own country. That is news to New Brunswickers and millions of other Canadians who support pipelines.

From advancing the discredited Dutch disease theory to advocating against Canadian jobs, the NDP leader has shown he does not have what it takes to lead.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, I have a question about a miraculous transformation for the Minister of Natural Resources.

The giant of business who brought “decades of experience in business and economic development” and “nearly 30 years of experience in developing regional business prospects in Newfoundland and Labrador”, in the words of the Minister of National Resources when he appointed one Reg Bowers to the Canada-Newfoundland and Labrador Offshore Petroleum Board, suddenly was transformed into a nameless, inexperienced volunteer.

Can the miracle worker, the minister, tell me how this miraculous transformation took place?

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, we will continue to appoint very experienced independent people to our regulators who protect Canadians and protect our environment. We are very proud of the record of the Canada-Newfoundland and Labrador Offshore Petroleum Board.

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[Translation]

### REGIONAL ECONOMIC DEVELOPMENT

**Mr. Mathieu Ravignat (Pontiac, NDP):** Mr. Speaker, a major December snowstorm turned the Gatineau Valley into a disaster zone. While the local economy is in jeopardy, the Minister of the Economic Development Agency of Canada for the Regions of Quebec is not even bothering to respond to the demands of the area's

### Oral Questions

economic stakeholders, members of the SOS Vallée-de-la-Gatineau committee, or even the RCM's elected officials.

Will the minister stop ignoring these individuals and quickly implement a real plan to provide relief to the businesses that are affected?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities, Minister of the Economic Development Agency of Canada for the Regions of Quebec, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada, CPC):** Mr. Speaker, do not be surprised that the Conservative government is now to blame for snowstorms. I am not surprised at all. It has come to that.

Of course, a system is in place and it is working. There is a business office taking care of the entire Outaouais region. All these business people have to do is go and meet with Marc Boily, the director of the Outaouais business office, and he and his team will be happy to take care of any claims that are submitted. That being said, there has to be a claim to submit.

\* \* \*

[English]

### PUBLIC SAFETY

**Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC):** Mr. Speaker, today in Guelph, Constable Jennifer Kovach was laid to rest. Constable Kovach was killed in the line of duty while responding to a call for back-up from a fellow officer in trouble. We know that police officers put their lives on the line each and every day to keep our streets and communities safe.

Being a former police officer and member of the RCMP and having experienced the fatal shootings of two members of my detachment, I thank the police officers from across Canada who put themselves in harm's way daily to protect us. Can the Minister of Public Safety please comment on this tragic incident?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, first and foremost our thoughts and prayers are with Constable Kovach's family, especially her mother Gloria and father Bill. Constable Kovach made the ultimate sacrifice to help keep her fellow Canadians safe.

The death of a police officer in the line of duty is a sobering reminder of the devotion and sacrifice of those who serve each day to keep us safe. On behalf of the government and all Canadians, I thank police officers across Canada.

*Business of the House*

●(1505)

[Translation]

**TRANSPORTATION**

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, yesterday I asked the Minister of Transport, Infrastructure and Communities whether he was in discussions with Quebec and Montreal about extending the Montreal metro's blue line. He replied that he wanted to be a partner. We agree. This project would be important to the economic development of eastern Montreal, but federal funding for this kind of infrastructure is not always renewed.

How are discussions with the city going? What kind of partnership will be developed?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities, Minister of the Economic Development Agency of Canada for the Regions of Quebec, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada, CPC):** Mr. Speaker, in cases like this, we must respect jurisdictions. If the City of Montreal wants to speak with us, it must first speak to the Government of Quebec. That is how Canada's infrastructure system works, and the province of Quebec is the only province in which municipalities cannot speak directly to the federal government. The municipality of Montreal must speak to the Government of Quebec, which must make this issue a priority. The Government of Quebec must then talk to us. This process has not yet begun.

As soon as people have set their priorities and come talk to us, we will see. With respect to the issue of public transportation on the new bridge over the St. Lawrence, we are waiting for the province to choose the type of public transportation. As of right now, we have not received a request.

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[English]

**INTERNATIONAL TRADE**

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, my question for the Prime Minister is about an investor state agreement that was tabled with the House in February. It is with the west African country of Benin. Benin has a gross domestic product of \$7 billion. We can compare and contrast it to the People's Republic of China, which is \$7 trillion, yet this tiny West African country has negotiated far better terms that are much more protective of domestic health, environment and labour legislation in an investor state conflict than what Canada negotiated.

Why is this? Why could we not negotiate as good a deal as Benin got from us?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, as I think I have said many times before, Canada's economic relationship with China is very important. China is the second-largest economy in the world and growing. I note that Canadian businesses, Canadian investors and Canadians generally have welcomed the fact that we will have legal protections in our dealings with China.

[Translation]

**BUSINESS OF THE HOUSE**

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I have the honour to rise in the House to ask the Thursday question about what the Leader of the Government in the House of Commons has planned for the rest of the week and what is on the agenda for next week.

[English]

Canadians wait with bated breath and some healthy amount of fear for the finance minister's latest round of meanspirited and short-sighted attacks on the services that they relied on and paid for. If it is anything like his previous budgets, he will ignore economic reality, cling to ideological anchors and outdated views and continue to lecture Canadians on their personal debt while racking up the largest mortgage add-on to this country's debt in this country's history.

[Translation]

Could my hon. colleague on the other side of the House share his plans for the budget debate and his other plans for next week?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, we will continue with the report stage debate on Bill C-15, the Strengthening Military Justice in the Defence of Canada Act, until 4 o'clock.

At 4 o'clock, my friend, the hon. Minister of Finance, will unveil economic action plan 2013, this year's federal budget.

[English]

Of course, we will have to wait until that speech—which will not be much longer, I can assure the opposition House leader—to find out all of the important measures our government is putting forward to support jobs and growth for all Canadians, workers, families and the job-creating businesses that make all their lives better with the over 950,000 net new jobs we have created so far with, I am sure, more to come.

In the meantime, I can tell hon. members with certainty that with that objective of job creation in mind, economic action plan 2013 will not contain the NDP's risky proposals to hurt our economy and job creation. It will not include, for example, a tax hike on Canadian job creators, the one that was advocated by the leader of the NDP when he was on his visit to Washington arguing against Canadian jobs, a tax hike that Canadian manufacturers and exporters have said would cost 200,000 Canadian jobs off the top just in their sector.

The budget will not include the over \$56 billion in reckless past NDP spending proposals and, of course, our economic action plan will not include the NDP's signature initiative, its \$21 billion carbon tax, a concept that has already been rejected by Canadians. We will undoubtedly hear about these differences in priorities over the course of the four days of the budget debate, which our rules provide. Those days will be tomorrow, Monday, Tuesday and Wednesday.

Finally, on Thursday, March 28, we shall start third reading of Bill S-7, the combating terrorism act, before question period. After question period, we will resume the third reading debate on Bill S-9, the nuclear terrorism act.

\* \* \*

• (1510)

### POINTS OF ORDER

#### STATEMENTS BY MEMBERS

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Mr. Speaker, I rise on a point of order regarding a statement made yesterday by the member for Essex during statements by members. He stated:

—to mark the end of the Queen's Diamond Jubilee year, I awarded medals to 30 outstanding Canadians from Windsor-Essex...

The member then went on to list some 26 names. Then the member stated:

As well, I awarded the medal to four distinguished Canadian blacks...

I stand on this point of order to highlight that exclusion is one of the subtle tools of institutionalized racism. It slides by us, very often unnoticed, but it affected me deeply, viscerally and immediately.

I waited to stand today because I wanted to verify in *Hansard* that these were the words spoken. They were. I stand in this place and ask my hon. colleague from Essex to withdraw those remarks to demonstrate his belief that these individuals are not separate from those other outstanding Canadians.

**Mr. Jeff Watson (Essex, CPC):** Mr. Speaker, with respect to the intervention from my colleague opposite, I want to provide a bit of context in terms of background for that statement.

I did do my Queen's Diamond Jubilee Medal celebration on February 23, which consequently was also Black History Month. The reason I took note as a separate item of these distinguished medal recipients is precisely for the same reason we have a Black History Month. We have not yet reached the point where there is integration. Therefore, to celebrate the individual successes of Canadian blacks is important. It is important to commend that. I hope it is understood by the member opposite that is the spirit we have achieved. We will reach the point where it becomes our shared history, where we all embrace that aspect.

In terms of the specific term used, I did counsel with the former curator of the North American Black Historical Museum to ensure that I was accurate both in the speech I gave on February 23 at home and also with respect to my statement in the House when recognizing members. I did want to be very sensitive to that, so I hope the member understands there was no intention of any type of a slight.

This is a major celebration for all walks of life, but I thought it was appropriate because it was Black History Month. I did counsel with those who would have knowledge, including one of the Queen's Diamond Jubilee Medal recipients I spoke of, Ms. Elise Harding-Davis, who is a very well-noted expert on black history in Canada, a history going back as well to fugitive slaves and underground railroad history.

### Government Orders

I hope the member understands that is the context here. I do celebrate the accomplishments of all Canadians, including black Canadians.

**Mr. Tyrone Benskin:** Mr. Speaker, I want to point out that integration may not be fully resolved, but it would only happen if we actually practise it. Even though I understand what the member's intent was by separating those of African descent from the main list, it sends a message that they are not included.

Inclusion is what we need. Inclusion will build integration.

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## GOVERNMENT ORDERS

• (1515)

[*Translation*]

### STRENGTHENING MILITARY JUSTICE IN THE DEFENCE OF CANADA ACT

The House resumed consideration of Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, as reported (with amendments) from the committee.

**The Speaker:** Resuming debate, and the hon. member for Brossard—La Prairie has six minutes remaining.

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I am pleased to continue speaking to Bill C-15.

Before question period, I explained that this bill had been introduced during the 40th Parliament, and that it had been studied. Some changes proposed by the opposition parties had even been adopted. Unfortunately, the government did not do its homework before reintroducing Bill C-15, which means that we had to debate it all over again. I know that the Parliamentary Secretary to the Minister of National Defence complained during debate at second reading that we were debating these issues.

I would also like to remind him that in the House, not only must we debate bills, but we must also explain to Canadians the issue being discussed. It was only through that debate and the fact that the opposition was in a position to put forward all those factors, that the government backed down and accepted the amendments in order to improve the bill. Unfortunately, although we said that this bill was a step in the right direction, it includes one point that is still problematic.

I heard the parliamentary secretary ask a number of times this morning why the NDP is speaking today when it did not raise these questions in committee. However, that is not the case. Our position is clear. We raised it in committee; we discussed it. The Conservatives hold the majority in the House and in committees. They choose what they want to accept and they have accepted certain amendments.

I am thinking in particular about criminal records for members of the Canadian Forces. For someone who wants a normal life after having served his country, having a criminal record has some very negative repercussions. I remember rising here in the House to push the issue. We are happy that the government listened to us, that it listened to the opposition.

*Government Orders*

However, it backtracked on aspects that had been agreed upon during the 40th Parliament. Turning back specifically to the Military Police Complaints Commission, the MPCC, we are asking that the commission be truly independent. The proposal set out in Bill C-15 has a negative impact. This bill gives the Vice Chief of the Defence Staff the authority to establish guidelines and to issue instructions regarding police investigations. We also feel that has an impact on the terms set out in the current accountability framework and that it goes against the principle of independence. We feel it is a type of interference, which is problematic.

Glenn Stannard, chair of the Military Police Complaints Commission, raised this point when he testified before committee. I am not going to reread what he said, but I would like to make it clear that people will trust the independence of the military police when it is truly independent and when there is no interference. That is important. Again, when we say that we respect our military personnel and that they are important, we also must make sure that we have the best possible system in place.

That is why we are rising today. We are standing up for a better military justice system because the members on this side of the House have a great deal of respect for our men and women in uniform who have served and are still serving our country, and I know that the members opposite do as well. In fact, all members of the House have a great deal of respect for them. However, we must respect them not only when they are working to represent us but also once their work is complete. It is our turn, as legislators, to ensure that they have all the tools they need, to ensure that those tools are in their best interest and to support them in their return to civilian life.

Peter Tinsley, former chair of the Military Police Complaints Commission, testified in committee as an individual, and he supports the NDP's position.

● (1520)

He said that Bill C-15 is a step in the right direction. However, he also said that the independence of the police, recognized by the Supreme Court in 1999, is also a problem. The provision we are talking about right now, namely, subsection 18.5(3) of the bill, violates the judicial independence recognized by the Supreme Court of Canada in 1999 as a fundamental principle underlying the rule of law. What is more, the subsection deviates from the norm with regard to the relationship between the police and the government.

That is why we are rising today. This morning, the Parliamentary Secretary to the Minister of Justice repeated the same question several times. He was trying to find out why the NDP did not rise. I would like to answer him by saying that this was something that we raised in committee and that was put forward. Some progress was made on the issue and the government agreed to certain amendments, but there is a problem with this provision.

The motions moved by the hon. member for Saanich—Gulf Islands are a step in the right direction, but they are not exactly what we wanted. However, we know that, at this stage, these motions will allow us to move forward. That is why we are discussing this subject. It is important to debate it in the House. We have seen that this can have a positive effect because the government can learn from what is happening and move in the right direction.

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, the hon. member for Brossard—La Prairie is painting us a very nice picture of what the NDP could do. He says he wants a better military justice system. Excellent. He says he wants to improve the bill. In reality, his party and he himself are supporting an amendment that, over several weeks of study, was never proposed in committee.

At second reading of this bill in this House, it was never mentioned, despite the 78 speeches made by New Democrat members. In the last three Parliaments when we had a minority government and they had much more influence over bills, there was never any question of the amendments proposed today by the hon. member for Saanich—Gulf Islands.

In reality, it seems that the NDP wants to needlessly prolong this debate by doing what it always does, which is to vote against the interests of the Canadian Forces.

**Mr. Hoang Mai:** Mr. Speaker, I am a little disappointed with the tone of the Parliamentary Secretary to the Minister of National Defence. He knows full well that debate and discussion are important in this Parliament. This is the first government in the history of Canada to be found in contempt of Parliament by imposing a record number of gag orders, I do not know how many. The government clearly sees that the opposition is highlighting the issues, proposing amendments and trying to work to make the legislation the best it can be. He clearly said, "in the best interest of military justice". That is what we are trying to do and what we are trying to propose.

Unfortunately, when we arrived with some very reasonable amendments that the government could have accepted, they rejected them. That is why we are speaking about this today. It is important to discuss it today, contrary to what the government is used to doing. It is used to saying that if we oppose the government, we are against the government. That goes against what we should be doing as parliamentarians. That is why I was disappointed with the parliamentary secretary's tone.

● (1525)

[*English*]

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I want to correct the record.

The NDP did put forward a very similar amendment to what we are debating today. In my judgment, it is actually a better amendment. It was thoroughly debated, we had witnesses on the issue and it was rejected by the Conservatives, using their power of the majority. Therefore, the member for Saanich—Gulf Islands has put forward this amendment for debate today.

It is very difficult to support the government when generally speaking on this issue the Conservatives are actually moving in the right direction. Therefore, why, in heaven's name, do they continue to belittle the legitimate activities of the opposition members who are bringing forward what is a significant concern of numerous witnesses, expressed to the committee but ultimately rejected by the government? That is apparently what debate is for.

I would be interested in my hon. colleague's comments on doing the right thing.

*Government Orders*

**Mr. Hoang Mai:** Mr. Speaker, I agree. We are the opposition. All parties are together. That is why we have come together with the government to make Bill C-15 a better bill. There are still holes in the bill. We want to make it better. That is why we said we would support it in the way we want it to move forward. It was a good step. However, there are things that need to be amended.

I would like to thank my colleague for mentioning that we came up with some amendments, which were better than what is currently proposed. However, they were already refused. There was debate and discussion at committee. Right now what we are saying is that we want to support the bill and make it a better bill, even though the amendment does not come from our party. We are not partisan on that front. We just want to support it, because we want to move forward, and we want to make it a better bill.

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, today it is my pleasure to speak to Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, which brings about a number of improvements in response to recommendations concerning the military justice system.

Bill C-15 is simply the latest incarnation of various bills introduced in the House, such as Bill C-7 and Bill C-45 in 2007 and 2008, and Bill C-60, which came into effect in July 2008. Bill C-60 simplified the structure of courts martial and created a mechanism to choose a type of court martial more comparable to the civilian system. Bill C-41 was pretty good. At the time, it went farther than Bill C-15 did initially, but unfortunately, it was never adopted.

It is important to note that Bill C-15 came about because of concerns over how the military justice system has worked for years. A number of flaws were identified in the wake of the 2003 report of the former Chief Justice of the Supreme Court, the Right Honourable Antonio Lamer, and the May 2009 report of the Standing Senate Committee on Legal and Constitutional Affairs.

Justice Antonio Lamer's authority was well established, and the government had every reason to take the former chief justice's many recommendations into account. To a certain extent, Bill C-15 is a response to those concerns. However, because it does not go far enough, we proposed amendments in committee. One of our amendments was agreed to, but the others were rejected, unfortunately. Nevertheless, we are pleased that Bill C-15 was improved enough for us to be able to support it at third reading.

By way of context, it is important to note that our military justice system operates separately from our criminal justice system because our military personnel play a special role in our society. Because of their role, they have certain special powers that ordinary citizens do not. Along with that, they have to comply with very high disciplinary standards related to the hierarchy and organization of the military system on the ground so that they can respond effectively during military operations. A lot of very structured preparatory work also has to happen.

There is a very specific way in which the military justice system must answer to that structure, which is separate from society. The system must be held to very high standards and must not needlessly trap veterans and former members of the Canadian Forces after they

have finished serving. They find themselves trapped in needless uncertainty because of mistakes they made that, normally, would not result in a criminal record.

We can be pleased with the fact that, in committee, the NDP was able to get a major amendment passed, which changed nearly 95% of disciplinary code infractions so that they will no longer result in a criminal record.

• (1530)

That is the main reason we are now supporting Bill C-15.

As everyone knows, a criminal record comes with very unpleasant consequences. For example, a criminal record can keep a member from starting a new life and pursuing a second career, a career that could be limited by the member's inability to travel to the United States or to fulfill certain duties that he is qualified for because of his military experience and training. The fact that it is so easy to have a criminal record after spending one's life in the armed forces is a major irritant and totally unacceptable.

I mentioned two reports, one by Justice Antonio Lamer and one by a Senate committee. However, we would have liked the government to respond more quickly, and we want it to respond with tangible measures to the report by the former Ontario Superior Court Chief Justice LeSage. He also completed a study on the National Defence Act, which he presented to the government in December 2011. Bill C-15 does not really cover that, which is very unfortunate.

Another aspect is rather ironic. I am currently a member of the Standing Committee on Finance. We recently examined Bill C-48, a huge and very technical bill that makes changes to some aspects of the Canadian tax system. Instead of a gradual, piecemeal approach, we would have liked to see a more major reform, although not a massive one that would make it impossible to study the military justice system.

I was a member of the Standing Committee on Justice and Human Rights, and I noticed a very similar approach when it was time to change some details in the Criminal Code. There was a real lack of vision, which is truly appalling. Our soldiers, who fulfill a very important and admirable role, both in Canada and around the globe, should definitely not be victims nor should they be subjected to such improvisation on the government's part. It is really appalling. Our soldiers would be much better off if the military justice system had the same or similar standards as the civilian justice system, since this would bring us in line with other countries.

When the NDP forms the government in 2015, our party will be committed to doing more to make a real difference, which will allow us to offer all members of our armed forces a justice system worthy of that name and, above all, worthy of the appearance of justice earned.

*Government Orders*

That is probably the most important aspect, and the final point I wanted to make. Ensuring the appearance of justice is a fundamental principle of our justice system. This appearance is especially fundamental because it forms the basis of public confidence and, therefore, the confidence of members of the armed forces in the military justice machine.

I hope the government has listened to our hopes and wishes. I thank the government again for accepting a fundamental amendment regarding the consequences of possibly getting a criminal record.

I am now ready to hear my colleagues' comments and answer their questions.

● (1535)

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, let us be clear, the Right Hon. Antonio Lamer's recommendations in that regard have been shelved for almost a decade. Justice LeSage's recommendations will never give rise to legislation until this bill is dealt with.

A number of opposition members have already said that the bill is good enough. Let us be clear and have unanimity on one point: the amendments are not very good. You do not refer to an administrative document in a bill. There is no precedent for that. The bill, without the amendment, already requires the Provost Marshal to make the instructions available to the public.

Does my colleague from Beauport—Limoilou agree that this is a good time to vote on this bill?

[English]

**The Acting Speaker (Mr. Bruce Stanton):** Before recognizing the hon. member for Beauport—Limoilou, I would tell hon. members I realize that we have a large gallery here in the afternoon just ahead of the budget, and of course we will do whatever we can to accommodate that in the best spirit we can. You may want to increase the audio on your control. We will seek the best cooperation we can from the gallery in all instances, but it is welcome to have members of the public here for the budget.

The hon. member for Beauport—Limoilou.

[Translation]

**Mr. Raymond Côté:** Mr. Speaker, I will try to make my voice carry. I can do it because I had the pleasure of being involved in the theatre when I attended university.

I heard the interpretation of the Parliamentary Secretary to the Minister of National Defence. I am disappointed with his whining about expediting the process. That was the kind of comment I heard during consideration of Bill C-48, the mammoth 1,000-page bill. Our witnesses said that it was time to adopt the huge tax bill, but they did not ask us to expedite the process. They thought the bill was so lengthy that, given the time allotted, it would be adopted without really having an opportunity to make improvements and that we would have to live with it.

Who is acting in good faith? In a few minutes, the government will introduce a bill and it will probably be impossible for us to study it in its entirety given the time allotted. Therefore, I reject the member's claims.

● (1540)

[English]

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, it appears that the government cannot take yes for an answer. The parliamentary secretary seems to not understand that the opposition parties will likely support the bill, but the opposition parties are also pretty clear that the rejection of an amendment with respect to proposed section 18.3 is not acceptable.

The government has taken what is generally not a bad piece of legislation and made it less good than it could be, which is regrettable because we do not get that many opportunities to amend a justice system, let alone a military justice system.

Various speakers have gone through various reiterations of how the bill has not seen progress for a long time, and here we are on the brink of making some progress. There is one little speed bump left: the government is digging in its heels. It rejects the amendment out of hand and says we have debated this for way too long.

I would be interested in my hon. colleague's views on this matter.

[Translation]

**Mr. Raymond Côté:** Mr. Speaker, I thank my colleague for his comment.

As they say, the devil is in the details. When we start to tinker with this kind of a justice system, it is not unreasonable to look at every possibility. In fact, doing so is a necessary precaution.

I urge the government to be open to potential amendments, in addition to the ones that have already passed, so that we can create the best possible bill and offer our soldiers the best conditions.

We have a long way to go to be able to give our men and women in uniform—who give up so much of their lives—the best we have to offer.

[English]

**Mr. John Rafferty (Thunder Bay—Rainy River, NDP):** Mr. Speaker, I rise to speak to Bill C-15, which would amend the National Defence Act to strengthen military justice. This is following a couple of studies and papers put forward, one in 2003 and one in 2009. The 2009 report was of the Standing Senate Committee on Legal and Constitutional Affairs.

Among other things, the bill would provide greater flexibility in the sentencing process. It would provide for additional sentencing options. It would include absolute discharges for minor offences, intermittent sentences and restitution. It would modify the composition of a court martial panel in accordance with the rank of the accused person. It would modify the limitation period applicable to summary trials and would allow an accused person to waive the limitation periods. It would clarify the responsibilities of the Canadian Forces Provost Marshal and would make amendments to the delegation of the Chief of the Defence Staff's powers as the final authority in the grievance process.

*Government Orders*

As we heard earlier today, the New Democrats are supportive of this legislation because it would be a step forward. Unfortunately, and perhaps anticipating a question from the parliamentary secretary from Ajax—Pickering, why take one step when we could take two, three, four or more steps? It has been a pattern with the current government in legislation that comes forward. The member for Ajax—Pickering is a very intelligent and well-spoken man, and I am sure he understands more steps could be taken but is unwilling to take them. Perhaps in the question period we will have an opportunity to hear from the member about why he will not take that extra step.

For the most part, Bill C-15 would be a step in the right direction. However, as we have heard from other speakers, it could go further. Let me speak to a couple of amendments that are coming forward at report stage from the member for Saanich—Gulf Islands.

There are two amendments, and although they are not perfect, they could be amendments that need to be discussed. Canadians expect us to be in this place, to work in committees and to make legislation the best it can possibly be. That means putting forward amendments. Sometimes the amendments are not perfect, but if an amendment is not perfect as put forward, it should be the responsibility of the committee, and in particular of the parliamentary secretary on that committee, to ensure that there could be a counter-amendment, or other amendments or things that could make the legislation better in almost every instance as it comes before the committee. Canadians expect us to do that. Therefore, I hope these amendments from the member for Saanich—Gulf Islands, which I will briefly outline, will be considered in the light in which they were given, which is to improve the legislation.

The member put forward two amendments at report stage regarding proposed subsections 18.5(3) and 18.5(5) of the National Defence Act. Clause 4, which would add section 18.5 to the National Defence Act, would give the Chief of the Defence Staff authority to direct military police investigations. The Green Party's amendments would amend that section of the act, which the NDP targeted as problematic and attempted to amend without success during committee.

The second amendment put forward by the member is a measure that would increase the transparency of this problematic authority that would be given to the Vice Chief of the Defence Staff by Bill C-15. While this amendment would be an improvement, we strongly believe that granting the Vice Chief of the Defence Staff this authority could be a violation of maintaining the independence of the Military Police Complaints Commission, so we will be looking at that.

When these amendments are put forward, we and all Canadians expect both opposition and government members of the committee to look at them, take them in the spirit in which they were brought forward and deal with them in an appropriate manner to make the legislation better.

What we as the opposition are hoping for, and what I hope the government members are also interested in with this bill, is to come up with a fairer military justice system. That is the bottom line on Bill C-15. It could be fairer than the final product is likely going to be, and it would be nice to have gone that extra step forward.

● (1545)

There are many important reforms in the bill, and the NDP supports this long overdue update to the military justice system. Members of the Canadian armed forces are held to a very high standard. In turn, they deserve a judicial system that is also of a very high standard. I cannot emphasize enough how important it is to understand that this is a step forward, although there could be another step and another step.

Let us briefly talk about, in the time I have left, five items that either need to be looked at or that are included in the bill.

The first thing, and maybe one of the most important, is conducting an independent wall-to-wall review of the military justice system and providing a legislative response to the LeSage report within the year. One of the things that has not happened is a wall-to-wall review. Recently, a recently retired judge of the Federal Court of Appeal and Court Martial Appeal Court of Canada, Gilles Létourneau, outlined the need for such a review. Therefore, there are still things that will need to be done moving forward.

A reform of the summary trial system is another thing. Currently, a conviction of a service offence from a summary trial in the Canadian Forces may result in a criminal record without the proper procedural fairness for the Canadian Forces member. Summary trials are held without the ability of the accused to consult counsel. There are no appeals or transcripts of the trial and the judge is the accused person's commanding officer. These are things that will be looked at as we move forward.

Another item is expanding the service offences exempted from receiving criminal records. There are a number of minor service offences that result in criminal records right now and I believe this will be expanded by about 95%. That is certainly a good thing. I do not think that the military term is "goldbricking", but I know there is an official term and perhaps the parliamentary secretary will help me out with that in the questions. However, offences such as that should not lead to criminal records as often happens outside of the military duties of the Canadian Forces members. Certainly, outside of the Canadian Forces, it would not be an issue.

In my remaining time, let me talk about strengthening the Military Police Complaints Commission. I know, again, that the parliamentary secretary will have a comment on this. While a lot of Bill C-15 is a step forward, it does not move forward enough. Elements of clause 4 regarding the complaints commission are a clear step backward within the military justice system.

*Government Orders*

I have been listening to the debate over the course of today and the parliamentary secretary was commenting to some of the other speakers about this particular issue. The reason I am bringing it up at the end is that we might have an opportunity to speak to it further. He will probably be concerned about why we did not say or do anything about it earlier in the process of the bill. We moved amendments earlier in committee on Bill C-15 to remove the power to interfere with military investigations. This was after listening to the testimony of a number of witnesses. We opposed that power then and we still oppose it. However, we do support the bill on the whole because it is a step forward.

This is a dilemma that we have had since 2006 with the government putting forward legislation that may have something in it that would not allow us to vote for it in all good conscience. The government may also put something into a bill where it could have gone further and taken the steps necessary to make it good legislation, perhaps legislation that would not be challenged in court at a later date.

I want to emphasize that we do support Bill C-15, but it certainly could have been better.

• (1550)

**The Acting Speaker (Mr. Bruce Stanton):** Before we go to questions and comments, there is a lot of noise in the chamber and I would remind hon. members that we are still in debate. I know there is a lot of anticipation on an afternoon like this, but we recognize that other hon. members will have the floor.

Questions and comments, the Parliamentary Secretary to the Minister of National Defence.

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I thank the member for Thunder Bay—Rainy River for his contribution to this lengthy and lengthening debate. However, he has called for a wall-to-wall review of the military justice system.

That review was done 10 years ago by the Right Hon. Antonio Lamer, former chief justice. We have still not translated those recommendations into legislation. We have quite an audience here today and across the country for an issue that has been before four Parliaments. Canadians are asking why we are still debating these urgent matters that need to come forward.

Will the hon. member please tell us why, if this amendment is so good, it was not raised by the NDP in committee. It certainly was not raised in this forum. It was not raised in the 78 often repetitive, to be very honest, speeches by him and his colleagues at second reading. It was not raised in the 40th Parliament. It did not even feature among the amendments brought forward at report stage in the 40th Parliament where we were in a minority position and the NDP had much more influence over the shape of the bill. Why is it coming so late? Why the delay? Why no military justice updated and modernized for our Canadian Forces?

**Mr. John Rafferty:** Mr. Speaker, I thank the member for his question. As I said before, I know this member from Ajax to be a highly intelligent and very committed member of Parliament, but to answer his question, I have to remind him that we are not government yet. The time will certainly come in 2015 for Canadians to make that kind of decision.

A call for a wall-to-wall review was done in 2003, but it is 10 years later. Of course, the Conservative government has been here for most of that time, and the member is asking why it has not been done.

• (1555)

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I may not share the member's optimism about 2015, but I do find passingly bizarre this line of questioning from the government about this wall-to-wall review.

Bill C-15 is the wall-to-wall review. We are 98% done. There is a small section that is being debated, and the government is putting up this wall of resistance to what is, in many people's judgment, a very simple fix. It can be fixed. It can be done. It is a system that is currently working, so why mess with it?

I would be interested in the hon. member's speculations as to why the government is putting up such bizarre reasons for what many argue is a simple fix.

**Mr. John Rafferty:** Mr. Speaker, the problem is that the government has a piecemeal approach to these sorts of things, and it is not just this bill but all kinds of other bills. I cannot speak on those before 2008, but almost every bill that has come before the House in this Parliament and the Parliament before are piecemeal, rather than having one comprehensive bill come forward and everybody is standing in this House when it comes time to vote.

If it were ever deserved by this government, I would be happy to say, "Thanks very much; that is a fabulous bill and I support it". Unfortunately, the best I can do in this particular case of Bill C-15, and just about every other bill the government has put forward, is to say, "That is an interesting attempt from the Conservative government, but why did it not go that needed step further to make legislation of which we and all Canadians could be proud?"

[*Translation*]

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I do not have a lot of time for my speech, since it is getting late and there is an important speech coming up.

The parliamentary secretary has been repeating the same question since early this afternoon. I just want to point out to him that the NDP proposed 22 amendments and 5 subamendments to improve this bill in committee. We are not talking about one or two amendments. It was 22 amendments and 5 subamendments. How many of these amendments were approved? Not a single one.

We worked very hard to get one amendment passed, and this amendment is essential to our support of this bill. This amendment was eventually presented by the Conservatives. We worked very hard to ensure that members of the armed forces do not end up with criminal records.

*The Budget*

This bill is very important, even though it is a long time coming. The bill responds to reports dating back to 2003, as my colleagues mentioned earlier. They made some excellent speeches and showed that this bill does a lot of good and that it represents a good step forward.

I would like to talk about the important point that the NDP gained, because we work very hard in the House and in committee. As a result of our hard work, 95% of disciplinary code breaches will not lead to a criminal record, as was the case previously. That is thanks to the NDP.

That is why we will support this bill. We worked hard in committee, did our homework and were on the front line.

As I mentioned, we proposed 22 amendments and five subamendments to improve this bill. Unfortunately, the Conservatives voted against them.

We are very proud to have managed to get the main amendment. Our Canadian Forces are people who sacrifice their lives and sometimes ruin their family lives to serve our beautiful country and its people. When they leave the Canadian Forces, they do not deserve to have a criminal record for breaches that are not serious or are minor, and for which they would not receive a criminal record in the civilian system.

For that reason, I will say that this bill is a step forward. However, I would like to tell the parliamentary secretary who just rose a number of times to tell us that we are not doing serious work, that the opposite is true. We are doing serious work. We proposed 22 amendments and five subamendments in committee. The parliamentary secretary voted against all those measures.

We finally have a bill that we managed to improve. We are very proud of it. We are very pleased with it. We will not give up, and we will continue on.

Some people had some doubts earlier, but it is true that we will be in power in 2015. It is true that we will do what needs to be done in 2015 to have a true democracy and adopt budgets that do not come in an omnibus package and that can be studied.

That is how things will go in 2015. The budgets would be proposed in committee and will be studied as they should.

● (1600)

[English]

**The Speaker:** The hon. member will have six minutes left to conclude his remarks the next time this bill is up for debate.

It being 4 p.m., the House will now proceed to the consideration of Ways and Means Proceedings No. 15, concerning the budget presentation.

\* \* \*

[Translation]

## THE BUDGET

FINANCIAL STATEMENT OF MINISTER OF FINANCE

**Hon. Jim Flaherty (Minister of Finance, CPC)** moved:

That this House approve in general the budgetary policy of the government.

He said: Mr. Speaker, I am tabling the budget documents for 2013, including notices of ways and means motions.

[English]

The details of the measures are contained in these documents. I am asking that an order of the day be designated for consideration of these motions.

I also wish to announce that the government will introduce legislation to implement the measures in the budget.

Mr. Speaker, I rise to present Canada's economic action plan 2013, a plan for jobs, growth and long-term prosperity.

Canada is in an enviable position among the world's industrial economies. We have fared relatively better than most in the aftermath of the worst recession in a generation. As many of our allies and trading partners continue to struggle, we are well placed to prosper.

We have a lot to be proud of: today we find ourselves further ahead than any other G7 country when it comes to creating jobs and economic growth; further ahead than any other since 2006 when it comes to income growth; and further ahead than any other when it comes to our debt to GDP ratio.

Now we stand among just a handful of nations the world over with our AAA credit rating, and Government of Canada securities are among the world's most sought-after investments. This means that investors here and abroad are confident in our government's ability to manage the economy now and into the future by sticking to the long-term view and by taking strong, decisive actions whenever it has been required. We have grown stronger, even as many have weakened. It is imperative that we continue along this path.

Make no mistake; there are still significant risks ahead. The global economy is still fragile, and some of our biggest trading partners are among the worst affected. This makes our job more difficult, but it is also clear to the world that Canada has picked the right path and the right plan, a responsible plan for jobs, growth and long-term prosperity.

Today we outline a course of action in keeping with all of our work so far. It builds on a legacy of success. It is an intentional, consistent plan that we have implemented with firm commitment from coast to coast to coast.

This plan takes action in three important areas. It introduces the Canada job grant, a bold new initiative to transform the way we provide skills training to ensure we connect Canadians with available jobs. It introduces a new building Canada plan, the largest and longest federal investment in building roads, bridges and public transit in Canadian history. It also introduces a plan to assist our manufacturers and other businesses as they innovate to compete in the global economy.

Families are the building blocks of every nation and indeed the foundation on which Canada rests. The measures outlined in economic action plan 2013 build on our government's steadfast commitment to Canadian families. Much of what I announce today is aimed at making this country an even better place to raise a family, to work and to establish a business.

*The Budget*

However, before I proceed, I need to make one thing very clear. It is simply this. Our government is committed to balancing the budget in 2015. In uncertain global economic times, the most important contribution a government can make to bolster confidence and growth in a country is to maintain a sound fiscal position. Every Canadian family knows that. When expenses outstrip income, the future of the whole family is at risk, and our government knows—even if some in the House do not—that no nation can borrow its way to long-term prosperity. We will not put the future of Canadian families at risk. We will not waiver from our commitment to create jobs and fill jobs for Canadians. We will not spend recklessly.

• (1605)

Economic action plan 2013 contains the smallest increase in discretionary spending in nearly 20 years.

We are also doing our part by looking inward. Our plan introduces measures, for example, to reduce spending on travel and to end duplication of internal government services. Let me be very clear about what else this government has not done and will not do.

• (1610)

[*Translation*]

We will not reduce transfers, whether it be transfers to individuals, children and seniors or transfers to provinces and territories for critical services like health care and education. In fact, we have increased funding for health care, education and other important social services by almost 50% since 2006, and funding for these important social programs will continue to rise each and every year our government is in power.

[*English*]

We will not raise taxes, but new measures to close tax loopholes will help ensure that everyone pays their fair share. We will not back away from our steadfast commitment to fiscal responsibility. We will not balance the budget on the backs of hard-working Canadian families or those in need. However, we will balance the budget, and we will do it in 2015.

Sir Clifford Sifton, who was a cabinet minister in Sir Wilfrid Laurier's government, had some good advice that still stands today. Sir Clifford wrote in a letter to his son, "In time of prosperity, prepare for trouble".

In 2006-2007, when few could foresee the magnitude of the trouble that was coming, we prepared. We cut taxes for families and for job-creating businesses. We paid down billions in national debt. We launched the building Canada plan to modernize roads, bridges and public transit in cities and communities across Canada. These decisions have paid off.

[*Translation*]

For, when the crisis hit, Canada was in good shape relative to other nations. Our strong financial sector remained solid. Our reputation among investors remained strong. In 2009—the darkest days of the recession—we took quick and decisive action to stimulate the economy. In fact, we gave the economy a \$64-billion shot in the arm. That, too, worked. Now, Canada is recognized around the world as a safe, stable place to invest.

[*English*]

While Canada has fared well, we cannot afford to be complacent. There are still signs of trouble ahead. The world economy remains fragile. Global growth has slowed. Canada is not immune.

[*Translation*]

Abroad, our neighbours to the south and our European partners continue to face significant economic hurdles. Much of Europe—the world's largest economy—is still in recession and needed reforms are not certain. The U.S. is burdened by massive debt and recovery is sluggish. As a result, the appetite for Canadian exports is unsteady.

Meanwhile, emerging economies are becoming stronger and more competitive.

[*English*]

At home, we have concerns about the high level of household debt, and we have a significant challenge in the labour market. In fact, the Canadian Federation of Independent Business points out that one-third of its members say that a shortage of skilled labour is constraining growth. The Canadian Chamber of Commerce has identified the skills shortage as the number one obstacle to the success of its members. I can see why. There are too many jobs that go unfulfilled in Canada because employers cannot find workers with the right skills. Meanwhile, there are still too many Canadians looking for work.

Do not get me wrong. Canada's workforce is among the very best in the world. As job creators, we have an enviable record. Not only have we recovered all the jobs lost during the recession, we have added almost half a million more. That is more than 950,000 jobs since the recovery began. These are overwhelmingly good, high-paying, full-time jobs in the private sector. In fact, more Canadians are employed than at any other time in our history. Yet I believe that we can and must do better.

Training in Canada is not sufficiently aligned to the skills employers need or to the jobs that are actually available. This means higher unemployment and slower economic growth than we should otherwise expect.

• (1615)

[*Translation*]

Unless we act now, this problem will be compounded as the recovery continues. Demographics are not on our side; the skills shortage will only get worse due to an aging population.

You might think this is just a problem for specific sectors like energy, mining or construction, or, specific regions like the west, but it is not.

The Atlantic Provinces Economic Council has summed up well for their region what is an emerging national problem.

*The Budget*

The council reports: “Labour markets in Atlantic Canada are undergoing a profound shift from high unemployment to increased concern about a skills mismatch and a shortage of workers.”

[*English*]

Matching the needs of employers with the training Canadians are getting is key to turning this trend around. Fortunately, by providing the right training, we can significantly reduce the mismatch between employers and job-seekers. That is why our government is taking bold, innovative steps.

Today I am announcing the new Canada job grant. The Canada job grant would transform the way Canadians receive training. The Canada job grant could provide \$15,000 or more, per person, to ensure that Canadians are getting the skills employers are seeking. Up to \$5,000 would be provided by the federal government. To show their commitment, the employers would be required to provide matching funds. The province or territory would match the final third.

For the first time, the Canada job grant would take skills training choices out of the hands of government and put them where they belong: in the hands of employers and Canadians who want to work.

[*Translation*]

Job seekers will train at community colleges, career colleges, polytechnics or union training halls among others.

Most importantly, the new grant should lead to one essential thing for unemployed or underemployed Canadians: a new or better job.

The job grant will benefit hundreds of thousands of Canadians.

Current labour market agreements with the provinces and territories expire in 2014.

We will negotiate new agreements centred around the Canada job grant.

• (1620)

[*English*]

Just as important as training is on-the-job experience. That is why today I am also announcing new measures to support apprentices. We would work with the provinces and territories to harmonize requirements for apprentices and would examine the use of practical tests as a method of assessment. Most importantly, we would ensure that government contracts and funding for infrastructure and maintenance would support the employment of apprentices.

For example, we would renew the investment in affordable housing agreements with the provinces and territories. By encouraging the use of apprentices, these agreements would help train young Canadians in the skilled trades with funding from these programs. For example, Habitat for Humanity has trained thousands of high-school and college students for the skilled trades.

[*Translation*]

We are also taking action to support job opportunities for all Canadians.

Too often, young people make decisions about education without good, current information.

We will invest to make sure they know early on which career fields are in high demand.

Then they can make informed choices that will lead to meaningful, well-paying jobs in their field of study.

[*English*]

As well, we will be making a three-year investment of \$70 million to support 5,000 new paid internships so that new post-secondary graduates can obtain vital job experience.

These new initiatives, and others announced today, will build on our commitment to Canada's young people.

In 2011, we expanded eligibility for student loans and grants. Right now there are more than 500,000 students benefiting from these programs. Last year's budget expanded our youth employment strategy by \$50 million over two years. This has provided tens of thousands of young Canadians with the work experience and skills training needed to succeed in the job market.

Expanding educational opportunities and skills training would help Canada compete, but even these measures will not be enough. We must also look to the world for help. To that end, we would continue to reform our immigration system to make sure that Canada is the first choice for skilled workers from around the globe, that the best young people who come here to study could remain afterwards to try Canada out, that potential immigrants with the right skills could move to Canada faster, and that new Canadians could integrate quickly and find and keep good employment or start successful businesses that would add to Canada's prosperity.

We would also introduce measures to ensure that first nations could fully participate in the economic opportunities that are available. We would work with the first nations to improve the on-reserve income assistance program to ensure that young recipients have the incentives necessary to gain employment. We would also continue to work with first nations to develop a first nations education act.

In addition, measures introduced today would further help Canadians with disabilities get the support they need to be active participants in the job market.

*The Budget*

As a former governor general Lord Tweedsmuir once observed, “Canada is a nation of bridges”. This government is committed to building those bridges between employers and job seekers, skilled immigrants and Canadian opportunities, hard-working Canadians and long-term prosperity, but we are also committed to building bridges of another kind, the kind that ease urban congestion in our largest cities, like the new bridge for the St. Lawrence, including the bridge causeway between Nuns' Island and the Island of Montreal; the kind that expand our trade horizons, like the new international crossing at Windsor-Detroit; the kind that maintain vital links within communities, like the Fairview Overpass between Bedford, Nova Scotia and the city of Halifax.

Of course, bridges are just part of the story.

• (1625)

[Translation]

Roads and runways, community centres and commuter rail all over this great country are essential to the well-being of Canadian families. Infrastructure creates jobs, supports trade and fuels economic growth. Infrastructure drives productivity and contributes to long-term prosperity.

We have done a great deal to support infrastructure renewal—more than any other federal government—but there is much left to do. That is why, today, we are taking another major step to strengthen our communities.

[English]

I am pleased to announce the creation of the new building Canada plan, the largest long-term federal commitment to Canadian infrastructure in our nation's history. There will be \$53.5 billion over the next 10 years for provincial, territorial and municipal infrastructure.

The plan has three components.

First, the community improvement fund will provide over \$32 million to municipalities for projects such as roads, public transit and recreational facilities. The new fund incorporates the gas tax fund and the incremental GST rebate for municipalities. This name now reflects its true purpose: improving communities for Canadians. Acting on the advice of the Federation of Canadian Municipalities, the gas tax fund portion will be indexed and therefore will increase over time.

The second component is the building Canada fund, which will provide \$14 billion to support major projects across the country.

The third component is the P3 Canada fund, which will provide \$1.25 billion to continue to support innovative ways to build infrastructure projects faster and provide better value for Canadians. All building Canada plan projects with capital costs of more than \$100 million will be screened for P3 potential. An additional \$6 billion will be provided to provinces, territories and municipalities under current infrastructure programs in 2014-15 and beyond.

Even with the measures I have outlined here today, an unavoidable fundamental truth remains: governments alone cannot create prosperity. Former Prime Minister Arthur Meighen knew that when he said, “Vigour, faith and enterprise are the only weapons

with which any individual, any family, or any nation can face the future”. It is, indeed, the vigour and enterprise of Canadian individuals and families that have made this country great, and their faith, faith in their own dreams, resourcefulness and abilities, faith that their government will be a benign and silent partner in their enterprise and not an overwhelming behemoth squeezing them at every turn. Sadly, this is not a faith that all Canadian governments have kept, but ours has.

[Translation]

Our government understands that the way to create jobs and growth is to reduce barriers for businesses, not raise them.

The way to help manufacturers is to lighten their burdens, not weigh them down with more.

That is why we established the lowest tax burden on new business investment in the G7.

That is also why we introduced tax relief to encourage manufacturers to invest in new machinery to retool Canada for the 21st century.

• (1630)

[English]

Today I am pleased to announce the extension of the accelerated capital cost allowance. This measure will provide \$1.4 billion in tax relief to manufacturing companies investing in modern machinery and equipment. This will allow businesses across Canada to improve productivity and enhance their ability to compete globally.

More than 25,000 businesses in the manufacturing and processing sector have taken advantage of this initiative since it was first introduced in 2007. It has allowed companies like Armo Tool Limited of London, Ontario to buy new equipment that has brought sales and employment back to peak levels. We are also supporting Canadian manufacturers through important investments in key sectors like aerospace, forestry and military procurement.

With respect to military procurement, Canadian companies will be part of any plan to build equipment for our forces.

While manufacturing is critical to our future, small business is the lifeblood of the Canadian economy. Our government recognizes the significant contributions of these entrepreneurs and risk takers. On the advice of the Canadian Federation of Independent Business, we will extend and expand the temporary hiring credit for small business for an additional year. This will support small businesses as they grow and create jobs.

[Translation]

Much of our trade is with the United States, and getting people, goods and services across the border is critical to Canada's prosperity. That is why our government will continue to implement our beyond the border action plan to keep trade with the United States flowing freely.

*The Budget*

We have worked hard to expand trade with other countries as well. We have signed free trade agreements with nine countries since 2006, and negotiations are ongoing with many others including the European Union and the Trans-Pacific Partnership countries.

[English]

Many new innovative Canadian businesses depend upon venture capital to finance their growth, and it is in short supply in this country, especially since the economic crisis. This means companies with good ideas and high growth potential often have difficulty getting these ideas off the ground. That is why the Prime Minister and I went to Montreal in January to announce the establishment of the venture capital action plan. Measures announced in today's budget will advance the implementation of this plan so Canadian innovators have access to the private capital they need. As innovators, Canadians are among the world's best.

However, we need to work harder to see that new ideas are commercialized and become real products in the marketplace. Today, to help accomplish this, we are announcing a series of measures to support research, create partnerships and increase collaboration between research institutions and our entrepreneurs. We will, as the Association of Universities and Colleges of Canada recommended, commit \$225 million to modernize post-secondary research facilities across the country. And we will, for example, invest an additional \$165 million to support genomics research.

Despite the economic issues our government has faced, we have done our very best to keep taxes low for all Canadians. In fact, our government has introduced more than 150 tax relief measures since 2006. That is why the average family of four is saving more than \$3,200 per year in taxes.

That is why we introduced pension income splitting for seniors and other pensioners. That is why we introduced the working income tax benefit, which we can call WITB for short—actually I should not use “Whitby” and “short” in the same sentence—which encourages people who can to find jobs rather than remain on social assistance.

● (1635)

[Translation]

The federal tax burden for all Canadians is now the lowest it has been in 50 years, and more than eight million Canadians have already opened tax-free savings accounts. Tax fairness is important to ordinary, hard-working Canadians. They know that when everyone pays their fair share, it helps us keep taxes low for everyone.

[English]

To that end, we are taking additional action today to close tax loopholes. These are loopholes with strange names like synthetic dispositions and character conversion transactions. Those are complex, structured transactions that have allowed a select few to avoid paying their fair share of taxes. We are introducing new measures to crack down on tax evasion and aggressive tax avoidance to keep taxes low for Canadian families, families that work hard, play by the rules and pay their taxes.

For the past seven years, I have witnessed Canada at its best through good times and bad, through thick and thin. I have been

impressed time and time again with the people of this great nation, their work ethic, their ingenuity and their strength of character. It would be presumptuous for anyone to say the future belongs to any particular country.

No one can know the future, but from where I stand I will say this: these seven years have belonged to Canada. The evidence is in. Our economy has been resilient, and we can all be proud of that.

I will also say this: Canada's economic future is bright. That we have some tough times ahead, I do not doubt. No one who sees the world around us would disagree.

The plan I have presented today, Canada's economic action plan 2013, advances a solid vision that has stood the test of time. Where others have faltered, we have maintained a consistent, steady hand.

Today we move this responsible plan forward, forward toward that bright future. With this plan, our government renews our commitment to Canadians, our commitment to jobs, our commitment to growth, our commitment to long-term prosperity for all Canadians.

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, I know the hon. minister wanted to avoid this conjuncture of words, but let me once again raise Whitby. As he knows, it is not a short commute from Whitby to Toronto because of gridlock and congestion, nor is it a short commute from Oshawa or Oakville, or Burnaby to Vancouver, or in many places around the country.

On page 178 of the budget, the minister lays out the Conservative infrastructure plan. In real terms, adjusted for inflation, the plan will cut infrastructure funding by \$4.7 billion over the next four years. Is this what the minister calls “an infrastructure investment”?

● (1640)

**Hon. Jim Flaherty:** Mr. Speaker, this is the largest infrastructure program, over the longest period of time, in Canadian history. It has the support, I might add, after many discussions and consultations, of the Federation of Canadian Municipalities.

As the member knows, infrastructure takes time. If she looks at the figures, she will see that in the initial stages, there is less spending, and there is more spending later on as infrastructure projects mature. However, the commitment is there, on average, in excess of \$5 billion in each and every year going out over the 10-year period, which will be welcomed by the people of Whitby, who do not vote for members of the opposition.

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, this is the government that put Canada in deficit before the recession began, as this minister obviously knows, in April and May 2008. He can check the record.

*The Budget*

Now youth unemployment in Canada is 5% higher. We have 200,000 more Canadians looking for work than at the beginning of the recession. The Conservatives' so-called job creation plan has zero new money. We will have to wait years for it to start. Money will only be available to cash-strapped provinces if they can afford to match it. Otherwise they will be out of luck.

The question is this: why is the minister saying to young Canadians, especially to those in provinces like mine, Nova Scotia, that they will have to wait?

**Hon. Jim Flaherty:** Mr. Speaker, I just spent about 10 minutes talking about skills training, the new Canada jobs grant, new investments in apprenticeships and new investments in internships, all of which are vitally important to young people in Canada today. I hope that the member opposite in the Liberal Party and his colleagues will see fit to support the measures that will be in the budget implementation act to support young people with respect to skills training, apprenticeships and internships.

**Mr. Mark Adler (York Centre, CPC):** Mr. Speaker, on behalf of all parliamentarians and all Canadians, I congratulate the Minister of Finance for tabling his eighth consecutive budget.

In his eight straight years as Minister of Finance, he has cut taxes over 150 times and has reduced the tax bill for the average Canadian family by \$3,200. My constituents of York Centre appreciate low taxes and appreciate that our Conservative government is focusing in economic action plan 2013 on what matters—jobs and long-term economic growth—while getting Canada back to balanced budgets.

As a member of the finance committee, and given our recent study on increasing charitable donations, I ask the minister what economic action plan 2013 will do to help charities?

**Hon. Jim Flaherty:** Mr. Speaker, I thank the hon., member for the question. He is, without a doubt, the most effective MP the good people of York Centre have had in a very long time.

I also want to thank him and all the members of the finance committee for their recent report on helping charities. I want to extend my thanks to the member for Kitchener—Waterloo, in particular, who was the member who initiated that important study and was the strongest champion of Canada's charities among all parliamentarians.

In response to the committee's findings, economic action plan 2013 proposes a new, temporary, first-time donors super-credit designed to encourage new donors to give to charity. This super-credit would increase the value of the federal charitable donations tax credit by 25 percentage points if neither the donor nor his or her spouse has claimed the credit since 2007. This new credit would make it significantly more attractive to donate, especially for young Canadians who are more likely to be making a donation for the first—

**The Speaker:** The hon. member for Rimouski-Neigette—Témiscouata—Les Basques.

•(1645)

[Translation]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, we have been hearing about how the minister is going to invest in skills development for a long time now.

However, this is not new money we are seeing. The government is robbing Peter to pay Paul.

We are talking about programs in which the provinces, along with the federal government and the private sector, are being asked to reinvest.

Were the provinces consulted? Why did the minister choose to reverse the decision he made six years ago to transfer the responsibility for skills development and training to the provinces?

**Hon. Jim Flaherty:** Mr. Speaker, economic action plan 2013 focuses on growth, jobs and long-term prosperity. It targets three areas: employment subsidies, infrastructure, and manufacturing and innovation. We have a very solid foundation here in Canada. We want a balanced budget and economic growth.

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, the Prime Minister himself said it is a priority to link the unemployed with jobs in order to better connect the two.

Why did he freeze the budget for job training at its 2007 level, which is effectively a 10% cut when inflation is taken into account?

Why did he create a plan that will be fully implemented only in 2017? This plan requires new money from the provinces and the private sector but not the federal government? Why did he do this when this is such a priority?

[English]

**Hon. Jim Flaherty:** Mr. Speaker, the goal of the new Canada job grant is to match people who are seeking employment with training and with employers that will actually result in them having jobs. This is not a complicated concept, but it is one that we need to pursue in order to be successful. The end result that constituents care about, including the constituents of the hon. member opposite, is actually getting the job after the training is completed. That is our goal, that is our plan and we will stay on course. Of course, there will be negotiations with the provinces and territories.

**Mrs. Tilly O'Neill Gordon (Miramichi, CPC):** Mr. Speaker, on behalf of all Canadians, let me congratulate the minister for economic action plan 2013 and for now being the longest-serving Conservative finance minister of a post-war era. I, along with my constituents of Miramichi, thank him for his continued hard work to lower taxes, to keep Canada's economy strong and to help ensure that Canada has both the best job creation and fiscal record in the G7.

I am also proud of our government's strong support for the men and women who serve and have served in the Canadian armed forces. Could the minister please explain what economic action plan 2013 will do to help Canadian veterans and their families?

*The Budget*

**Hon. Jim Flaherty:** Mr. Speaker, I thank the member for her question and all of her hard work in Parliament. She is truly the very best member of Parliament that the riding of Miramichi has ever seen. It is a riding that is home to one of the best Irish festivals in North America every July.

Our government, like all Canadians, has the utmost respect for the men and women who put their lives on the line for our freedom. For their service to Canada, we must ensure that when they pass on, they receive the dignified funeral and burial they so rightly deserve. To that end, economic action plan 2013 will improve the existing funeral and burial program by simplifying it for veterans' families and by more than doubling the current reimbursement rate from \$3,600 to over \$7,300.

• (1650)

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, I want thank the hon. Minister of Finance for his budget today. Let me begin by saying that there are some things in the budget that we have been pushing for. The minister just raised one of them. There are certainly other measures that we have been pressing for, which we see here, such as extending the hiring tax credit for small businesses and extending the accelerated capital costs—

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

**The Speaker:** Order. The hon. member for Parkdale—High Park has the floor.

Order. The hon. member for Parkdale—High Park.

**Ms. Peggy Nash:** Mr. Speaker, this is the House of Commons and not the locker room.

Let me say that we have been advocating the hiring tax credit for small business and the accelerated capital cost allowance and pushing for a minister responsible for FedNor, so I want to recognize that there are items in this budget that respond to some of the proposals we made. However, I want to take a broader view, because we have just heard the budget now.

Again the minister and the Prime Minister have promised to focus on jobs as their priority, yet we see the government pushing ahead with job-killing austerity measures. We have no new measures to create jobs. We have a shell game when it comes to training funding.

The minister said he would not cut transfers to provinces or individuals, yet he is plowing ahead with cuts to pensions, health care and EI and ignoring the serious threats facing our economy.

Let me make a point that has been recognized by the IMF, by the World Bank and by many economists around the world, which is that we cannot cut our way to growth. The deficit we are facing was not caused by government spending. Rather, it was the recession that caused the deficit, and curing the recession will lead to curing the deficit. Therefore, we need to be focused on jobs, improving wages and getting more taxes into the government coffers through better jobs and more employment—in other words, by putting people to work. There is no need to trample on government services or take serious austerity measures, which can simply make the recovery more difficult and make any downturn even worse.

We are concerned that the government is cutting the money that is going to infrastructure, because it is not taking inflation into account. I appreciate that inflation is low, but there is still an increase to the cost of living every year, and by the time this money is rolled out, it will mean a reduction of the moneys that have already been in place.

I appreciate that the minister has not been great in projecting growth targets—he missed his 2012 target by 35%—and we appreciate that we are in difficult global economic times that present serious challenges. However, we do not believe that the way forward is through austerity. It creates more insecurity. We believe the way forward is through strong job creation.

I do want to more fully respond to the budget, but I will do so later.

Therefore, I move:

That the debate be now adjourned.

(Motion agreed to)

• (1655)

**The Speaker:** Pursuant to Standing Order 83(2), the motion is deemed adopted and the House stands adjourned until tomorrow at 10 a.m.

(The House adjourned at 4:55 p.m.)



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