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OFFICIAL REPORT
(HANSARD)

Thursday, November 20, 2014

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, November 20, 2014

The House met at 10 a.m.

[English]

Prayers

ROUTINE PROCEEDINGS

• (1005)

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 36.8, I have the honour to table, in both official languages, the government's response to 33 petitions.

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COMMITTEES OF THE HOUSE

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I have the honour to present, in both official languages, the sixth report of the Standing Committee on Environment and Sustainable Development in relation to Bill S-5, an act to amend the Canada National Parks Act, Nááts'ihch'oh national park reserve of Canada.

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

[Translation]

Mr. Hoang Mai: Mr. Speaker, I hope you will find unanimous consent for the following motion: That, in the opinion of the House, the Government of Canada should keep the "Champlain" name for the replacement bridge that will connect the island of Montreal to its south shore.

The Speaker: Does the hon. member have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

Some hon. members: No.

PETITIONS

ASBESTOS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am pleased to rise to present a petition signed by literally tens of thousands of Canadians who call upon the House of Commons and Parliament here assembled to take note that asbestos is the greatest industrial killer that the world has ever known. In fact, more Canadians now die from asbestos than all other industrial and occupational causes combined.

Therefore, these petitioners call upon the Government of Canada to ban asbestos in all of its forms and institute a just transition program for asbestos workers in the communities they live in; end all government subsidies of asbestos, both in Canada and abroad; and stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam convention.

[Translation]

CANADA POST

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I am presenting two petitions. The first is about cuts to postal services.

This petition was signed by more than 700 people in my riding who are completely opposed to proposed federal government cuts and the elimination of home delivery. I fully support them in their efforts and I condemn what is happening with postal services.

CONSUMER PROTECTION

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, the second petition is about unreasonable ATM transaction fees.

This petition was also signed by many of my constituents who oppose these fees. They want the current government to introduce a bill to change this, as it is unfair to taxpayers.

[English]

IMPAIRED DRIVING

Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC): Mr. Speaker, I have the honour to present a petition on behalf of Canadians who are asking the government to change the current impaired driving laws in Canada. In the interest of public safety of Canadian citizens, they are asking for tougher laws and the implementation of new mandatory minimum sentences for those convicted of impaired driving causing death.

Government Orders

[Translation]

GENETICALLY MODIFIED ORGANISMS

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am honoured to rise this morning to present two petitions.

[English]

The first one is from residents of Vancouver, Abbotsford, and Whistler. They are calling on the government to take action to ensure the mandatory labelling of any foods that contain genetically modified ingredients.

FALUN GONG

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is primarily from residents of Toronto. The petition sets out in detail very disturbing evidence that prisoners in the People's Republic of China who are Falun Gong practitioners are subjected to organ harvesting. The petition references work by the group Doctors Against Forced Organ Harvesting. It calls on the Canadian government to condemn this practice and to call for an end to the persecution of Falun Gong and Falun Dafa in the People's Republic of China.

PALESTINE

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, it is my pleasure today to present a petition signed by thousands of residents of Surrey who have been very concerned by the humanitarian crisis in Gaza. They are asking the government to support the proposal launched by Dr. Izzeldin Abuelaish to bring injured Palestinian children from Gaza to Canada for treatment.

They want to stress that in order to achieve peace, we must refuse to hate. Only in that spirit can we hope to bring people together to forge a just, secure, and lasting peace for all.

FALUN GONG

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I have three petitions.

The first petition has more than 100 signatures from Canadians calling on Parliament to take action to oppose the systemic murdering of Falun Gong practitioners in China for forced organ harvesting. They are calling on the government to speak out to end the persecution of Falun Gong practitioners in China.

•(1010)

ANIMAL WELFARE

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, the second petition is from Albertans calling on the House of Commons to take action to recognize animals as beings that feel pain, to move animal cruelty crimes from the property section of the Criminal Code, to strengthen the language of animal cruelty laws, and to support the passing of Bill C-592, which would amend the Criminal Code to protect animals.

CANADA POST

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, the third petition is from Canadians across the Prairies calling for the government to return door-to-door postal services to Canadians.

AGRICULTURE

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I met with constituents about the issue of hunger and poverty and third world conditions, and they asked me to provide the House with a petition regarding adopting international aid policies that support small family farmers, especially women, and recognize their vital role in the struggle against hunger and poverty.

This is with regard to the exchange of seeds, particularly in developing nations, where there is a great deal of hunger and poverty.

ROUGE NATIONAL PARK

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, I stand today with the signatures of hundreds of people within the greater Toronto area who are calling for the creation of a Rouge national park that respects and protects the irreplaceable 100 square kilometres of public land assembly within a healthy and sustainable Rouge national park.

They want to ensure that the creation of the Rouge national park strengthens and implements the ecological vision, policies, and integrity of the approved and pre-existing legislation, policies, and memoranda of understanding that already exist in the province of Ontario and the municipalities in the area.

The current Rouge park is home to the endangered Carolinian and mixed woodland life zones in Canada, as well as the ancestral home of the Mississauga, Huron-Wendat, and Seneca first nations peoples and their sacred burial grounds.

* * *

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 Acting Speaker (Mr. Bruce Stanton): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[Translation]

TOUGHER PENALTIES FOR CHILD PREDATORS ACT

The House resumed from June 2, 2014, consideration of the motion that Bill C-26, An Act to amend the Criminal Code, the Canada Evidence Act and the Sex Offender Information Registration Act, to enact the High Risk Child Sex Offender Database Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): Mr. Speaker, members of Parliament will be engaging in a debate on Bill C-26 that is part of a process to codify aspects of punishment associated with sexual offences against children.

Government Orders

At the risk of being repetitive, I will draw from empirical evidence, namely from my personal experience at the legal aid clinic I joined in 2006 as an intern. I worked at the clinic in Sept-Îles for about two years. Since I was new to the office, I was often given the cases nobody else would touch with a ten-foot pole, if I can use that expression. These were big cases involving clients who were not always the nicest people. I was in criminal defence. I also handled mental health cases. I handled 400 cases in 2007—we had statistics at the legal aid clinic. It was a real boon to have those statistics every month, and our boss could come and talk to us about our performance. Anyway, in 2007, I handled 400 cases. As it happened, I ended up with several cases involving children, most of them young victims. Even a lawyer would find such clients difficult to like. It is hard to imagine what kind of experience would await them in a penal institution.

At the time, there were restrictions in place. There was a very strict framework that applied to crimes against the person involving victims of sexual acts—children in this case. I remember the first such case I handled. There was no way the accused could have served his sentence in the community. That was called a conditional sentence. By 2006 and 2007, there had been a codification, a change to the Criminal Code that prevented judges from sentencing people to serve time in the community. Sentencing was already getting harsher because that restriction was added.

Given the bill before us and its history, it is clear that sentences related to sexual crimes against children have gradually gotten harsher.

These offenders usually wound up in prison, depending on the severity of the alleged offences. This clientele invariably found themselves in protective custody. Protective custody simply means that they have to be separated from the general prison population because even inside the prison walls, they risk being assaulted. Word gets around among the other inmates, and those offenders are really unpopular. They are not accepted. One can imagine, then, how horrible those offenders are in the eyes of the general Canadian population. Basically, as I said, this clientele is unique, and the onus of proof is high. The cases were also unique. I had to ask for help from my articling supervisor at the time, and later from my boss, on those cases, because the crown was insistent, and more attention was given to those kinds of cases.

Considering the social stigmas associated with crimes committed against vulnerable victims, it is important to enact coercive measures that will adequately protect young people and communities. With those goals set out, it is important to apply a filter to the measures proposed by this government in order to prevent possible diversions from issues of identity for targeted political gain.

If this had never been brought to my attention, I would not be mentioning it here today. However, history has shown, as I have learned from being here for the past three years, that too often, bastions of identity and highly contentious issues are often seized upon and given lots of media attention.

It is unfortunate, but the Conservatives' trademark is “tough on crime”. There is even a copyright on it. This kind of measure, with harsher penalties, is meant to please a lobby group that has the government's ear. That is why this kind of issue and the debate

around it usually become more about propaganda and electioneering. As I said earlier, this has been brought to my attention several times.

• (1015)

Given the specific subject matter in this case, we must ensure first and foremost that the goal behind implementing measures that are more draconian and harsher for the accused is not just to pander for votes, since this is about the people on the ground. I will come back to that.

It is the stakeholders, the paralegals, the crown prosecutors, and naturally the judges as well, who have to apply these harsher rules on the ground.

What is more, these undue measures are being imposed on them without necessarily a supporting budgetary envelope. Over the past few years, there has been a 6% increase in sexual assaults against children. It is not just the resources, including stakeholders on the ground and crown prosecutors, but also the social workers and paralegals who will have to deal with a larger clientele without necessarily getting more money to do so.

We got to this point because some people felt it was necessary to create hype around this issue, and went to great lengths to propose harsher sentences and codified measures, which, if I may say it, are nothing but smoke and mirrors.

Based on the findings concerning the dubious effectiveness of measures targeting sexual offences against children that have been brought forward since 2006, a review of the applicability and the hold of these measures on the work of judicial stakeholders must be undertaken in committee. There has to be a real study, so that we can try to see through all the hype and truly consider the impact on the people on the ground in order to understand the consequences and what the workers actually have to contend with.

I will go over how sentences and restrictions have gotten tougher since 2006.

The government is:

[Making it] illegal for anyone to provide sexually explicit material to a child for the purpose of facilitating the commission of an offence...

[Making it] illegal to use computers or other means of telecommunications to agree with or make arrangements with another person to commit a sexual offence against a child;

The sex offender registry has been strengthened; the age at which a young person can legally consent to sexual activity has been increased from 14 to 16 years of age. Those are a few specifics. There has been a definite trend to harden the rules and strengthen coercive measures.

Despite these clear changes, when he appeared before the Standing Committee on Justice and Human Rights regarding the supplementary estimates, the Minister of Justice said that sexual offences against children had increased by 6% over the past two years. That is a rather large increase in recent years.

Government Orders

This finding raises a number of questions about what the actual impact of the proposed amendments will be and whether they will be adequate, enforceable and effective. Clearly, we are about to hit a wall since the number of such offences increased despite the tougher regulations that have been put in place since 2006.

Is there a connection? A correlation? I submit that for consideration. However, this should still be examined in committee. I want to bring up these questions today so that they can be meaningfully debated and so that experts and people on the ground can be heard.

Once again, it is the people on the ground or the front-line workers who will have to deal with these cases. As a result, they need to have their say about whether the proposed measures are enforceable.

Experts who have spoken out about the need to stop the sexual abuse of children have said that our communities need more human and financial resources in order to take a less repressive approach. There is always another way. Sometimes, we have to make sure that we are not wearing blinders.

For example, and I will close on this point, the statistics from the Circle of Support and Accountability program are impressive. That is an alternative. According to one study, the rate of sexual recidivism is 70% lower among those who participate in a Circle of Support and Accountability program.

Another study shows that this type of program reduces the rate of sexual recidivism by 83%. Those are promising statistics, which show that there could be another another approach to dealing with this problem. Such an approach would also help ensure that justice is served and victims are protected.

I submit this respectfully.

●(1020)

[English]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, when listening to my friend's speech over the last few minutes, I believe that when he quoted the Minister of Justice, he made reference to what I consider a shocking increase in child sexual offences over the last number of years. It is the only crime in Canada that is increasing in the number of offences every year.

My recollection was that the Minister of Justice quoted the figure of 6% over two years, which comes from Juristat, but the member said, "You know, it is not as high as you might think." Perhaps the member could clarify if he said that. That is what I heard, but the acoustics are not very good in this chamber.

I find that statement shocking and outrageous. I would suggest that the member speak to any worker at a child advocacy centre across Canada. There is one in Toronto called Boost. It is run by a person by the name of Karyn Kennedy. She has said that the number of clients her organization sees every year is rising exponentially and that it is a real epidemic that has to be faced. Perhaps he could address those issues.

[Translation]

Mr. Jonathan Genest-Jourdain: Mr. Speaker, I thank my colleague for his question.

I think that some of my remarks may have been lost in translation, because at no point did I say that 6% was not incredibly worrisome. It is very worrisome. Such exponential growth from year to year shows how inadequate the proposed measures are and shows that they will not improve anything.

This is 2014, and now is the time to address this issue and look at other potential measures instead of harsher penalties. We have seen a lot of these penalties since 2006, and so far we have hit a wall.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, we hear a great deal about advances through technology, and particularly about the positive impacts the Internet has on society. One of the things that we do not hear enough about or that there is not enough debate about in the House of Commons is the issue of the negative impacts on our society. One of the greatest negative impacts is the exploitation of children through the Internet. There are private members' bills with respect to that from all sides of the House. All political parties are trying to get a better sense of the need for national leadership with respect to dealing with the predators who are exploiting our children. Could the member provide some comment on the need for us to be diligent in terms of what is taking place on the Internet today that is causing harm to our children?

●(1025)

[Translation]

Mr. Jonathan Genest-Jourdain: Mr. Speaker, I thank my colleague for his question.

His comments remind me of the visit I made last week to an elementary school in Sept-Îles, in my riding. The children spoke a lot about online predators and the realities of social media.

This made me realize that when I was their age, these kinds of things simply did not exist. I was 21 years old the first time I had access to a computer. I was almost in university. At 19 or 20, the first few times I saw the Internet, I had a hard time understanding it all.

However, in 2014, kids who are 8 or 9 years old were practically born with tablets in their hands. There is a need for enforcement measures and better verification of the content on the Internet.

However, although this is very troublesome, it is outside the scope of this discussion and this study. There are experts who are examining this issue. The teacher I met with was well trained to handle the children's concerns.

[English]

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I want to start by saying that I am pleased that our justice critic has brought forward a recommendation to send this bill to committee for study. I also want to thank our member for Manicouagan for his reasoned responses.

In Hamilton a sexual offender was released after he had been assessed as likely to reoffend, which concerned the Chief of Police to the point that the police posted what part of town he was in, his name, and his picture. Ultimately, he could not live within the boundaries of the court order and turned himself in to the police. He is back in custody, and since he has been back in custody, he has caused quite a few problems.

Government Orders

My concern, and the concern of my constituents, is this: how do we deal with a situation like that? This is more of a comment than a question. Hopefully the committee will review that portion of the problem of child sexual abuse and take a good look at how we can manage to ensure that it does not happen and that people will receive proper health care as well.

[Translation]

Mr. Jonathan Genest-Jourdain: Mr. Speaker, I would like to thank the hon. member for his intervention.

He talked about posting the individual's whereabouts and picture. Those are methods and practices that have been used in the United States and perhaps even here in Canada. However, that may open a Pandora's box because people could become vigilantes. We do not want that. I can guarantee that if people decide to take the law into their own hands, there will be implications. This is worth considering at committee to determine whether action by the public is a good thing and workable on the ground.

As I said in the beginning, this is a distinct group. These criminals and offenders already enjoy a dubious kind of popularity in prison. Their safety is jeopardized because of the circumstances. The other inmates have it in for them. We need to ensure that the same thing does not happen in broader society. It is worth looking into.

[English]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I rise today to speak on the second reading of Bill C-26, the tougher penalties for child predators act. However, I must say that although I fully support this bill, I do so with sadness, because like every member of this House, I wish it were not necessary, but unfortunately it is.

We discussed earlier the statistics from *Juristat*, which describe the problem. Over 3,900 sexual violations against children were reported to police in 2012, which was an increase of 3% from 2011, and the same increase was seen from 2010 to 2011. There were approximately 33,000 sex offenders on the National Sex Offender Registry, of which approximately 22,000 had a conviction for a child sex offence as of October 2013.

This is very unfortunate. It is the one type of crime in Canada that continues to increase year by year.

I was told by Karyn Kennedy, the executive director of the Boost child advocacy centre in Toronto, an agency that is doing fantastic work to assist child and youth victims of sexual offences, that they cannot keep up with the demand. They opened a centre a year ago expecting to have about 1,400 cases in that year, and they had almost double that number during that period.

It is an endemic problem. It may be fuelled in part by the availability of the Internet and the ease of luring and abusing children over the Internet. Unfortunately, it is a heinous crime that is being perpetrated against the most vulnerable people in our society, and we must all take action to do whatever we can to reduce and eliminate it.

This bill reflects the ongoing efforts of the government to protect our children from sexual exploitation. My remarks today will focus on the bill's proposals to ensure that the sentences imposed for child

sexual offences adequately reflect the appropriate level of denunciation and deterrence.

We know that children are far more likely to be victims of sexual crimes than are adults. It is worrisome to see that the trend is increasing. One of the factors contributing to this trend in recent years has been the Internet, which has expanded the reach of sexual predators to the globe with a click of a button.

The justice committee heard considerable evidence of the use of the Internet to lure, exploit, and sexually bully children during its study of Bill C-13, the protecting Canadians from online crime act. The proposed reforms to our Criminal Code and our new investigative powers in that bill are necessary to protect children, as are the provisions in the bill before us.

The Canadian Centre for Child Protection is an impressive organization that has, since 2004, received support from the federal government as part of the national strategy to protect children from sexual exploitation on the Internet. It delivers programs to increase the personal safety of children and reduce their risk of sexual exploitation. These programs include education and prevention, research, and the coordination of national efforts on child protection with the private sector, government, and law enforcement.

It also operates cybertip.ca, Canada's national 24/7 tip line for reporting online child sexual exploitation. As noted on its website, between September 2002 and June 2010, cybertip.ca received 39,783 reports of online child sexual exploitation, 90% of which were for child pornography offences. These numbers paint a horrifying picture that clearly demonstrates that we must do more to stop child sexual exploitation, including by online predators. The proposed amendments contained in this bill would assist in achieving this objective by ensuring that sentences handed down would properly denounce and deter all forms of child sexual exploitation.

Bill C-26 proposes to increase the mandatory minimum penalty for nine existing child sexual offences as well as increase the maximum penalties for 16 existing child sexual offences. For example, the maximum penalty for section 171.1 of the Criminal Code, making sexually explicit material available to a child for the purpose of facilitating the sexual abuse of the child, would increase from two years of imprisonment on indictment to 14 years of imprisonment, with a corresponding increase in the mandatory minimum penalty from 90 days to six months imprisonment.

The offences of making child pornography, subsection 163.1(2), and distributing child pornography, subsection 163.1(3) of the Criminal Code would be converted from hybrid offences to indictable offences, and the maximum penalties would increase from 10 to 14 years.

Government Orders

•(1030)

As well, the maximum penalties on indictment for luring a child on the Internet, section 172.1 of the code, and for an agreement or arrangement to commit a sexual offence against a child through the use of telecommunications, section 172.2 of the code, will increase from 10 to 14 years of imprisonment. These are serious crimes, and this bill will ensure that they receive serious penalties.

This bill goes further to ensure that the objective of these amendments, to impose penalties that properly reflect the seriousness of the offence, is not defeated through sentence discounts for offenders sentenced at the same time for multiple child sexual offences.

Courts have, over time, developed rules to assist sentencing judges in the determination of whether sentences should be served concurrently, at the same time, or consecutively, that is, served one after the other. The general rule is that offences committed as part of the same transaction or same event should be served concurrently. For instance, an offender who sexually abuses a child and also makes a permanent record of that abuse by making child pornography should in theory be ordered to serve two sentences concurrently. Where an offender is sentenced at the same time for offences that are not committed as part of the same transaction, those sentences are normally served consecutively.

However, sometimes it happens that an offender is sentenced at the same time for sexual offences committed against different children, that is, committed as separate events. There have been a number of notorious serial child sex offenders whose crimes have come to light in much later years and were then tried together. Those offenders sometimes get a sentence discount through sentences that are imposed concurrent to each other rather than consecutively. Such an approach, in my view, sends a message, in the case of multiple victims, that not every victim counts. That is unfortunate.

Increasingly, however, sentencing courts are recognizing that consecutive sentences are warranted in certain cases of child sexual exploitation. These situations include, for example, where the offender has sexually abused a child, made child pornographic recordings of that abuse, and then disseminated those images worldwide via the Internet.

Imposing consecutive sentences in these circumstances, as some courts have already done, recognizes the reality that once such images are distributed, they will forever be available on the Internet and that the child depicted in those images will be revictimized every time the images are viewed.

For these reasons, Bill C-26 proposes to codify this growing practice by requiring courts that are sentencing an offender at the same time for child pornography and child sexual abuse to impose consecutive sentences for these offences.

The bill would also require a sentencing court to consider imposing consecutive sentences on an offender who is sentenced at the same time for sexual offences against multiple child victims; that is, the sentence imposed for child sexual offences committed against one child would be served consecutive, meaning one after the other, to the sentence imposed for sexual offences committed against another child.

Those are all important and welcome steps to ensure that all child sexual offenders are held fully accountable for their crimes. This bill will treat each victim equally and with dignity. This bill will end volume discounts for serial child sexual offenders.

This bill will also look beyond the sentence and seek to enhance community safety where the offender is released into the community under a prohibition order, under section 161; a probation order, under section 731; or a peace bond, under 810.1 of the Criminal Code.

A sentencing court must consider imposing a prohibition order on an offender convicted of a child sexual assault offence. Probation orders, under section 731, can be imposed on offenders who are sentenced to less than two years' imprisonment. Peace bonds can be imposed where there is a reasonable fear that the person will commit a child sexual offence, which is under section 810.1 of the Criminal Code.

Many experts tell us that most, if not all, child sexual offenders can never be rehabilitated, that once they have this problem, this issue, this proclivity, there is really nothing that can be done to ensure that they do not have that proclivity in the future. There are people, unfortunately, in our society who must always be under some kind of probation order or watch and must be listed on an offender registry so that Canadians can keep their children safe.

•(1035)

All of these orders can impose conditions restricting the offender's contact with children and use of the Internet or other digital networks with a view to preventing the offender from committing a child sexual offence.

The Criminal Code currently provides for a maximum penalty on indictment of two years' imprisonment for breaches of the supervision orders. Given that they are crucial in protecting our children from sexual offenders, including from recidivists, the bill proposes to increase the penalty for a breach of these orders to a maximum term of imprisonment on indictment of four years.

The bill also proposes to impose consistent penalties for breaches of these orders when prosecuted summarily. There have been many cases, unfortunately, of child sexual offenders who, on release and on some form of probation, then committed a second, third, or fourth subsequent offence, and that is problem we are trying to address with these provisions in Bill C-26.

Currently, breaches of peace bonds and prohibition orders are both punished on summary conviction by a maximum fine of \$5,000 or six months' imprisonment, or both, yet breaches of probation orders are punishable on summary conviction by a maximum fine of \$2,000 or 18 months' imprisonment, or both.

To ensure the harmonization of the penalties for breaches of these supervision orders, the bill would provide that the maximum penalty on summary conviction for breaches would be 18 months' imprisonment or \$5,000, or both.

Government Orders

The last element I wish to touch upon is the amendment to the proposed Canada Evidence Act. The Canada Evidence Act provides that the spouse of a person accused of most offences can neither testify for the prosecution nor be forced to testify against the spouse. However, there are exceptions to this rule for most child sexual offences, but not, unfortunately, in the case of child pornography offences.

In child pornography cases, the evidence of the accused's spouse may be required to prove the guilt of the accused. That is why the amendments proposed in this bill would make the spouse competent and compellable to testify for the prosecution in cases of child pornography.

There are a number of other provisions that I think are very important in the bill that I would like everyone listening to know about. The bill would also establish a publicly accessible database of high-risk child sexual offenders who have been the subject of a public notification in a provincial or territorial jurisdiction. It would assist in ensuring the safety of our communities.

In addition, the bill would provide for legislation to enable information-sharing, on certain registered sex offenders, between officials responsible for the National Sex Offender Registry and those with the Canada Border Services Agency so that foreign nations may be notified when these types of offenders are travelling to other jurisdictions.

Finally, Bill C-26 would require registered sex offenders to provide more information regarding their travel abroad. We want to protect not only children in Canada but children around the world, and unfortunately, there are those in our society who would leave our borders to find victims around the world. Canada will live up to its international obligation to protect children around the world by ensuring that high-risk child sexual offenders notify the Canada Border Services Agency when they intend to travel abroad.

The heinous nature of sexual crimes committed against children, especially the online sexual exploitation of children, requires all of us in this chamber to support the proposed amendments contained in the bill. I was gratified to hear a few moments ago that my friends in the NDP will be supporting the bill to go to the Standing Committee on Justice and Human Rights for study. I look forward to working with them at the justice committee to study the bill and ensure that it addresses the needs of the children we are trying to protect in Canada.

• (1040)

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, we will support this bill to send it to committee. I think that everyone in the House agrees that this is an extremely important issue. As everyone knows, the NDP and all parties and politicians have always had zero tolerance for sexual assault or assault of any kind against children.

That being said, the devil is often in the details. My colleague from Hamilton East—Stoney Creek raised an interesting point, and earlier, my colleague from Manicouagan gave us a very good overview of the bill itself. Basically, people have kind of forgotten Bill C-26 because the last time we talked about it was in June, when we debated it for a few hours late at night, close to midnight. I

remember rising in the House then to discuss this bill. The Minister of Justice was marketing it as a panacea, with the new database on high-risk sex offenders.

The Parliamentary Secretary to the Minister of Justice made it clear in his speech that a few minimum sentences will be increased. Let us not get carried away. Sometimes minimum sentences are increased from six months to one year. It is nothing to write home about. We know through jurisprudence that high-risk offenders are given much longer sentences than that. That is not the problem.

I would like the parliamentary secretary to put his notes aside. How can we keep our communities safe when, essentially, the problem is not knowing that these people are free, but the fact that they are free, period? That is what escapes me. How can we keep our communities safe by being a little tougher, and not with things like Bill C-26, which seems to be all razzle-dazzle? How can we realistically ensure that a dangerous sex offender does not end up in our communities?

• (1045)

[*English*]

Mr. Bob Dechert: Mr. Speaker, my hon. friend is right that more needs to be done. Simply increasing penalties is not the whole answer to the problem, but we must make a very strong statement of our abhorrence as a society of those who would commit these kinds of offences against children. That is what Bill C-26 is attempting to do.

The member will also know that there are a number of provisions, which I outlined in my speech, about prohibition orders, probation orders, and peace bonds that could be applied to known child sexual offenders to protect children.

As I mentioned, we are also creating a special high-risk child sex offender registry that will be made available to the public through the Internet. This will be designed in conjunction with the advice of the RCMP and the provincial and territorial attorneys general to ensure it is done in a way that will actually give Canadians the information they need, so that they will know if a sexual offender is in the community and what steps they can take to ensure that their children are safe.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I thank the parliamentary secretary for his speech and the work he does on the justice committee.

I want to raise with him a matter that I raised with the minister when he appeared before the committee on the bill. First, I hope it goes without saying that on all sides of the House we absolutely abhor these types of crime and agree that measures that work to reduce them should be taken.

Government Orders

In the the Safe Streets and Communities Act, Bill C-10, there were several mandatory minimum penalties imposed for these types of offences. Bill C-10 took effect in 2012. We heard from the parliamentary secretary that since 2012, incidents of these types of crime have gone up by 6%. I counted eight types of existing offences, and the parliamentary secretary said there were nine. However, we are increasing again the mandatory minimum sentences that were put in place or increased in Bill C-10. If they have not worked, why are we doing it again?

Mr. Bob Dechert: Mr. Speaker, certainly by keeping the offender in jail longer, we protect children more significantly. That is one reason we do it.

Obviously we are trying to address the fact that there has been increase, year over year, in these types of offences. Part of it may be because there is better reporting and the fact our government has been investing in child advocacy centres across Canada to assist with that reporting and make it easier for child sexual assault victims to report offences against them.

The mandatory minimum penalties are designed to ensure that anyone who would commit a sexual offence against a child would spend time in jail, an appropriate time in jail, and the longer they are in jail, even if it is a few more days, those are a few more days of protection for the children in that community from that child sexual offender.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I want to say at the outset that I appreciate both the tone and the content of the speeches made to date. I think it is a reflection of how seriously we all take this issue.

My question will be brief and quite specific. The hon. parliamentary secretary was speaking about the difference between consecutive and concurrent sentencing, which those of us who are not lawyers may not have a full grasp of.

However, as I understand the parliamentary secretary, he was saying that in the case of someone making child porn, there would be three offences, perhaps, including the actual abuse of the child, the documenting or the making of a record of that abuse, and then the broadcasting of that abuse. They may be separate crimes but the problem is that the judge might see fit to impose only one sentence for those three offences, or three sentences served concurrently, rather than consecutively.

I would like him to expand a bit further on that.

Also, the notion of volume discounts surely is offensive to the sensibilities of anyone in this room, given the nature of the crimes. What in Bill C-26 would stop this notion of volume discounts?

•(1050)

Mr. Bob Dechert: Mr. Speaker, first, with respect to the child pornography offences, there is a growing understanding that the child is actually re-victimized each and every time that image is distributed or viewed over the Internet. There is the offence of assaulting the child; there is the offence of making the record of that assault in the first place; and then the offence of it getting distributed many times. There is an increasing understanding at the bar and in the courts that the child is actually being re-victimized a number of times and, therefore, that this requires, and demands, that sentences

for each of those offences be served consecutively, rather than concurrently.

He is right that everyone here abhors sentence discounts for multiple child sex offenders with multiple child sex victims, but, unfortunately, these things have been happening in our courts. There is a famous case with respect to an individual who committed offences against young men over a number of years at the Maple Leaf Gardens in Toronto. That is a case in point. There is also the case of Graham James, the hockey coach, who sexually exploited many young men over many years in Manitoba and other places. In each of those cases, the offender did not get consecutive sentences for each of those victims. Bill CC-26 would require that the court consider consecutive sentences in each of those kinds of cases.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I rise in support of Bill C-26, an act to amend the Criminal Code, the Canada Evidence Act and the Sex Offender Information Registration Act, to enact the High Risk Child Sex Offender Database Act and to make consequential amendments to other acts. I stand in support of the bill at second reading because I, and I am sure all members of the House whether on that or this side of the chamber, believe that protecting our children should be one of our top priorities.

We do a huge range of things in Parliament, but I do not take anything as seriously as the protection of children. Being a mother and a grandmother and having been a teacher for quite a few decades and worked with thousands of children, I realize the importance of child protection on a personal level. I am sure that every member of Parliament would agree that nothing is more abhorrent or as sick as the sexual assault of children. Even individuals who have not had children would, I think, consider this kind of criminal activity abhorrent and absolutely heinous.

As my esteemed colleague from Winnipeg said earlier, I am pleased by the tone of the debate in this room today, and that it is because we want to get this right. I want to get it right. I want each and every one of us to do whatever it takes to make sure that we do this in a way that would actually protect our children.

In order to do that, I am going to plead with my government colleagues not to cut off debate on this legislation, which we have seen done in this place many times. This is too important an issue to be rushed through. The government could have brought this legislation forward a long time ago but it did not. Now that it is here, let us do our job and make sure that we do everything we can to protect children.

As a member of Parliament I am pleading with my colleagues across the way to make sure that at committee we take the time to bring in witnesses, and not just a couple of witnesses. Last week on a piece of legislation I was dealing with, the official opposition was allowed only one witness and then given only five minutes to ask questions of that witness. I want to believe that everyone is genuine when it comes to tackling something as serious as child protection, specifically the sexual assault of children. With that in mind, it is really critical that when the bill gets to committee, we not only take the time to hear expert witnesses but also that we make decisions that would make things better.

Government Orders

All members of Parliament love photo ops. We have them in our ridings all the time when we are making announcements or when a festival occurs, or when we go to a tree lighting ceremony, like I am soon to do in Surrey. These are the kinds of photo ops we should take part in, but when it comes to the protection of our children from sexual assault, it is not something we want to be rushing through just so that we can say that we are doing something.

I do not sit on justice committee, but I have a great deal of trust in our critic and other members of the committee. I trust them to do due diligence on this issue, but in order to do that they need time. They need time to have discussions with the witnesses and to deliberate. Then they need time to put forward thoughtful amendments.

● (1055)

With this legislation, I hope my colleagues across the way will not say that it is their way or the highway. I hope they will give serious consideration to the amendments the New Democrats put forward, of which I am sure there will be many because my colleague, the NDP critic, is a very experienced lawyer who has a lot of expertise in this area and she takes this file very seriously. I know she will have some great suggestions.

Once again, let us ensure, as we tackle the very difficult, sensitive and heart-wrenching issue of the protection of our children from sexual offenders, that we get it right so our children are truly protected. That is the goal of all of us.

I have three grandchildren and like every other grandparent would say about their grandchildren, they are most gorgeous grandchildren on this planet. I think grandparents get the right to say that over and over again. As I watch them, I compare their lives to the way my children grew up. They have access to the Internet. My daughter is one of those moms who has all kinds of filters, and checks and balances that follow where the kids go on the Internet, but not every parent has the knowledge or time to do that.

As said, our children are exposed to so much more and no matter how much monitoring a parent does of their children's use and activity on the Internet, we know there are opportunities for those who seek to assault our children, to use the Internet in a way that probably even shocks and surprises many of us in this room who are a little more literate in these areas. I am sometimes shocked at what pops up when I am on the Internet.

There is a lot we need to do to protect our children. It is a different world. I always worry about what my grandchildren and other children are confronted with. If they have a sad moment and write something on Facebook or any other social media, what kinds of predators are waiting to pounce on that? We have heard about all the bullying that takes place on the Internet and the dire consequences of that.

Getting back to the legislation, let me make it very clear. There is no doubt that every NDP member sitting in our caucus has a zero tolerance policy on matters involving sexual offences against children. We absolutely respect the principles of jurisprudence and fundamental laws. At the same time, we have a zero tolerance policy when it comes sexual offences against children.

I do not want to keep bringing this up, but sometimes we have to remind ourselves. It was the NDP that offered to fast track parts of

former Bill C-10 that dealt with sexual offences against children. We were in agreement on that component. We were willing to separate that out and have it go through, but, of course, to no avail.

The NDP members have also introduced private members' initiatives, which the government ultimately adopted, with a view to preventing the sexual exploitation of children and making it illegal to use a computer to perpetrate an offence against a child. That was long before my time. It was put forward by former NDP member Dawn Black, who is now retired and enjoying a political life in a different arena.

● (1100)

As I said, our goal is to protect our children. We also know that in order to have child protection, having legislation itself is not enough. We can pass all of the legislation we like, but unless our communities have the resources they need, that legislation is just words on paper.

I come from the city of Surrey. As many have heard, we have had some pretty tragic events and murders in our city. My city is still waiting for a commitment that was made by the federal government for additional policing, and it has not lived up to it.

One of my major concerns is that I am from a municipality that is really stretched when it comes to policing, not only to deal with an increase in petty crimes, mental health and drug related crimes, but also to deal with gangs, drug cartels and all of those things. I worry that sometimes, as parliamentarians, we pass legislation because we absolutely believe in it and think it is good, but then undermine our own legislation when we do not provide the resources that are needed by communities. This is one thing I hope the government will keep in mind as we move forward with this legislation.

I cannot remember who it was, but somebody once said to me that if harsher and longer prison sentences, and the death penalty could end crime, the U.S. would have very little crime. However, we know that is not true.

We absolutely have to take a very close look at this legislation, but we also have to take a look at it in a way that will achieve our goal. Our goal is to protect our children. I have not had the time to go through the bill in detail, but what I have discovered, with my colleagues across the way, is often the devil is in the details. That is why we need experts to speak to the potential effectiveness of the proposed changes.

I know my limitations. I am not a lawyer, so I need to rely on the justice committee and our critic, who is a very experienced lawyer, as well as the experts who are called before the committee to ensure we make this legislation right. That is our goal, and that is where we should go with this.

Government Orders

As other colleagues have said in the House today, on the whole, we are told that nationally the crime numbers have gone down. Every time that is said in Surrey, the people there do not believe it, because of their lived experience day in and day out. I have been at recent municipal debates where people are very offended when that is said. They have a high level of anxiety around their own safety.

What is really concerning is that despite the changes made by the government since 2006 to better protect children, and there have been about nine of them, the Minister of Justice, at committee, stated that sexual offences against children had increased 6% over the past two years. That is a shocking number. As a parent, I looked at this and wondered how that could be? This is in spite of the fact that since 2006, the tough-on-crime agenda has been worked on or is in place

● (1105)

We all know, and I worked as a counsellor on a number of different issues, that along with being tough on crime, we also have to keep in mind the rights of the victims, protect them and provide them the resources they need after the crime.

I do not know about other provinces, but in my province, beautiful British Columbia, the area of child protection does not work too well. In fact, it is very disconcerting to hear the kinds of cuts that are being made in the area of social workers and other preventative measures.

Therefore, as well as having a tough on crime agenda, we also need support for the victims to help them rehabilitate after the crime. The trauma, especially when it comes to sexual assault, is great. One or two sessions with a counsellor will not do it for every child. Therefore, I am looking really hard for resources that would help rehabilitate our young children. I am not saying it is something a child, or any person, could get over. It would be very presumptuous of me to say that. However, without systematic and ongoing support, we will leave our children even more vulnerable. It becomes really critical that we have the resources to support the children.

At the same time, if we are going to ask our police forces to do more monitoring and many other things, then we should be looking at ensuring the RCMP and others have the necessary resources a well.

Going back to the children, every time a child is sexually assaulted, we need to look at support for the whole family. The whole family goes through the trauma, parents, siblings and everyone else in the vicinity as well, including grandparents. We have to do much more in that area.

We also need to do much more to protect our communities from repeat offenders. The tragic murder that occurred this year in my riding was a case of a repeat offender. He was on probation and was being monitored, yet in spite of all of that, a young woman in the prime of her life was killed.

We have to look at what actually works. I am not saying that we on this side of the House have the answers. What I am saying is we have to rely on experts and those who know far more than parliamentarians do about this whole issue. We have to look at how we deal with those who offend.

The NDP has put forward a valiant fight for the Circles of Support and Accountability Program.

Steve Sullivan, former federal ombudsman for the victims of crime, said this:

...the federal government recently announced it was cutting the measly \$650,000 in funding that Corrections Canada provides. CoSA also receives funding from the National Crime Prevention Centre; that's also set to end this fall. In total, the program costs \$2.2 million a year.

He went on to say:

Like most community-based victim services, CoSA is a fairly cheap program. It has 700 volunteers across the country; they meet with offenders after their release, help them find jobs and places to live, meet with them regularly for coffee. They support offenders as they start to live normal lives, ones that don't involve new victims. They hold them accountable.

● (1110)

Those services have been reduced or cut totally in some areas.

Let me finish by saying that we support sending this bill to committee. I am pleading with my colleagues across the way to give us the time that is needed to do our due diligence at committee, to be open to amendments, to be open to expert advice, and to listen to those who know more about this issue than we do so that we end up with good legislation. I am also pleading with them to fund the legislation so we can actually see its effect.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I thank my colleague for her thoughtful speech.

There were several specific themes that she touched upon that really resonated with me. I certainly appreciate her comments with respect to the need to support victims. We are grappling with that issue right now at the justice committee with the victims bill of rights.

The member said we need to adopt measures that will work. What we know is that the go-to, the default tool of the government, is mandatory minimum sentences. We saw a bunch of them imposed in Bill C-10; now we hear that there is 6% increase in these horrible crimes after the imposition of these mandatory minimum sentences. What are we doing in this bill? We are increasing them again.

The member referred specifically to two non-legislative initiatives that should be encouraged. That was also something that resonated with me. She talked about increased policing and the circles of support and accountability.

In keeping with our mutual wish to adopt measures that work, knowing that mandatory minimums do not, I invite the member to perhaps add some additional comments or thoughts on where our efforts should be focused if we are truly targeted on trying to have fewer victims.

● (1115)

Ms. Jinny Jogindera Sims: Mr. Speaker, when it comes to minimum sentencing, it is very clear that the leader of the third party is against mandatory minimum sentences. He has been very clear about that, and this bill will not create any more mandatory sentences.

Government Orders

However, I want to remind my colleague that it was the Liberal Party that introduced many of the mandatory minimum sentences. Sometimes we want to rewrite history a little, but it behooves us to do our due diligence and know that those originated with that party. The custom has been carried on by my colleagues across the way.

One of the things I know is that if we want to ensure the safety of our children, we do have to look at prevention and we also have to look at support. Even when people are incarcerated behind bars, we have to look at what kind of support we are providing while they are in there. Then we have to make sure that they are only released when they are not likely to reoffend. If there is even an iota of a chance that they may, we have to make sure we have processes in place to ensure our children's safety.

I am not an expert on what it would look like on the ground. I think it needs to be not members of Parliament but experts, including our RCMP and community groups, that deal with this issue. We have to accept the fact that rehabilitation is not always possible.

[Translation]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, from what I gather from the many dealings I have had with people who work in field of sexual offences, I must say that one of the main problems is not the punishment, but proving guilt. Before someone is sentenced to prison, their guilt must first be proven beyond a shadow of a doubt. That is a serious problem.

Far too often, I have seen cases thrown out for lack of evidence. To get valid testimony from a child or someone who is delayed or mentally disabled takes a team of specially trained police officers. That is the real issue when it comes to the bill before us. I would like to see a provision in the bill for training police officers so that they can get the evidence they need to lead to convictions.

[English]

Ms. Jinny Jogindera Sims: Mr. Speaker, our colleague has just reminded me, and I do not see how I could have forgotten, that today is actually the UN day of the child. I thank my colleague for reminding me of that. It is apropos that we are discussing this legislation today.

There are many issues when it comes to sexual assault. There are many victim-related issues, and we always have to be careful that we do not revictimize the victims and do further harm. We also need to have processes in place that ensure those victims are protected from further abuse, but as my colleague said, we have a legal system, and I trust the people in the legal system to be able to deal with the issues as they arise.

Our job as parliamentarians is to pass clear legislation that can be interpreted by those who have to implement it. I will go back to this point again. We have to ensure we put resources in place both for victims, for rehabilitation, and for other supports that are needed to protect children. The safety of our children has to be our number one priority. There is nothing more heinous for any of us to imagine than the sexual assault of minors.

• (1120)

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I thank my colleague from Newton—North Delta for her insightful speech today.

I have heard in this House comments about child sexual abuse having gone up by 6% since mandatory minimum sentences were put in place. The question earlier today was that mandatory minimums are not working, so why do we do it?

There is one factor that has not been taken into consideration in this House today. The fact is that because of the bills that have been put forth in this House, more victims are coming forward and speaking out. I find the mandatory minimum sentences extremely helpful. They protect the child.

The tenor in this parliamentary chamber today is so gratifying. I hear my colleague across the way speaking from her heart for the safety of children and I hear my other colleagues saying that it is of paramount importance that children be protected. However, we have to look at the whole picture when it comes to mandatory minimums. They are of paramount importance because of the increase in the number of people coming forward.

I want to ask my colleague across the way if she has looked statistically at how many people, and how many children, are coming forward now in comparison to three and four years ago? I think she would be quite gratified to see the change in those numbers.

Ms. Jinny Jogindera Sims: Mr. Speaker, I want to thank my colleague. I have a great deal of respect for the work she has done around trafficking issues. I know her heart is in that work and I have had the privilege of enjoying conversations with her on those issues, so I know how seriously she takes legislation like this.

For me, the 6% increase in sexual offences against our children is a horrendous figure. Even one child who is sexually assaulted is one child too many, in my books, and no amount of statistics is going to make me think any differently about that.

I think I was very careful not to single out minimum sentencing in my speech. I generally referred to all the tough-on-crime agenda components, and I want to stress that again. This is not about throwing darts and arrows. For me, it is about getting something right. If we as parliamentarians cannot put aside our darts and arrows when it comes to children's safety and to protecting children from sexual predators, or if we make the kinds of comments that members made in this House when I made a comment a few minutes ago, it diminishes us in the public domain. We need to rise above all of that and focus on doing this right.

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am pleased to voice my support for Bill C-26, the tougher penalties for child predators act, during second reading debate.

Government Orders

[*Translation*]

In order to support the Canadian government's commitment to stand up for victims of crime, the Minister of Justice and Attorney General of Canada and the Minister of Public Safety and Emergency Preparedness introduced a bill to better address the problem of sex offences committed against children in Canada and abroad.

[*English*]

The bill builds on the government's concerted efforts to protect children from those who would prey on their vulnerability.

Some examples of what this government has done to better protect children from sexual predators include the Safe Streets and Communities Act in 2012, which established new mandatory minimum penalties for seven existing child offences, increased the mandatory minimum penalties for nine existing child sex offences, and increased the maximum prison sentences for four existing child sexual exploitation offences to better reflect the serious nature of these offences.

It also created two new offences to prevent anyone from providing sexually explicit material to a child for the purpose of facilitating the commission of sexual offences against that child, which is section 171.1 of the Criminal Code, and to prohibit anyone from using any means of telecommunications, including the Internet, to agree or to make arrangements with another person for the purpose of committing sexual offences against a child, which is section 172.2.

It also requires judges to consider prohibiting suspected or convicted child sex offenders from having any unsupervised contact with a young person under the age of 16 or having any unsupervised use of the Internet or other digital network.

There was also the law called "An Act Respecting the Mandatory Reporting of Internet Child Pornography by Persons Who Provide an Internet Service" in 2011, which requires those who provide Internet services to report when they are advised of an Internet address where child pornography may be available to the public.

As well, the Protecting Victims from Sex Offenders Act of 2011 required all those convicted of sexual offences abroad to report to a police service within seven days of arriving in Canada, and the Tackling Violent Crime Act of 2008 doubled the duration of peace bonds and protective orders for persons convicted of child sexual offences or suspected of committing such an offence in the future, and of course raised the age of sexual activity, known as the age of protection, to 16 years.

This last amendment is significant. It brought Canada in line with other like-minded countries to ensure a higher level of protection for children in Canada by preventing Canadian children from being targeted by foreign pedophiles, who used to view Canada as a safe haven to pursue sexual activity with 14- and 15-year-olds.

• (1125)

[*Translation*]

Our government has also taken broader measures to help young victims of crime. We have provided over \$10 million for new or enhanced child advocacy centres, or CACs, since 2010. So far, CAC

projects have been funded in 20 cities or municipalities across Canada.

Teams of professionals at these centres help young victims and witnesses cope with the trauma they have experienced and navigate the criminal justice system. We also launched www.getcybersafe.gc.ca, the Government of Canada's public awareness website on online safety. The site contains information for parents on how to protect their children from people who go online for the purpose of exploiting, manipulating or abusing children.

We joined the Global Alliance Against Child Sexual Abuse Online in June 2013. The goal of the global alliance is to strengthen international efforts to fight Internet predators and child abuse images online. It focuses on identifying and helping victims, prosecuting offenders, increasing public awareness and reducing the availability of child pornography online.

There was also consultation with the public and stakeholders in order to better understand the different opinions on which rights should be recognized and protected by a federal victims bill of rights. These consultations are crucial to determining how best to enshrine victims' rights in a single federal law.

Since 2006, the government has allocated more than \$120 million to meet the needs of victims of crime through programs and initiatives delivered by the Department of Justice.

[*English*]

This is only a sampling of the measures that this government has undertaken to strengthen the criminal justice system's protection of children from such heinous crimes, but these measures are the foundation on which Bill C-26's proposed reforms are built. I believe that the import of Bill C-26's reforms can only be truly appreciated in this context.

First and foremost, sentencing reforms in Bill C-26 would ensure that those who prey upon children receive the sentences they deserve.

[*Translation*]

In Canada, more than 3,900 sexual offences against children were reported to the police in 2012. That is a 6% increase over 2010. We must take action.

This bill proposes nine new measures that reflect the commitment the government made in the 2013 throne speech to re-establish Canada as a country where those who break the law are punished for their actions, where penalties match the severity of the crimes committed, and where the most vulnerable victims—children—are better protected.

Government Orders

The measures are as follows: requiring those convicted of contact child sexual offences against multiple children to serve their sentences consecutively, one after another; requiring those convicted of child pornography offences and contact child sexual offences to serve their sentences consecutively; increasing maximum and minimum prison sentences for certain child sexual offences; increasing penalties for violation of conditions of supervision orders; ensuring that a crime committed while on house arrest, parole, statutory release or unescorted temporary absence is an aggravating factor at sentencing; ensuring that spousal testimony is available in child pornography cases; requiring registered sex offenders to provide more information when they travel abroad; enabling information sharing on certain registered sex offenders between officials responsible for the national sex offender registry and at the Canada Border Services Agency; and establishing a publicly accessible database of high-risk child sex offenders who have been the subject of a public notification in a provincial or territorial jurisdiction to assist in ensuring the safety of our communities.

• (1130)

[English]

The bill proposes to increase the mandatory minimum penalties for 9 existing child sexual offences as well as to increase the maximum penalty for 16 existing child sexual offences. The offences cover the full range of conduct engaged in by child sexual offenders.

Some offenders engage in conduct that is preparatory to a contact sexual offence. This process is sometimes referred to as “grooming”. For example, some offenders may show children sexually explicit material to normalize the sexual activity in which they wish to engage. Others may attempt to make an agreement with another adult who has control over a child to sexually abuse that child. Still others may directly contact a child through the Internet to prepare the child for sexual abuse.

I stress that all this contact is specifically prohibited by the Criminal Code, sections 171.1 to 172.2. Bill C-26 would ensure that the penalties for engaging in this conduct are commensurate with the severity of the crime. Applicable mandatory minimum penalties would be increased, and a maximum penalty of 14 years on indictment would be imposed for all these preparatory child sexual offences.

The Criminal Code also prohibits sexual contact with children through child specific sexual offences, sections 151 to 153, and general sexual offences, sections 271 to 273. Maximum penalties for child specific sexual offences as well as for the general sexual assault offences, section 271, where the victim is under 16 years, would increase from 18 months to 2 years less a day on summary conviction and from 10 years to 14 years on indictment. The maximum penalty for sexual assault with a weapon where the victim is under age 16 would increase from 14 years to life imprisonment.

Bill C-26 would also strengthen the child pornography provisions, which prohibit making, distributing, possessing, or accessing child pornography, section 163.1. First, the bill would make the offence of making and distributing child pornography strictly indictable and increase the maximum penalties from 10 years to 14 years to reflect the particularly heinous nature of these crimes. It would also increase

the mandatory minimum penalties for possessing and accessing child pornography from 90 days to 6 months on summary conviction and from 6 months to a year on indictment. In addition, it would increase the maximum penalties for these offences from 18 months to 2 years less a day on summary conviction and from 5 to 10 years on indictment.

However, Bill C-26 does not stop there.

The bill would also increase penalties for breaches of supervision orders. These orders can be imposed to prevent future offending. Therefore, it is critical that penalties for breaches of such orders act as a deterrent.

Accordingly, Bill C-26 would ensure that anyone convicted of breaching a probation order, peace bond, or prohibition order would be subject to a maximum penalty of 18 months on summary conviction rather than the existing 6 months, and 4 years on indictment rather than the existing 2 years.

I have focused on the reforms Bill C-26 proposes that would increase penalties for child sexual offences, but the bill also proposes other important sentencing reforms, including to require that offenders who offend against multiple child victims, or commit child pornography offences and contact child sexual offences, serve their sentences for these offences consecutively rather than concurrently if they are sentenced for such offences at the same time. This means no more sentence discounts.

Bill C-26 would also ensure that committing an offence while subject to a conditional sentence order—that is, a sentence that was served in the community or while on parole or while on statutory release—is also considered an aggravating factor for sentencing purposes.

All of these sentencing reforms taken together would assist in strengthening the criminal laws' intricate web of protection for children.

In short, these reforms would send a message: Canada will not tolerate sexually offending against children. We must do everything we can to prevent such offending, protect children, and hold offenders to account.

Government Orders

I am also pleased that this bill contains some important reforms that would assist in ensuring that the evidence of an accused's spouse is available in child pornography prosecutions; that information could be shared between Canada and foreign countries concerning Canadians travelling abroad to sexually offend against children; and that the public would be informed of high-risk offenders who may offend again against our children.

I will quote Sharon Rosenfeldt, president of the Victims of Violence. She said:

We need to protect the vulnerable and make sure they have the tools to get help, heal and move forward with their lives—especially our children. We at Victims of Violence welcome the federal government's move to strengthen laws surrounding sexual abuse, so children are protected from abuse and exploitation, victims are heard and our communities are made safer.

There is no doubt in my mind that Bill C-26 is a critical piece of legislation that would serve to protect our children and our communities and keep them safe. Accordingly, I encourage all hon. members to join me in support of Bill C-26.

•(1135)

[*Translation*]

Victims, especially children, need our support.

I invite members of all parties to join me in supporting this bill.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I would like to thank the Parliamentary Secretary to the Minister of Justice, whom I have the pleasure of working with in committee. We will certainly have some interesting discussions about Bill C-26.

This bill looks good on paper. However, since we are both lawyers, the member and I both know that when you factor in the provisions, the Criminal Code and reality, there may be major obstacles standing in the way of what looks good on paper.

Reality is catching up with the Conservatives. I would like to believe that they have a good reason for enacting tougher legislation. However, doing so will not increase the number of police officers to deal with these cases, the number of probation officers to monitor the offenders or the number of crown prosecutors to prosecute these cases. Therein lies the problem. We can impose harsher sentences and say that a person is liable to 14 years in prison, but that does not mean that the court will come to that conclusion.

In reality, crown prosecutors—and he knows this as well as I do—have to deal with a hundred cases and a hundred defence attorneys who are coming to them to say that their client will plead guilty to such and such a charge. This is why people sometimes get the feeling that justice is not easily served.

Sometimes, the system becomes bogged down because there are so many cases and they all take time. However, Bill C-26 does not seem to reflect that reality.

I would like the government to specifically address the discrepancy between what is written down on paper and the resources that are available to all of the stakeholders. There is still a serious shortage of judges in Ontario, Quebec, Alberta and other provinces. The government is dragging its feet.

There is a saying that “justice delayed is justice denied”. The government can create all the laws it likes, but that will not improve

access to justice and ensure that cases are resolved quickly so that victims can recover from these incidents. I do not see anything in Bill C-26 that will speed up the process.

Will the government introduce a more comprehensive solution to the problems with Canada's criminal justice system?

Mr. Robert Goguen: Mr. Speaker, I would like to thank my colleague for her question. Clearly, we should not let perfectionism stand in the way of something that is already fundamentally good. This bill protects the most vulnerable members of our society: children.

Throughout Canada's history, there have been numerous amendments to the Criminal Code. There have been many occasions where the justice system—meaning prosecutors, defence lawyers and victims' rights groups as well—has had to adapt to changes and modify how it works. However, how could anything be more motivating for stakeholders in the justice system to change how they work than making child protection the ultimate goal?

Is there always enough money to ensure that every bill is absolutely perfect? No. However, this is a step in the right direction. Protecting our most vulnerable, Canada's children, is a very commendable goal.

•(1140)

[*English*]

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I believe, on all sides of the House, it is fair to say that we abhor these terrible crimes and we should all seek to have fewer victims.

I would like to have an adult conversation about mandatory minimum penalties.

We believe in evidence-based decision-making. In 1990, the justice department said, in a report:

The evidence shows that long periods served in prison increase the chance that the offender will offend again.

In 1999, research commissioned by the Solicitor General concluded that:

To argue for expanding the use of imprisonment in order to deter criminal behaviour is without empirical support.

In 2004, a Massachusetts report called mandatory minimums “a recipe for recidivism rather than a recipe for effective risk reduction.”

Would the parliamentary secretary point us to one study that shows that mandatory minimum sentences would create fewer victims?

Mr. Robert Goguen: Mr. Speaker, probably the most important study that a parliamentarian could observe, read, and study is the sentiment of the public that the justice system was really shortchanging them. The reason there are mandatory minimum sentences, the reason why they increased the sentence in the case of child sexual offences, is that the public abhorred the fact that people were committing absolutely heinous crimes and were getting off scot-free. The public, in consultations that the Minister of Public Safety and Emergency Preparedness had, has given us a resounding response: look, crimes of this nature will no longer be tolerated.

Government Orders

We have acted in accordance with those wishes. We feel that those wishes are definitely in line with what all of Canada wants, and our values. That is why we have mandatory minimum sentences. That is why we have increased maximum sentences. They reflect the gravity of the crime.

Even in the Bible, there are 10 commandments. Let us just say that maybe murder is more serious than, perhaps, stealing. They are both crimes. However, not every crime is of the same magnitude in the Criminal Code.

We feel that offences against children, the most vulnerable, are the ones that must be penalized most severely. That is the message we are conveying.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I want to thank my colleague for his very insightful and very knowledgeable speech. Regarding what was said in this House a few minutes ago about mandatory minimums, anybody can have the feeling, philosophically, that mandatory minimums are not useful.

However, in actual fact, in Canada right now, because of the mandatory minimums that were put in for human trafficking offences, because of the mandatory minimums that are being put here, there is a difference. Again, I say something that a lot of parliamentarians across the way are not addressing in this House today. The fact is that more and more people are speaking out. That is why we are having an increase. The victims are feeling safer.

I even have a lot of older men and women coming to me, saying, “You know, this happened to me as a child. I couldn’t say anything. There was nothing. No one would stand by me.”

Would my colleague please comment on the fact that our government has done much in the protection of children, and this is why we are hearing about so much of this in this day and age?

Mr. Robert Goguen: Mr. Speaker, I thank the hon. member for her question and her help on this file.

The justice system is a means to an end. Certainly, the justice system is there to protect children. In the past, we always respected the fact that a husband and wife were married, that they would not be able to testify against one another and that they were sometimes reluctant to do so. This bill would bring an amendment to subsection 4(2) of the Canada Evidence Act to render an individual compellable against their spouse in the case of child pornography. It is the case of many child sexual offences.

In criminal law, it is a question of public order. It is all a question of balancing the interests of the citizens. Sometimes there is an intrusion on one right in favour of another, and we have to evaluate the strengths and weaknesses of each one’s rights and values. However, in this case, the government has thought so strongly about protecting the rights of children that it has done something that is unusual in common law. It has gone so far as to make a spouse, a husband and wife, compellable against each another in order to produce evidence of offences against their very own offspring.

That is the sentiment. That is the depth of our commitment to trying to protect children. It is not that we do not respect married life, but that first and foremost, the most vulnerable, the children, must be protected.

●(1145)

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, the question I have for the parliamentary secretary is based on his legal experience and from someone who has about 30-plus years of policing experience. We are dealing with child sexual offences. Generally, although not always, they are committed by pedophiles.

To the best of my knowledge, pedophilia has no cure. To the best of my knowledge, all we can do is to empower a person who has this distorted sense of sexuality, shall we say, and give them the tools to be able to subdue it somehow, whether through chemicals or other types of training or education. We know that this takes a substantial amount of time, having spoken myself to people who are trying to working in our prison system to do those very things.

The parliamentary secretary talked about our most precious resource, our children. These are our children and anything inappropriate that happens to them will have lifelong effects on them. Therefore, would mandatory minimum sentences not give the perpetrator of these crimes sufficient time in our prison system to be able to at least subdue those urges, which are totally and entirely inappropriate?

Mr. Robert Goguen: Mr. Speaker, finally, someone has grasped one of the essential points of mandatory minimum sentences. Quite frankly, I agree with the comment that, regretfully, pedophilia is not an illness that can be cured—and it certainly is an illness. While the aim is not so much to take those who are afflicted with this disease, put them in jail and throw away the key, the evidence, regretfully, proves that it does not appear that it can be cured.

In the case of mandatory minimum sentences, in the case of longer sentences, and in the case where people afflicted with this sort of disease have a chance to get some treatment, there is a hope that they will be cured. There is a hope, but there is also certainty that when they are behind bars, they will not be reoffending and will not be attacking the children of Canada.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l’Île, NDP): Mr. Speaker, I am very pleased to rise today to speak to Bill C-26 as it also gives me an opportunity to talk about our justice system more generally and the approach the Conservatives have been taking since 2006, when they were elected to government for the first time with the current Prime Minister as their leader.

It is hard to know where to start. We have talked about mandatory minimum sentences, about how to make our streets and communities safer, and about how to address issues that our communities are facing. I would like to point out that the Conservatives’ policies are a far cry from what we have known in Canada, historically speaking. This is a complete 180. It is more than a 180, it is more like a 360, but that would put us back where we started, so I will stick with 180.

Government Orders

Bill C-10 is a perfect example of the Conservatives' approach to criminal justice issues. I would like to talk about what we do in Quebec since my riding, La Pointe-de-l'Île, is located on the Island of Montreal in Quebec. We have a long-standing, deep-rooted tradition of working with victims, in accordance with the reintegration and rehabilitation principles that have guided our criminal justice policies. These are principles that do not rate for the Conservatives, values they may not care about. I am being the devil's advocate here. Is one side more right than the other? I do not think that this debate should be about who is right and who is wrong. It should be about what works on the ground. That is what I am going to talk about in my speech.

This debate is not about adding mandatory minimum sentences, but since my colleague, the Parliamentary Secretary to the Minister of Justice, talked about that, I feel I can talk about it too. Adding such sentences not only takes away judges' discretionary power, but also makes the system we cherish, a system based on rehabilitation rather than repression, completely ineffective. That might be something we could debate. Some experts will say that it works, and others will say that it does not. If we want to talk about a system that focuses on repression, we can look at statistics from the United States. We know that the American system is one of the most repressive in the world.

I did some research on the Internet. I found articles and speeches given in American legislatures in extremely conservative, Republican states such as Texas, South Carolina and Ohio. These states have adopted the kinds of policies that the Conservatives are trying to sell us. The Conservatives are trying to force Canadians to abandon the fundamental values and principles that we have fought so hard for in favour of an almost biblical vision—the parliamentary secretary actually mentioned the Bible—of the justice system. I would like to quote a few remarks by some extreme right-wing governors in the United States.

● (1150)

[English]

In one article, the following is said:

Conservatives in the United States' toughest crime-fighting jurisdiction—Texas—say the Harper government's crime strategy won't work.

The judge in question went on to say:

"You will spend billions and billions and billions on locking people up," says Judge John Creuzot of the Dallas County Court. "And there will come a point in time where the public says, 'Enough!' And you'll wind up letting them out [without any support whatsoever]."

The article continues:

Adds Representative Jerry Madden—a conservative Republican who heads the Texas House Committee on Corrections, "Its a very expensive thing to build prisons and, if you build 'em, I guarantee you they will come. They'll be filled. OK? Because people will send them there."

He was referring to the American people.

These comments are in line with a coalition of experts in Washington, D.C. who attacked the Harper government's omnibus crime package, Bill C-10—

The Acting Speaker (Mr. Bruce Stanton): Order. I would just remind the hon. member the convention is that we do not name other members. That also falls true in the case where an hon. member is

mentioned in a citation. When members are reading a citation, I would just suggest that they use the hon. member's title or constituency name to replace that particular word in the citation, and then I am sure we will stay within the bounds.

● (1155)

Ms. Ève Pécelet: Mr. Speaker, I duly apologize. I am talking about the Conservative government's omnibus crime package, Bill C-10.

The executive director of the Washington-based Justice Policy Institute has said the following:

Republican governors and state legislators in such states of Texas, South Carolina, and Ohio are repealing mandatory minimum sentences, increasing opportunities for effective community supervision, and funding drug treatment because they know it will improve public safety and reduce taxpayer costs....

[Translation]

When the Conservatives start talking about facts on the ground, they should listen closely to the Americans, who have already used this type of policy, a policy that unfortunately did not work. Speaking of statistics in the United States, a lawyer who heads an anti-tax, civil rights group said the following:

[English]

We've seen a double-digit decline in the last few years in Texas, both in our prison incarceration rate and, most importantly in our crime rate.

[Translation]

According to that lawyer, since the State of Texas adopted a rehabilitation policy, its crime rate dropped dramatically.

According to him, and the FBI, the crime rate in Texas fell by 12.8% between 2005 and 2010. He commends Canada's criminal justice system and implores the Conservatives and the government not to fall into the vicious circle of repression, which did not work in the United States.

A number of states, including Florida, North Carolina, Ohio, and Texas are currently trying to imitate the Canadian system with the goal of reducing their crime rate. I just wanted to add that.

Experts have experienced the mandatory minimum sentencing system. They tried it and they are telling us, Canadians, that it does not work. They are asking us not to follow their example because our costs will increase and our communities will not be as safe. They are asking us to keep using our current system because they have started using it and it works.

As my colleagues, including our justice critic, the hon. member for Gatineau, said, we will support Bill C-26.

Everyone here agrees that sexual offences against children are horrible and I know that we must crack down on them.

However, as the hon. member for Gatineau said in her speech, the minister told us in committee that there has been a 6% increase in sexual assaults against children since his party adopted minimum sentences for these kinds of offences. This creates a dilemma. Does introducing or increasing mandatory minimum penalties really work?

Government Orders

According to the statistics the minister presented in committee, there has indeed been an increase of 6%. I will not draw any conclusions because we do not yet have enough information to determine the actual effectiveness of these kinds of sentences. It would be nice if the minister could appear before our committee again and present any studies that have been conducted and explain the conclusions that can be drawn from the use of these new minimum penalties.

In my view, we do not yet have enough information to determine what kind of policies we should be implementing. Furthermore, American states that did introduce a system of mandatory minimum penalties are telling us not to make the same mistake they made.

I look forward to discussing this bill with the minister and with experts, to see exactly what we should be doing to prevent sex offences against our children.

● (1200)

The federal government has announced that it is going to abolish the Corrections Canada program, which will save about \$650,000. That is a pittance. It is a drop in the bucket compared to the billions poured into the judicial system every year. Furthermore, there is proof that the program works and that it decreases the rate of recidivism by up to 70%.

I realize that criminals must be held responsible for their actions. That is a fundamental principle. However, victims in our communities do not go to jail. They need to feel that they are supported by government programs. However, the government wants to abolish the program that makes our communities safer, as people have told us.

We cannot embrace the Conservative agenda, which consists of putting people in jail and not considering anything else. What will we do when these people are released? Will we simply leave them to their own devices?

The hon. member for Gatineau told us about someone in her riding who was released from prison, was left to fend for himself and was then re-arrested by the police. What do we do with these people? They need support, not just for their own sake, but also to ensure the safety of their community and our children. It is not right to say that we will protect our children by sending people to jail. Perhaps we will protect them for a while, but children grow, get older and remain in the community.

So what do we do in order to protect them not just for five years, but for 10, 15, and 20 years? I would like to point out that under the Convention on the Rights of the Child, a person is a child until the age of eighteen. Children are entitled to be protected by their government until they are eighteen years old. Then they become adults. Adults are also entitled to be protected by their government, but we are currently debating sexual offences against minors. Why then abolish programs that work?

I would also like to talk about the problem with the registry. This bill would give the minister the discretionary power to make regulations on who is considered a high-risk offender. We know very well that giving a minister discretionary powers without any oversight body is never a good thing, since this power can be abused. This poses a problem: what are the regulations? How will

the minister make them, and will he have to report to parliamentarians?

We are not just talking about a registry here. We are also talking about enabling parliamentarians to do their job. If the minister gives himself discretionary powers without any transparency, I have some concerns.

It is also important to ask whether the minister consulted the provinces. Even though it is Parliament's role to enact criminal legislation and amend the Criminal Code, the provinces are often responsible for enforcing this legislation and administering criminal justice.

● (1205)

Did the minister consult the provinces? Does the minister understand what the provinces will be forced to adopt or dismantle? The provinces will have to adapt. How will the minister consult the provinces and support them in lowering the rate of sex offences against children?

We are legislating here, but the provinces are the ones that will suffer the consequences. Once again, the government is shirking its responsibility to the provinces. We often hear that prisons are full. My colleague from Gatineau just asked the parliamentary secretary a question. We are short of criminal lawyers, crown prosecutors, and judges.

The criminal justice system works as a whole. It is not just about crime and punishment. There are lawyers, social workers, victims' assistance workers, and judges. This system needs to be coherent, and if we do not ensure that the system is coherent, then we have missed the boat.

I would like to talk about another problem. Once again, by asking the minister a question about the RCMP's resources, my colleague from Gatineau was able to discover that the RCMP was having a great deal of difficulty updating criminal records. People are often outraged to learn that a criminal is being set free even though he is a repeat offender. Criminal records are not updated on a continual basis because the RCMP is having hard time staying on top of that task. How are crown prosecutors, lawyers, and judges supposed to be able to do their jobs if the RCMP does not have enough resources?

How can the government implement a predator registry if the RCMP cannot even keep offenders' criminal records up to date? That does not make sense. The police, lawyers, and judges will not be able to do their jobs.

I hope that we will pass the best bill to protect our children and ensure that people know that they can count on their government to put an end to sexual offences against children once and for all and protect their communities.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I would like to congratulate the hon. member for La Pointe-de-l'Île, who has been a hard-working fellow member of the Standing Committee on Justice for some time now. I congratulate her on her speech. She pointed out numerous inconsistencies in the Conservatives' vision on paper of law and order. They talk tough, but actions are also very important at times.

Government Orders

There is a saying about walking the talk. At the Standing Committee on Justice, we often try to make it clear that the Conservatives can increase sentences as much as they want and they can create all kinds of offences, but at the end of the day, if they are unable to get guilty pleas or verdicts, keep people locked up or monitor them once they are out of prison, then there is a problem.

A number of times this morning, since this debate began, I have heard the hon. member for Kildonan—St. Paul say that we should be pleased that more victims of sex crimes are reporting these crimes. Of course I am pleased to hear that. The more victims who come forward, the better. However, the system is letting these victims down. Satisfaction with the justice system is still at an all-time low. I find that somewhat surprising.

Could the hon. member for La Pointe-de-l'Île speak to that? In her opinion, why does the general public, including victims, have the impression—despite all of the Conservative government's efforts—that the justice system does not meet people's needs?

• (1210)

Ms. Ève Pécelet: Mr. Speaker, I sincerely thank my colleague for her question, which allows me to talk a little more about the notion of coherence, which I touched on in my speech.

Often in the House of Commons, the Conservatives pass bills regarding certain offences to increase minimum or maximum sentences, without looking at the big picture or confirming that there is a problem.

We are talking about part V of the Criminal Code and increasing minimum and maximum sentences. The problem is that victims, whom we heard from at the Standing Committee on Justice and Human Rights, are feeling abandoned. We can send an offender to prison, but at the end of the process, victims are not getting the support they deserve.

Passing a bill every so often to increase penalties is great, but if we do not make sure that the justice system is coherent, if we do not shorten the delays, if we do not listen to victims and if we do not help those who go to prison in order to make our communities safer, then we are missing the mark.

Coherence in the justice system goes beyond the Criminal Code. It extends to many other laws and systems. The provinces play a major role, but once again, the Conservative government is passing bills at their expense, without providing any additional support.

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, this is the first time I have risen to take part in this discussion, but I had to rise because I cannot believe what I am hearing.

[English]

What I have heard is because the system is not perfect, the NDP thinks we should throw the baby out with the bathwater. Because the system is not perfect, the New Democrats think we ought to forget that these children are being sexually abused, and that I cannot tolerate.

Having worked in the child abuse unit for many years, having seen these horrific crimes, having seen the horrific injuries to these children, I implore NDP members to think about what they are

saying. Process is not what is most important in this discussion; it is the protection of children.

We have the victims bill of rights. Would the member please tell us that she is in favour of balancing the system and giving that confidence to the victims by supporting the victims bill of rights, which will help them to have confidence that we will protect these children better? I hope she will stand in her place and agree that is what our victims need and that she will support that bill as well.

Ms. Ève Pécelet: Mr. Speaker, with all the respect that I have for the minister, I am disappointed she adopts the same attitude of her colleagues who will attack me and any member of the NDP by saying that we do not support victims. If she had listened to my speech, I said that we would support Bill C-26 to increase penalties for child offenders and that we would support Bill C-32, the victims bill of rights act.

If the member cares about what I have to say, she would find that I have been advocating for victims rights and for child protection since becoming deputy critic for justice. All I am saying is that we need to do better, and we can do better. If the member disagrees with me, I am sorry, then she does not deserve to be in government. That is all I am saying.

• (1215)

[Translation]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, clearly, subjects such as crime and sexual assault against minors get us really fired up. People get very passionate about this, but there can also be a degree of misunderstanding. The Conservative government just cannot seem to walk the walk.

One of the issues we have raised most frequently since the Conservative government started calling itself the law-and-order government is the need to walk the walk and put up the money, the human and financial resources, for both victims and offenders. Both categories are in the same boat. If there is no rehabilitation, either for the victim or for the offender, regardless of the crime that was committed, and if no money is allocated, no human resources, no means or infrastructure to enable this system to work, then this whole process is pointless. Why does the government have to walk the walk? Why does it always offload the work onto community groups and the provinces? I would like my colleague to comment on that.

Ms. Ève Pécelet: Mr. Speaker, I thank my colleague for the question. It will allow me to come back to a few points that I raised. In fact, the United States are doing exactly the opposite of what we are about to do right now. They are reducing minimum sentences and instructing their judges to customize sentences in order to reduce the crime rate.

I have here a report by the U.S. administration that makes the distinction between the Canadian and U.S. budgets and the crime rate. The report says that the Americans are reducing their spending on prisons and turning to alternative solutions and community options. They have seen their crime rate go down.

The report says that Canada has almost doubled its spending on prisons, which has gone from \$1.6 billion to \$2.9 billion, and that the funding allocated to alternative solutions has been reduced. I do not have Statistics Canada's data on the impact this has had, but I can point out that a number of U.S. states that adopted this repressive system have indicated that it did not work. They are trying to adopt a rehabilitation system, a system that we are now completely destroying.

[English]

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, it is a real honour to participate in the second reading of Bill C-26.

I will be sharing my time with the hard-working Minister of Canadian Heritage and Official Languages, and I want to thank her for her work on these important files. She has a huge heart. I got to know her a number of years ago, and she is one of the most compassionate people. The minister actually has a police officer background, so I can only imagine her caring and how much good work she did when she was a police officer.

I also want to thank the NDP and Liberal opposition colleagues for their commitment to support Bill C-26, demonstrating a concern to protect the victims of sexual assault and their commitment to support our victims bill of rights. It is the right thing to do as a House, to come together on these important pieces of legislation. It is very encouraging for me and all Canadians.

Bill C-26 is another concrete initiative of our government to combat all forms of child sexual exploitation. It aims to guarantee that sentences imposed for sexual offences against children reflect the gravity and reprehensible nature of these offences.

One of the ways that this bill proposes to attain this objective is to ensure that those who have committed sexual offences against children do not receive a sentence discount for cases where there are several victims. To better understand these proposed amendments, it is important to consider how sentencing is carried out in cases involving multiple offences.

Subsection 718.3(4) of the Criminal Code contains the general principles with respect to the nature in which sentences imposed in multiple offences are served, and that is, when they should be served concurrently, which is at the same time, or consecutively. Unfortunately, that provision is an amalgamation of legislative provisions, most of which have existed since the first Canadian Criminal Code. The text itself is difficult to read.

As a result, that provision provides little guidance to the sentencing courts. This bill proposes to clarify its content. When sentencing an offender at the same time for several offences, courts have the discretion to order that the sentences be imposed and served one after another, and that is called consecutively, or at the same time, called concurrently.

Over the years, the Canadian courts have developed an approach whereby they will generally order that the sentences are served consecutively, unless the offences arise out of the same event in a series of events in which case concurrent sentences are usually imposed.

Government Orders

In assessing whether the offences arise out of the same event, the courts will consider, for example, whether the offences have a real or temporal connection, or whether these offences have any logical connection to one another.

This rule is not absolute, though. Courts acknowledge that in some cases the sentences imposed for offences committed as part of the same event or a series of events are such that they should be served consecutively.

An example of this approach is reflected in situations where an offender tries to evade police after committing an offence, such as an armed robbery. The general rule is that in such a situation the sentences imposed on those offences would be served concurrently. However, courts will generally impose consecutive sentences in such situations in order to reflect the reprehensible nature of an offence committed in such situations.

Courts will generally follow the same principle in situations where an offender who is on judicial interim release, otherwise known as bail, commits another offence, for example, the offender is serving an offence, is out on bail and recommitting another offence.

Courts generally agree that a sentence for an offence committed while the offender is on bail should be served consecutively to the sentence for the offence for which the offender is initially on temporary release. To do otherwise would send a message that there would be no consequence for the offence committed while on bail.

This bill proposes to codify these sentencing approaches by directing the courts to consider ordering that the term of the imprisonment imposed be served consecutively to any other sentence of imprisonment, particularly when the offences do not arise from the same facts.

It is also important to note that the totality principle, which is found in paragraph 718.2(c) of the Criminal Code, requires that where consecutive sentences are imposed, the combined sentence should not be unduly long or harsh.

• (1220)

Where this is the case, the principle provides courts with the discretion to impose concurrent sentences where consecutive sentences would otherwise be unwarranted. Although there is a great level of flexibility provided to the courts in determining whether it will be concurrent or consecutive sentences, the Criminal Code directs courts to order that the sentences imposed for certain serious offences be served consecutively in all cases. This is the case for the offences of possession of explosives by a criminal organization; the use of a firearm in the commission of an offence; terrorism offences, other than where the sentence of life imprisonment is imposed; and criminal organization offences.

As I mentioned in my opening remarks, the main purpose of this bill is to ensure that people who commit sexual offences against children receive sentences that reflect the gravity and reprehensible nature of these crimes. In addition to the proposed higher mandatory minimum penalties and higher maximum penalties for certain sexual offences against children, this bill proposes to add sentences for multiple child sexual offences to the list of mandatory consecutive sentences in order to ensure that there are fit sentences.

Government Orders

The proposed amendments would also direct a court to order that the sentences imposed for child pornography offences be served consecutively to sentences imposed for other contact sexual offences against a child. For example, let us consider an offender who is sentenced, at the same time, for accessing and making child pornography and for the sexual assault of a person under the age of 16. The proposed amendment would mean that the sentence for child pornography and the sentence for the sexual assault would be served consecutively.

This approach aims to recognize, in part, the courts' practice of imposing sentences that effectively recognize the heinous nature of sexual offences against children, and particularly child pornography, especially when it is distributed over the Internet and is thus made permanently accessible around the world.

The proposed amendments also target situations where there are several victims and would require that sentences imposed, at the same time, for offences involving the sexual abuse of one child be served consecutively to sentences for sexual abuse offences committed against another child. In many respects, the proposed amendments would bring greater uniformity and certainty in future sentencing practices, particularly in the context of child sexual abuse cases.

The bill proposes an approach that clearly reflects the government's commitment to ensuring that sentences for sexual offences against a child better reflect the gravity of these offences and that they make all child sexual offenders answer for the exploitation and sexual abuse they have committed. The proposed amendments would particularly end volume discounts in sentences given to offenders who have committed multiple sexual offences against a child and would ensure that each victim counted in the sentencing process.

I encourage my colleagues in this House to unanimously support this bill, without reservation. I think that is coming, and I look forward to that vote.

● (1225)

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, we share the goal of there being fewer victims of child sexual offences. We all share that goal in this House. It is therefore critically important that we seek ways to reduce the number of victims who are affected. The mode of choice for the current government is mandatory minimum sentences.

There were mandatory minimum sentences introduced in Bill C-10, which came into effect in 2012, and since then, the incidence of child sexual offences has increased. The answer in Bill C-26 is to take those mandatory minimums we had in Bill C-10 and increase them. Given that this has not worked, would the member agree with me that we must be more creative in trying to cause there to be fewer victims rather than doing over and over again what is not working?

Mr. Mark Warawa: Mr. Speaker, I thank my friend from Charlottetown. I know he has a legal background, and I appreciate his commitment to participating in the debate and sharing his concerns about children being sexually exploited. I also appreciate his goal, which is the same as the government's, which is to reduce the number of victims of sexual exploitation in Canada.

We may not agree about when mandatory minimum sentences are appropriate. We have consulted with Canadians, and we continue to consult with Canadians. The fact is that Canadians want more mandatory minimum sentences than what our government is proposing. We have to reach that balance. I look forward to continuing to work with my friend across the way to find that balance, make Canada safer, represent our constituents, and amend the Criminal Code where appropriate.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, repeatedly this morning I have heard the question, "What is the use of mandatory minimums?" Repeatedly I have heard that because there has been an increase in child sexual exploitation, mandatory minimums are not working, and repeatedly I have said that they are working. They keep perpetrators away from victims. Also, there are more and more victims coming forward. Why? It is because now the laws are in place and victims and the parents of victims know that they can be protected.

I want to thank my colleague for his unending support for the protection of young children, especially on the human trafficking file. I want to ask him what he can tell me he feels is the most important point in this bill, because it breaks the ice in a lot of areas in terms of the protection of children.

● (1230)

Mr. Mark Warawa: Mr. Speaker, I want to thank my colleague, who I consider a dear friend. She has been recognized around the world for her work on protecting children and women who are being exploited and for her fight against human trafficking. We applaud her, thank her for her work, and know that she will continue to do that important work in Canada.

Mandatory minimums are very important. The courts must maintain discretion, and they do. If we pass legislation asking for mandatory minimums that does not meet the charter test, it will not stand. However, many of the mandatory minimum sentences we have now, to toughen up the Criminal Code, are supported by the charter, and when warranted, they are needed.

There is another issue I have been asked by constituents to work on, which is to get mandatory minimum sentencing for people convicted of killing someone while driving impaired. They want mandatory minimums. They believe that the Criminal Code needs to be changed in that respect.

I believe that there are appropriate times to make these changes, and I hope we can find that balance in this Parliament.

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I am absolutely pleased to be here to speak to Bill C-26.

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I want to take a moment before I begin to say that I know that many of us in the House are passionate about these very difficult subjects. As I was asking a question earlier of the member for La Pointe-de-l'Île, there were some unkind things said by her about whether I deserve to be in government.

I have almost 19 years of police work behind me. I intend to go back to police work. I spent four and a half years in the child abuse unit. I assisted with more autopsies of children than I ever want to remember. I have seen horrific injuries that these children, those who lived, will live with for the rest of their lives. I have worked on every single one of the crime and justice bills put forward by our Conservative government, and I am proud to say that these are measures that will continue to protect Canadians.

I believe that my voters are the ones who decide whether I belong here in government, just as her voters decide. At the point where this young MP realized that what she said was inappropriate, she did come over to me and apologize. I believe it is a measure of character, when people say something publicly they want to retract, that they actually do so. I challenged her to do so publicly so that my voters understand that what she said was not very kind and that she did not mean it, at which point she refused to do so.

I am offended by the fact that a young girl who has come to this place to help her constituents would attack other members when we are talking about a bill that we are all passionate about. I want to mention that, because I want to give her the opportunity to show her sincerity in apologizing.

Now I want to talk about the bill, which will, in fact, get the support of many members in the House, including members of the NDP, the Liberals, and some of our independent members. For that, I want to thank them sincerely, because it is probably one of the most important bills we will see passed through the House in my time here.

One of the highest priorities of our government has been made clear since we were elected in 2006, and that was to tackle crime. We all know that law-abiding Canadians expect and rightfully deserve to live in a country where they feel safe in their homes and in their communities. Canadians want to know that their children are protected from sexual offenders, whether online or in the streets of their communities and neighbourhoods.

While law-abiding Canadians believe in the importance of rehabilitation for offenders, as do I, they also believe that the punishment should fit the crime. Our government agrees. This is what has guided our strong actions since 2006.

Since that time, our government has put forward a number of important measures to protect the vulnerable and to hold offenders accountable. We have toughened sentencing and bail for things like serious gun crimes. We have strengthened the sentencing and monitoring of dangerous, high-risk offenders. We have ensured that murders connected to organized crime are treated automatically as first-degree murders. We have imposed mandatory jail time for drive-by or reckless shootings. We have also established longer periods of parole ineligibility for multiple murders. We have abolished the faint-hope clause that allowed early parole for murderers. We ended the practice of giving two-for-one credit for

time served in pretrial custody. We ended the practice of granting early parole to white collar criminals and other non-violent offenders. We also removed pardon eligibility for child sex offenders.

We have also worked hard to prevent crime and to support victims. For example, we established the Federal Ombudsman for Victims of Crime to provide information on victims' rights and services for victims, to receive complaints, and to raise awareness of victims' concerns among policy-makers and in the justice system. We established the youth gang prevention fund, which provides support for successful community programs to help at-risk youth avoid involvement in gangs and criminal activity.

Our government has introduced legislation to address online criminal behaviour, including cyberbullying. While this legislation is aimed at protecting all Canadians, it is predominantly our youth who fall prey to this type of online crime.

These are just a few examples of what our government has accomplished for the good of all law-abiding Canadians. However, we know that more can be done, especially to protect our most vulnerable, our children. The bill before us today is aimed specifically at doing just that.

● (1235)

Before I expand on the proposed legislation, I will give a bit of background on the national sex offender registry. In 2004, the Sex Offender Information Registration Act came into force, allowing for the creation of a database containing information, such as the physical description, name, address, and place of employment of convicted sex offenders across Canada. The national sex offender registry database is administered by the Royal Canadian Mounted Police and used by police across Canada to help prevent and investigate crimes of a sexual nature. Indeed, I remember very well using it in my time as a police officer. The registry is a shared initiative with the provinces and territories and is accessible to police forces across the country. Inclusion in the registry is based on conviction for a range of sex offences and not determined by an offender's risk level.

In 2010, our government introduced significant legislative reforms to strengthen the national sex offender registry and the DNA data bank to better protect our children and communities from sexual offenders. These reforms included amendments to the Sex Offender Information Registration Act, the Criminal Code, the International Transfer of Offenders Act, and the National Defence Act.

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With these amendments, there was automatic inclusion into and mandatory DNA sampling of convicted sex offenders in the national sex offender registry, and an expansion of the registry to include its use for the prevention of sexual crimes, and not just their investigation. In this regard, police were permitted to access the database for consulting, disclosing, and matching information, and for verifying compliance, and we also included vehicle plate numbers. Registration of sex offenders convicted abroad was included, and parallel amendments to ensure that the reforms apply to those convicted of sex offences through the military justice system were also added.

Those amendments, which came into force the following year, had widespread support from victims' families, the Federal Ombudsman for Victims of Crime, and the Canadian Resource Centre for Victims of Crime.

As of October 2013, there were approximately 36,000 sex offenders in the registry. Sadly, 24,000 of those individuals had a conviction for a child sex offence. That is why I am pleased to speak to legislative amendments that are aimed at protecting our most vulnerable from society's most heinous.

As I think about Bill C-26, I think about many of the investigations I took part in. If only I had had the strength of the amended sex offender registry when I was in the child abuse unit, some of those crimes might have been prevented. I am so thrilled and so proud to be part of a government that saw wisdom in allowing police officers to use that sex offender registry in a preventative way.

I want to share with members some of the cases I worked on which the proposed act would help with.

One case I worked on had 28 victims, all between the ages of 12 and 17. They were mainly boys who were forced into prostitution and sexually abused for years. Those boys, even though they had to go through the court system and to testify, never felt the justice that they should have been afforded, because the offenders who were found guilty were sentenced to such short time that the kids felt they had been betrayed.

Allowing us now to take every child into consideration, to make sure that every child matters by ensuring that the sentences for offences are appropriate and consecutive, would provide victims with the confidence that my NDP members have mentioned is lacking. I know this would assure our victims that there is hope and that the work they are doing in the criminal justice system to prevent others from being offended against will be improved, and that it will be respected and appreciated.

I speak on behalf of the many police officers across the country who will appreciate these changes. I even speak on behalf of offenders, who cannot bring themselves to get the help they need outside of an institution where they would be able to get the programs necessary to prevent further offences. I speak on behalf of the mothers whose children have been offended against. I speak on behalf of my own children who watched as their mother was heavily affected by many of these cases.

I hope that all members here will live up to their commitments and vote in favour, unanimously, to pass this very important legislation.

● (1240)

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I do not necessarily like the fact that I have to stand up right now and tell my colleague that I came to her and said that if she misunderstood what I had said and felt attacked, I was sorry.

It is easy for her to attack me when she has the opportunity to do it, but if every other member of the House who told me to shut up and sit down, came to me afterward as an adult and apologized for saying that I did not deserve to be here and admitted that, yes, they were impassioned and did not understand what I was saying, I would note that I am not a young girl but a member of Parliament who as much right to speak in the House as any other member.

She came in during the latter part of my speech. She did not listen to what I was saying. I will tell her again that if she misunderstood what I said, I am sorry. If she felt attacked, I do feel sorry, but this is not what I meant.

My question for her is how much the government thinks it will spend in the next year to help children and victims through the victims bill of rights. Right now, the government has not promised any money.

Hon. Shelly Glover: Mr. Speaker, once again, I will address the question the MP has put to me with regard to the apology. I have done verbatim statements for a long time, and I am disappointed. The member did come to me and say "I realized what I said and I am sorry." At that point, I thought that she might apologize publicly. Now to have her change her story, I am a little surprised.

Nevertheless, what is important is that the member is going to support this bill. What is important is that the NDP sees the victims of crime in this bill, those who have been offended against in a way that is, frankly, one of the most despicable crimes that exists. I am thrilled that they will be supporting us in that. I am thrilled to hear that they will be supporting us with the victims bill of rights.

With regard to any funds that are being provided by the government, I have already indicated, as have others, that we will be in discussions with provinces and territories for parameters and so on. That will come, but I am pleased to hear that the NDP will live up to its commitment to vote in favour.

● (1245)

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I thank the hon. minister for her speech. Certainly, as someone who has had a long career in law enforcement, she has a very valuable perspective to offer.

My questions throughout the morning have been on the subject of mandatory minimum sentences. As someone who has worked so closely on these horrible crimes, she undoubtedly shares the goal of all of us here that we should adopt measures that work and that result in fewer victims.

I would like to cite three studies that have commented on mandatory minimums. The Department of Justice, in 1990, found:

The evidence shows that long periods served in prison increase the chance that the offender will offend again.

In 1990, researched commissioned by the Solicitor General concluded the following:

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To argue for expanding the use of imprisonment in order to deter criminal behaviour is without empirical support.

A Massachusetts study from 2004 called mandatory minimums: ...a recipe for recidivism rather than a recipe for effective risk reduction.

My question for the minister is whether she is aware of a single contradictory study.

Hon. Shelly Glover: Mr. Speaker, I must share with the House that before becoming a police officer, I worked in a jail. I worked at the Stony Mountain Institution and tutored the Native Brotherhood so that they could gain some experiences they could use outside of the jail facility.

While I was there, I realized that many of these offenders did not have the internal fortitude to get the help they needed on the outside. There is a stigma and sometimes there is vigilantism, so many of these offenders do get the treatment and some of the help they need while they are on the inside.

Mandatory minimum sentences protect children from further offences. Many of these offenders admitted to me that they would be reoffending were it not for the fact they were incarcerated. That is all the proof I need. To know that one more child is protected from this kind of atrocity is enough.

The parliamentary secretary has cited a number of reports and so on that back up the evidence that the member is asking for, but I wanted to add to the discussion in sharing some of my personal experience, having participated in a jail prior to being a police officer.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, it is my honour and privilege to speak on Bill C-26, the tougher penalties for child predators act. In particular, I do appreciate the minister's earlier comments on the necessity of mandatory minimums, because even for one child, protecting them from an offender who is behind bars is of paramount importance.

Bill C-26 is a critical component of our government's commitment to ensuring that children are protected from the most horrible forms of exploitation. Our government, and everyone in the House, is committed to holding those who perpetrate these horrendous crimes accountable for their actions and to be punished accordingly, and above that, to ensure they are away from their victims so they cannot reoffend.

The proposed amendments would include increasing mandatory minimum penalties. That is why I think the subject is on the top of the radar screen in Parliament today and why we have continued to talk about them and their importance to keeping predators away from children and victims. Minimum penalties and maximum penalties for certain sexual offences committed against children ensure that the serious nature and effects of these offences on a child are recognized.

I note that the proposed amendments in the bill would build upon the reforms enacted by the Safe Streets and Communities Act by ensuring that all child sexual offences prosecuted by summary conviction are punishable by a term of imprisonment of up to two years less a day. I think that is very good.

The bill takes direct aim at and denounces child pornography by ensuring that the most serious forms of this offence are treated more

seriously. I want to talk about this because the bill proposes that the offences of making and distributing child porn would no longer be hybrid offences that only result in a maximum provincial term of imprisonment of less than two years if prosecuted as a summary conviction. It needs to be noted that under Bill C-26, which should be passed as quickly as possible, making and distributing child porn would become straight indictable offences and would be punishable by a mandatory minimum penalty of one year imprisonment and a maximum of 14 years.

I want to pause for a moment to tell members about a very brave young man, a 10-year-old child, who wrote me a four-page letter about how he was addicted to porn. I remember that when I talked about this in an interview with the *National Post*, some readers said, "Oh, Mrs. Smith does not have any such child."

In fact, I have received multiple letters and emails from across this country on this issue, but this one particular child really stood out with me because when the parents read the *National Post* comments section, they got very angry and phoned the paper. They got in their van, with their children and a couple of neighbours, drove all the way to Ottawa and knocked on my door here on Parliament Hill and spoke with me. They said, "This is a serious issue. It's not only our child, but it's others in school divisions all across this country that are affected." At that point, they pointed out that the laws on child porn and its effects were very weak in this country, because what happens out in the real world is that when a child trafficker targets a victim, they often condition them with porn. That is how they teach them. They try to normalize it.

In another case, a young girl—who, actually, I just gave an award to, about four weeks ago, for her bravery—came to see me. Her grandpa, who was a pedophile, had conditioned her while the parents were at work. Grandpa was home, conditioning her with porn, because he was taking care of her. This is so disturbing. He eventually put her out on the streets and raised a lot of money by trafficking his own granddaughter. Years later, terrible things happened to her because her whole world had been turned upside down

● (1250)

We are talking about middle-class Canada. We are not talking about somebody who is addicted to drugs. We are not talking about somebody on the streets. We are talking about middle-class Canada.

This bill is important because it addresses and denounces child porn, and our children are our most vulnerable citizens in this country. They are the little victims who do not speak out, particularly if it is done by a relative or somebody they are supposed to respect and love. More and more cases of pornography being inflicted on our youth population are emerging here in Canada.

Bill C-26 would make child porn an indictable offence punishable by mandatory minimum penalties. If this were not the case, many predators, in the quietness of their dens and homes, would use child porn in the most despicable manner. The penalties are a vehicle at our disposal to address the unlawful conduct of predators and the harm done to victims of crime. In the case of child porn, children are the innocent victims of a horrendous crime.

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No one in the House wants to see a child harmed. They are silent victims. In the adult world, we need to have things that adults understand, because the child porn that has been inflicted on children is done mainly by adults, and this legislation is a step in the right direction. The penalties, however, are not the only tools we have.

All too often the denunciatory value of a sentence is diluted because the offender gets a volume discount, and that frustrates me. Multiple offences are all packaged into one, and an offender is given one sentence for multiple offences. I know of one individual who offended 47 children. At that time, years ago, his sentence was packaged into one, but all of those 47 children were left hurt and damaged. Two of them eventually committed suicide. I do not know how many became involved with drugs or alcohol, but I have heard since that several of them have been in addiction programs. Others have been counselled and became better.

When we talk on Parliament Hill about what is important to do, we must remember that it is not about the political landscape. It is not about what each party thinks about what. We are supposed to be taking care of our most vulnerable population. Here we are talking about the children in our country.

Courts will sometimes order the sentences for offences committed against several victims to be served concurrently. We also see this type of order in the case of an offender who has committed several crimes against the same victim. That is why I support the proposals contained in this bill to clarify the rules relating to the imposition of concurrent and consecutive sentences generally. I support as well the specific proposal relating to offenders who have committed several child sexual offences over a long period. These perpetrators have gotten off scot-free for too long. This has almost become normal in some cases, almost the real world. In Canada, this is not the real world. In Canada, this is what we want to stop.

I will attempt to demystify in a practical, real-world way the current rules contained in the Criminal Code, as well as the proposed new rules.

Consecutive sentences are sentences that an offender serves one after another. On the other hand, concurrent sentences are served simultaneously, and the offender serves the longer sentence. The Criminal Code currently requires that consecutive sentences be imposed for the offences of possession of explosives by a criminal organization, the use of a firearm in the commission of an offence, terrorism offences, and criminal organization offences.

• (1255)

That is what the Criminal Code currently requires. For other offences, the Criminal Code provides courts with the discretion to impose consecutive sentences. However, it does not provide clear guidance as to when consecutive sentences are preferred, except to say that their combined effects should not be unduly long or harsh.

Over the years the courts have developed a general approach of ordering multiple sentences to be served consecutively unless the offences arise out of the same event or series of events, in which case concurrent sentences are imposed. The same event or series of events rule, referred to as the continuing criminal transaction rule, requires that there be a close nexus between the offences committed in order to justify the imposition of concurrent sentences. This is so because

the moral blameworthiness of the offender relates to the overall criminal conduct, which may include the commission of several offences.

The determination of whether offences are committed as part of the same event or series of events is a fact-specific determination made by the sentencing court. In some instances, the nature of a particular offence calls for the imposition of consecutive sentences. For example, courts will generally order an offence committed while fleeing from a peace officer to be served consecutively to any other offence that is part of the same event or series of events, which is a common phrasing used in the courts. Similarly, the courts will often direct that an offence committed while on bail be served consecutively to the predicate events.

The proposed amendments are aimed at clarifying the existing rules in the Criminal Code and codifying the practices developed by the courts that I have just mentioned. For instance, Bill C-26 proposes to require a sentencing court to consider imposing consecutive sentences when an offender is sentenced at the same time for multiple offences that do not arise out of the same event or series of events, including offences committed while the defendant was on bail or was fleeing from a peace officer.

This bill would also clarify the existing language by directing sentencing courts to consider imposing consecutive sentences when the offender is being sentenced for one offence but is already subject to a term of imprisonment for another offence.

What we see out there in the real world is that parents and families are sometimes frustrated and dismayed at how the court system works and at the lack of clarity within the court system. What is so great about Bill C-26 is it clarifies a lot of things that were not clarified before.

The amendments would also clarify the term of imprisonment. It includes one that results from a failure to pay a fine or something like that, but there are also clarifications of other procedures that the court carries out as well on a regular basis.

All in all, when we look at Bill C-26, we see a clear denunciation of sexual crimes against children. This bill would ensure that each victim counts in the sentencing process. There is nothing as damaging to a young child who has been sexually violated than for the pain, agony, and injustice that the child has gone through not to be recognized. Pornography and the like on the Internet have been rampant in this country, and up until now everybody in this country has said that it is unfortunate and they do not like it, but it is a fact of life. Our government has gone beyond that and is trying to ensure that each child and each individual is recognized and that the punishment fits the crime.

It has also done something else that is very important. I referred to it earlier in one of the questions. Lately I have had many adult women come to talk to me about how they were sexually exploited. They have never talked about it. They never said anything.

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● (1300)

The family of an 84-year-old grandmother called me to the hospital to talk to her not too long ago because she wanted to tell me that she was trafficked. She wanted to tell me what happened to her and she wanted to tell me that nobody really cared about it. She wanted to tell me that she was so glad that now people were talking at it, and before she died, she wanted to talk about what happened to her.

Four weeks ago, at a big event on human trafficking, another grandmother, who was 64 years old, told me that when she was a child, her father's best friend sexually attacked her on numerous occasions. She said she told her father, but he was a friend of the family and her father was convinced that she was lying. Her parents never took her to a doctor. They never examined the man, who was a financial partner with her dad. She said that has always torn at her heart and that she has been very angry about it. We talked at length about the fact that in Canada, child offences are now being recognized.

These have been the silent victims. The value of Bill C-26 is to give a voice to the silent victims and to take the fear away from them.

A little while ago in Montreal, there was a trafficked victim who went through a second trial and testified against her perpetrators. She has now been taken out of Montreal, but the perpetrators are being brought to justice. One comment she made to me was that nobody seemed to care when her boyfriend became involved in her life when she was 15 and a half years old and separated her from her parents and then trafficked her from the U.S. to Canada. She said, "No one seemed to care." The relationship between the young girl and her mom had become so bad that the last thing she said to her mom was, "I am leaving this house and I'm never going to see you again." That was after she came into the house with liquor on her breath at 2 a.m. and the mother just lost it because this had happened frequently.

This was an offence by an older man against a child. He was a boyfriend who wanted to separate her from her parents, and he did. For over seven years she was trafficked in Canada. She served, on average, 40 men a night, and she made money for her trafficker.

She was very deliberately rescued. She thought she was going to die, so she stole things from a store so that the guard would notice her, and she was arrested. I have to give a shout-out to Dominic Monchamp, the head of the vice squad in Montreal, who listened to her story. He rescued her and did many things to help her.

In this country I am proud to support Bill C-26. I am proud that members opposite are supporting Bill C-26.

It is time to stop the long speeches. It is time to listen to the public in Canada. It is time to listen to the victims and get the bill through committee.

● (1305)

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, throughout the debate today the hon. member for Kildonan—St. Paul has been posing questions that would seem to indicate that this seeming contradiction between a two-year increase in sexual offences at the

same time that mandatory minimums are being increased can be explained away by the phenomenon of more people reporting.

I would like to invite the member to expand on that. She has a theory that the reason these offences are increasing at the same time as mandatory minimums are going up is that more people are reporting. Is there some empirical evidence to support that statement, or is that simply an impression that she has developed as a result of people phoning and e-mailing her? I would be interested to know whether there is any evidentiary basis for that assertion.

Mrs. Joy Smith: Mr. Speaker, I can answer that by going back to 2004 when I was first elected to this House of Commons.

To be quite honest, when I was a new member of Parliament, many people went beyond criticizing me for what I thought to laughing at me, stating that there was no human trafficking in Canada. Well, 10 years later we know the situation is quite the contrary.

I am sure the member's heart is in the right place, but he clearly seems to be against minimum sentencing. I was trying to explain that, because of the emails, the letters, and the on-the-ground work, so many people are coming out in favour of it. We can look at the court statistics and we can see all the court cases on human trafficking right now. We can listen to what the victims have to say.

If the member had gone to the committee on justice this summer and listened to the stories, he would know that victims are starting to speak out. Minimum sentencing is of paramount importance to have as a tool in place where it is needed for offenders against children. I am totally convinced of that.

Second, I am totally convinced that because of the laws here, we are hearing more and we are getting the real stories. Victims are telling their stories. I get my evidence from those who have that everyday, first-hand experience. I wish there was what the member called an empirical study.

My background is in math and science, and my specialty is stats. I can say that with a lot of these empirical studies, it depends on the sampling, the community, and everything available. The study of human suffering through human trafficking and child exploitation that has been done across Canada shows that everybody knows what the story is. Our real-world studies are definitely there.

● (1310)

Hon. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, sadly, I get the impression that the Liberals are grasping at straws to try to rationalize not supporting this legislation. I hope I am wrong about that.

The member opposite, in a previous question, suggested that there was no point in incarcerating these criminals who engage in this activity because it does not stop them from repeating the offences anyway. I would like my friend to comment on that.

Mrs. Joy Smith: Mr. Speaker, I thank this very astute colleague, who has spent years as a lawyer and as a member of Parliament, for her very astute question.

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The fact of the matter is that, if we take predators who are offending children and we put them in jail for a certain amount of time, first, they are away from the victim; and second, they have an opportunity to go through programs that demonstrate and teach them the seriousness of what they do, whether it be john school or whatever else. To just let them sort of hang out and hope they will not reoffend and hope they will voluntarily go to some program is not appropriate.

If we were to talk to some ICE cops, integrated child exploitation cops—my son was one of them—we would hear that a lot of them believe that these people cannot be rehabilitated. I do know there are some who can be. Mandatory minimums are of paramount importance to get the predator away from the victim.

Mr. Sean Casey: Mr. Speaker, I will just respond to that last comment. All of us here share a goal of there being fewer victims of child sexual violence. We all share that goal.

Where we differ is whether the approach should be driven by evidence or by ideology. As to the suggestion that we are grasping at straws to find a way: no, we are trying to find a way that creates fewer victims.

The member for Kildonan—St. Paul indicated that throughout the summer we heard from many victims on Bill C-26, and yes, indeed, we did. I was in that room. One of the things we heard repeatedly from victims and from those in the system is that the fiscal measures are not adequate to address the problems. As Kyle Kirkup said: “Got a complex social issue? There’s a prison for that.” We need to be much more sophisticated in our approaches.

I have a question for the hon. member. Can she identify non-legislative fiscal measures that the government can and should be doing for there to be fewer victims of child sexual violence in this country?

Mrs. Joy Smith: Mr. Speaker, the member has now gone from Bill C-26 to Bill C-36. In Bill C-36, the one we worked on this summer, \$20 million were put forward for the rehabilitation of victims. That really helped in that area. In Bill C-26, there are multiple tools, which have been mentioned today over and over again, to help protect children from perpetrators.

When we look overall at the laws we worked on this summer, Bill C-36 definitely added significant money and we need input from provincial and municipal jurisdictions to support it as well. Our government provided \$20 million for the rehabilitation of victims. When the U.S. first did this, it provided \$10 million, so I think Canada has stood as a leader in stepping forward to help victims and help solve this problem in a meaningful way.

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I will be sharing my time with the esteemed member for Pontiac.

For a first speech on a bill this fall, there are some subjects that are particularly sensitive and affect us as individuals, regardless of political affiliation. We often work in a collegial manner, but just now, a few hours or barely a few minutes ago, I heard some unfortunate comments. That primarily shows that we are dealing with sensitive subjects and that it is easy to misinterpret such comments. I have friends in every party and we are able to discuss

and accept our differences and our opinions. That is how things should always be in the House.

First of all, I am going to look at some technical aspects and also talk about some associated aspects and social implications of the bill. Unlike some of my colleagues, I am not qualified to speak in detail about the legal aspects of the bill, and I would not be so presumptuous as to give the kind of speeches that they do. However, I would like to primarily address the social aspects and the repercussions of such issues as delinquency, especially assaults against minors. I will also talk about the technical aspect.

The bill before us will amend the Criminal Code in order to increase mandatory minimum penalties and maximum penalties for certain sexual offences against children. It will increase maximum penalties for violations of prohibition orders, probation orders and peace bonds. It will clarify and codify the rules regarding the imposition of consecutive and concurrent sentences. It will require courts to impose, in certain cases, consecutive sentences on offenders who commit sexual offences against children. It will ensure that a court that imposes a sentence must take into consideration evidence that the offence in question was committed while the offender was subject to a conditional sentence order or released on parole.

The bill will also amend the Canada Evidence Act to ensure that spouses of the accused are competent and compellable witnesses for the prosecution in child pornography cases. I would like to point out that it is difficult to get family members to testify in some areas. The necessary consent is rarely given. I am therefore wondering how a mechanism can be put in place to implement that amendment.

The bill will also amend the Sex Offender Information Registration Act to increase offenders' responsibilities when they travel abroad. The bill enacts the high risk child sex offender database act, which would create a publicly accessible database. This database would contain information, previously made available to the public by police departments or any other public authority, on individuals who were convicted of sex crimes involving children and who pose a high risk of committing sex crimes.

In the past, we have heard stories of neighbours banding together to serve their own brand of justice. That is rather disturbing, but it is sometimes the result of a lack of resources or a lack of solutions to certain problems. We will see how this will be enforced.

Of course, this bill will make consequential amendments to other acts. We see this all the time from the Conservatives—all we see are quasi-omnibus bills.

Government Orders

As I was saying, the short title of this bill, the tougher penalties for child predators act, does nothing to simplify such a sensitive topic and especially not the process this bill is going through.

● (1315)

Recently, the Conservatives have been enacting bills and implementing various provisions, but not allocating any resources. As a result, the provinces and territories are left to cope with the collateral damage and the financial consequences. The Conservatives introduce measures but they are not supported by budgets. That is despicable. As I said, measures like these have significant social repercussions if there is no budget for the reintegration of offenders and especially for victims. I am no expert, but I would say that some offenders can be rehabilitated, while others cannot. However, as I said, I am no expert on the subject.

This bill would implement nine important measures. It would require offenders who are convicted of sexual offences and who receive separate sentences to serve them consecutively, and it would require offenders who are convicted of child pornography offences and sexual offences to serve their sentences consecutively.

The government is also increasing minimum and maximum prison sentences for certain sexual offences involving children. We have often heard about people writing in blogs or on social media that so-and-so was convicted of assault, that the sentence was not long enough or that it was unfair. Then the offender is back on the street, in the same neighbourhood. I hope that the provisions in this bill will ensure that these unfortunate situations are not repeated. There is a ripple effect when a bill is implemented. There are consequences that impact society and the communities.

The bill would also ensure that committing an offence while subject to a conditional sentence order, or while on parole, on statutory release or on an unescorted temporary absence is also considered an aggravating factor for sentencing purposes.

● (1320)

The government also says that it is important to render a spouse compellable. I said earlier that it is often quite difficult to do that, whether in cases of child pornography or other offences that the spouse, children, parents or friends witnessed. It all depends on the context and their particular lives.

The Conservative government has been destroying our social fabric for years now. We were talking about food banks recently. Some regions are left to fend for themselves. When the social fabric is destroyed and we leave people to their own devices, without hope, all sorts of things can happen in our society. Serious things can happen and people do not know how to react.

Let us look at the principle of sentencing in section 718 of Part XXIII of the Criminal Code. The objectives are to denounce unlawful conduct, deter the offender from committing offences, separate offenders from society where necessary by increasing sentences, but most of all—and I want to emphasize this point—assist in rehabilitating offenders. We talked about this before. Some members have made speeches on this. We have to assist in reintegrating offenders. When we make tougher laws in a country like ours, or in any other industrialized, modern country—earlier, members cited examples from elsewhere in the world—it is

important to think about the consequences. We must focus not on the type but rather on the root of the problem. What is the root of the problem? It is isolation, drugs, alcohol, child pornography—which has become quite easy to access with today's social media—and family breakdowns, because the deterioration of the social fabric means that both parents have to work. Sometimes they have to take on two jobs. The children are left at home where they can access whatever they want on the Internet.

● (1325)

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, my colleague worked for a long time in labour relations, and he saw some very unfortunate working conditions.

Could he tell us about the danger of always cracking down on an action rather than preventing it? In labour relations, just as in criminal law, the problem is the same: punishing what needs to be punished does not prevent someone from being victimized. We punish because there is a victim. However, what is important is to ensure that people are not victimized in the first place.

That can be achieved primarily through prevention, and my colleague can talk about that. If there is no criminal, there is no crime. A criminal who goes to jail goes to the school of crime.

Could my colleague speak to that?

Mr. Jean Rousseau: Mr. Speaker, I thank my colleague for his question.

The government even had the audacity to cut funding for Correctional Service Canada programs that reintegrate and rehabilitate offenders. That is an insult to Canadians' intelligence. The government does not walk the talk.

In labour relations, you work with the victim and the offending party. Both parties are dealt with separately. However, special attention is paid to the causes of the problem.

Earlier I was saying that Canada's social fabric is weakening. The Liberals began this process before the Conservatives, especially with respect to employment insurance, old age security and social housing.

When dealing with individuals, we always have to consider their background and find a way to reintegrate them, when possible, into a healthy and productive environment so that they can continue to live in our society. Today, we need every person in our society.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I would like to make a comment in relation to my colleague's question.

When legislation on serious crimes is introduced, as is the case here, it is important to invest the necessary resources to ensure that the amendments are effective.

We know that the administration of justice falls under the responsibility of the provinces, which are overburdened given the minimum sentences imposed in these bills—a practice that other jurisdictions are gradually moving away from. The various levels of government need to invest in order to have the resources necessary to focus on prevention.

Government Orders

Could my colleague from Compton—Stanstead elaborate on the resources that are currently being invested and the federal government's failure to allocate sufficient resources to the police and other organizations that work to prevent such crimes?

Mr. Jean Rousseau: Mr. Speaker, in many places, volunteers run rehabilitation, awareness and crime prevention programs.

With help from underpaid professionals when possible, these volunteers provide awareness and support programs, for example, food banks, for people living in poor areas.

It has come to that because previous governments have failed in their duty. They abandoned the middle class and that is where we are today. We have to crack the whip and impose law and order, when we should be acting methodically to ensure that everyone feels like a contributing member of a modern society such as Canada.

● (1330)

Mr. Mathieu Ravnat (Pontiac, NDP): Mr. Speaker, I cannot really say that it is a pleasure for me to rise in the House today to debate this bill. It is never a pleasure to talk about subjects as sad and serious as this one. Still, there are times when, as parliamentarians, we have to talk about difficult subjects. As a father, I definitely find this to be a very difficult subject. I cannot imagine the psychological impact that such acts have on children. They are scarred for life. In aboriginal communities in particular, the after-effects are related to abuse that occurred in residential schools. Studies have clearly shown that our ability to live in the world as adults is directly related to the way we were treated as children and to the presence or absence of various types of abuse.

Today is Universal Children's Day. When we look at the statistics, it is clear that all around the world, children are not doing so well. The other day I was watching a program about slavery and forced labour among children. Unfortunately, this phenomenon still exists in many parts of the world, particularly in countries like India and China where children are the victims of physical abuse, chained to their work sites and used as sex slaves. It is a scourge. The United Nations has identified this as a major challenge. This tough challenge must be addressed.

When I was a member of the Standing Committee on International Trade, I tried to have the issue of protecting children around the world taken into consideration in the context of trade agreements. I tried to stress the importance of reciprocity when it comes to defending children's rights in that context. For instance, it is important not to use products made by children in these forced labour situations.

As a society, we need to ask ourselves some questions about how we treat the weakest among us. I think, and no doubt most of my colleagues would agree with me, that we can judge a society on how it treats its most vulnerable members. I cannot think of a more vulnerable group than children. We often focus on the fact that parents are the ones who raise children, and that is true. I am doing it myself. However, we need to recognize that society in general has a responsibility to each child. The socio-economic context must promote the growth and development of every soul that comes into this world.

I commend the government for wanting to talk about the issue of sexual abuse of children and wanting to legislate in that regard. Obviously, I do not at all disagree that we need to examine and assess our laws. We also need to change them when we see that they are not protecting our children. However, we may disagree on how and when to do so and what sort of resources are needed to do so.

● (1335)

I want to let the interpreters know that I will be switching languages, so that they can continue to do the job they do so well.

[*English*]

I note that in 2012 the Conservatives, as part of the federal victims strategy, announced \$251,000 in funding over two years for programs to protect children. Budget 2012 includes \$7 million over five years to fund new or enhanced existing child advocacy centres, as well as limited funding for victim services organizations. The government should earmark resources for the RCMP registry and budgets to support victims, however.

We have noticed that evidence indicates that circles of support and accountabilities are impressive with regard to diminishing recidivism. For example, one study found a 70% reduction in sexual recidivism for those who participated in circles of support and accountability compared to those who did not. Another study found an 83% reduction. These are high numbers, so obviously this is a tool that should be privileged by the government and there should be resources put into that tool.

The real, serious issue is that we want to reduce cases of abuse and, unfortunately, over the past two years there has been an increase. We would have to look at the research as to why there has been an increase of 6%. Is it because the cases are better documented or are there cases that are occurring in greater frequency? Is it mostly on the Internet? However, it does not seem that the Conservative government's approach is having a fundamental impact on those numbers.

Therefore, like any good legislators, we have to ask ourselves why. That means we need to do research and we need to rely on our researchers and scientists who understand this issue from all sorts of angles to come forward to share approaches and ensure we take the correct strategies.

The Minister of Justice is not introducing new minimum and maximum mandatory sentences, but is rather increasing the minimums and maximums. I am not too sure why and how that makes sense, and what kind of impact that would have on these terrible crimes.

I also wonder why the government waited eight years before introducing provisions to force courts to impose, in certain cases, consecutive sentences on offenders who committed sexual offences against children. That is in spite of the fact that the cases referred to, for example, at government press conferences on the issue, go back to before the Conservatives took power in 2006. Why the hesitation there? It would be interesting to hear why that took so long. That is a relevant issue as well.

Government Orders

Since the RCMP already has trouble updating the registry of previous convictions due to a lack of resources, why does the government think the RCMP will be able to do additional work without additional resources? Of any of the issues and any of the types of crimes I can think of, certainly additional work on these types of crimes should come with additional resources. There does not seem to be a commitment on behalf of the government to do that.

It is clear that our communities need greater resources to counter the sexual abuse of children, so I wonder whether the government will come forward with new money to support concrete measures.

Finally, it is clear that we will support this bill so it goes to committee. This is a difficult conversation to have for our nation, but it is a crucial conversation to have. I hope the whole process will be done with rigour so we can hear from witnesses who know the issue, who know what can reduce cases of abuse and who know what resources we truly need to tackle this crucial problem.

• (1340)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I thank my hon. colleague from Gatineau for his presentation. I am sorry, he is not from Gatineau.

I wanted to pursue the point about recidivism. I have also been looking at the statistics that suggest the longer someone is imprisoned can actually increase the risk of recidivism. I do not think anyone in the House disagrees that we want to do everything possible to protect children from sexual predators and from crimes perpetrated by these individuals against children. Whether through creating or distributing child pornography or attacks on children, all of these are heinous crimes, and we all agree.

However, when the evidence suggests that the measures in this bill would not protect children, I am troubled. I gather the official opposition will vote to send the bill to committee. Do you think it is possible to fix this bill in committee?

The Acting Speaker (Mr. Barry Devolin): Before I go to the member for Pontiac, I would just remind all members to direct their comments to the Chair, rather than directly to their colleague.

The hon. member for Pontiac.

Mr. Mathieu Ravignat: Mr. Speaker, no offence taken that it is not Gatineau, but Pontiac. However, it is the general area of the country and I actually do have constituents in the city of Gatineau.

This is a fundamental question in the sense that what is important is ensuring that these types of heinous crimes do not continue to happen. To do that, we have to do something about the source of the problem and ensure resources are present to ensure the people involved are truly reformed or under control.

There is not a lot of evidence from the past with regard to bringing bills to committee and improving on them, at least from an opposition standpoint. However, I truly think there is good faith around the table that the government, as well as the various opposition parties, want to strike the correct balance in the bill. Hope springs eternal.

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I am pleased that my colleague brought up the topic of children,

which is something I wanted to talk about in the rest of my speech. They are our most important assets. We often hear in stories about sex offenders that they were victims themselves as children.

However, as I was saying, these are young disadvantaged children. How can we ensure that these children are properly clothed and fed? We need to ensure that our economy is flourishing and that every citizen can be a contributing member of society. We need to give everyone a chance. That is not the case right now, unfortunately.

Why do we need to focus on our children? Could my colleague from Pontiac tell us more about that?

Mr. Mathieu Ravignat: Mr. Speaker, I would like to thank my colleague for his question.

Clearly, children living in difficult socioeconomic situations are more vulnerable. I am not necessarily prepared to say that there is a direct link between these crimes and a child's socioeconomic situation. This is a scourge that affects all walks of life.

However, I think that there is a definite link between a child's vulnerability and his or her socioeconomic situation. There is also a link with minority groups in our country that are marginalized. I am thinking about aboriginal peoples, for example. Aboriginal children and women are much more likely to be abused than non-aboriginal children and women in Canada. That concerns me.

It is fundamental that we keep every child in Canada safe. That takes more than just legislation. They also need to be able to live comfortably in a neighbourhood that will help them thrive and grow in body and mind. We hope to create that kind of society.

It was an excellent question.

• (1345)

[*English*]

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I am pleased to take part in the debate because it is of extreme importance to all of us. The previous member just said how important it is and I would agree with him, although there will be some areas, I suspect, where we may not be in so much agreement.

Today I will focus my remarks on offender accountability, a key part of Bill C-26, the tougher penalties for child predators act. Indeed, our government has always placed considerable focus on improving our criminal justice system in order to shift more accountability onto offenders. The fact is that most offenders will eventually be returned to the community after incarceration. As such, our correctional system is set up to provide offenders with proper treatment and support, as required, to help them work through rehabilitation and eventual reintegration into the community.

Government Orders

The Correctional Service of Canada has a comprehensive program in place that helps guide offenders toward the right pathway to address the needs that led to criminal behaviour, including programs that address substance abuse, violent behaviour, sexual offences and mental health issues, among many others. Ultimately, the bulk of responsibility for successful rehabilitation and reintegration must rest with the offender.

Our government has made a number of changes to respond to the concerns of victims. In particular, in 2012, the Safe Streets and Communities Act put in place a number of measures that focus on offender accountability by expressly requiring in legislation that every offender has a correctional plan. We have created an environment in which offender accountability is placed at the forefront.

From the moment offenders enter the federal correction system, it is made clear that they must follow a well-defined correctional plan that includes expectations for behaviour, as well as objectives for the program participation and for meeting court-ordered obligations such as restitution to victims or child support. This is done in collaboration with offenders, so they take part in building that program.

Before I go any further, I would like to inform the House that I will be sharing my time with the member for Okanagan—Coquihalla.

We have also modernized the current disciplinary system, creating new disciplinary offences for disrespectful and intimidating behaviour either toward staff or inmates. Once outside the institution, offenders are also expected to continue on the right path.

Peace officers can now arrest, without warrant, an offender who they believe to be in breach of a condition related to the offender's conditional release and offenders who receive a new custodial sentence automatically have their parole or statutory release suspended. We have recently taken further steps to assist in offender rehabilitation by supporting amendments to the Corrections and Conditional Release Act regarding vexatious complaints. We now have a process in place that promotes offender accountability by encouraging inmates to resolve problems through appropriate means rather than burdening the complaint and grievance system with frivolous complaints.

We have introduced the drug-free prisons act, which would amend the Corrections and Conditional Release Act to provide the Parole Board of Canada with additional legislative tools to ensure that parole applicants who failed drug tests would be denied parole. Addressing offender behaviour while individuals are incarcerated is critical.

We have also reinstated the accountability of offenders act, legislation that, if passed, will require offenders to pay off any debts they owe to society before receiving any monetary award resulting from legal action against the crown. Just as important is making it clear that offenders must continue to address their needs and make proper choices once they are released from penitentiary.

The parole system is set up to help offenders do just this, using the appropriate checks and balances and oversight of offenders, depending on their criminal history and risk to society. While we

have taken action to strengthen the conditional release system, some gaps remain that need to be addressed. It is critical, particularly when we consider the risk to our children, that we ensure a child sex offender cannot find a loophole in the law that gives him or her an opportunity to commit another such devastating crime.

• (1350)

That brings me to the legislation at hand.

A key tool we have to ensure police are aware of the location and other information on convicted sexual offenders is the national sex offender registry. Administered by the RCMP and accessible by police forces across the country, the registry contains vital information about convicted sex offenders, such as name and address, where they work, their physical description, and absences from their residence for seven days or more.

A number of amendments to the Sex Offender Information Registration Act came into force in 2011 to ensure that the registry is a proactive law enforcement tool that contains the names of all registered sex offenders.

While it is an important law enforcement tool, there are some gaps found within the act that need to be addressed. Specifically, the rules surrounding travel notification must be tightened as they relate to international travel of registered sex offenders who have committed a sexual offence against a child.

As we have heard, Bill C-26 would accomplish this in a number of ways. It would require offenders who have been convicted of child sex offences to report trips of any duration outside of Canada, as well as to provide information about the exact dates of travel and where they plan to stay while abroad. All other registered sex offenders would be required to report all addresses or locations in which they expect to stay, as well as expected dates of departure and return for trips of seven days or more within or outside Canada.

It would allow for information-sharing between the Canada Border Services Agency and officials with the national sex offender registry. This would add a safeguard measure at our borders to ensure offenders are following notification procedures and registration requirements. Further, it could help make investigations of crimes of a sexual nature possible.

The bill would also create a new stand-alone legislation that would create a national database that would be accessible to the general public. That database would contain information about high-risk child sex offenders who have been the subject of public notification in a province or territory.

Government Orders

There are also several amendments proposed to the Criminal Code that would increase penalties for child sex offenders and, particularly relevant to our push for more offender accountability, they would ensure that any crime committed while an offender is on parole, on unescorted temporary absence, on statutory release, or under a conditional sentence order would be considered an aggravating factor in the determination of a sentence for a new crime.

All told, these proposed measures would create a much stronger system that would place another level of accountability on convicted sex offenders; a system in which offenders would live with the knowledge that border services officers would be alerted to high-risk child sex offenders who travel abroad; a system in which high-risk child sex offenders know that any public notifications released about them in a specific province would now be available to the general public right across the country.

All of these measures would serve to emphasize to offenders the importance of following all conditions and making the right decision in order to remain in the community.

They would also build in another layer of safety and security for citizens who worry about registered sex offenders living and working in their communities and travelling throughout the country, as well as abroad.

I am proud to support these efforts and I ask all members in this House to join with me in giving the legislation a swift passage.

• (1355)

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, there is a question that those of us on this side of the House regularly ask the government. We have already said that we will support this bill at second reading, but we still have not settled the question of resources allocated to prevention.

Obviously, the government is focusing on repression, not prevention, which is not a bad thing once an act has been committed. However, preventing people from committing such acts will take quite a lot of resources for police forces and organizations that can do a good job of fighting sex crimes, for example. We have repeatedly asked the government what resources it is prepared to make available to organizations such as police forces and civil society organizations to create a solid foundation for the prevention aspect.

I would like to know what the member who just spoke thinks of the current resources allocated to prevention. I would also like to know how much he thinks the government should contribute to ensure that we are not just punishing acts that have been committed, but also preventing most of those acts from being committed in the first place.

[*English*]

Mr. Rick Norlock: Mr. Speaker, absolutely, I do believe in prevention. However, I believe that prevention for certain criminal offences is more difficult than for others. We can prevent theft by taking certain steps as citizens to discourage people from taking things from our houses.

When it comes to people who prey on our children, they are pedophiles. In my past and present experience, I have talked to psychiatrists who treat people with pedophilia, and there is no real cure for it. How do we prevent a pedophile from engaging in what we consider to be an aberration and a terrible act against the most vulnerable in society?

Most of these pedophiles are what we would consider to be very intelligent, meaning that they know how to gain trust in order to get at their prey, which is our children. They put themselves in positions of authority, so we as a society have brought in measures to make sure we check the criminal background of people like teachers and boy scout leaders, anyone who has access to young people. We could say that this is prevention, somewhat.

The real prevention is letting the people who are pedophiles know that if they commit this crime, there will be consequences and they will be serious consequences. Additionally, if they do commit the crime and go to prison, we will do everything we can. We cannot necessarily cure them of that problem, but we will give them the tools with which to do so, through counselling and having psychologists and psychiatrists do their best to treat them, so that they can subdue these tendencies they have.

However, that takes a long time. That is why we are bringing in this legislation.

Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, I would like to thank the hon. member for his intervention and speech today. Obviously, his law enforcement background and his work here in this chamber have done a lot in fighting these kinds of issues.

He explained that we have an environment in which people are becoming more and more comfortable with bringing it up when someone has mistreated a child or they have suspicions of that. Because the Conservative government has taken such a hard stand on making sure that people do serious time for violence and sexual assault crimes, there may be a temptation to go offshore. There are provisions in this bill that would also deal with those kinds of things.

Does the member believe that the government, by introducing this bill and some of the provisions in it, is protecting not just Canadian children but also children outside of our borders?

Mr. Rick Norlock: Mr. Speaker, absolutely. As I mentioned in my speech, we would be able to provide the Canada Border Services Agency with the ability to access the sex offender registry, put an obligation on the people who have been convicted, and say that if they are going to travel outside of this country, we can keep an eye on them.

We know that there are certain countries in the world where pedophiles like to go. I will not mention the countries in particular because we do not want to create some problems, but I think most of us know that there are certain Asian countries and other places in the world where it is easier to get access to young children. We are co-operating with those governments, and we want to be able to make sure we can keep an eye on those people leaving Canada.

Statements by Members

We need to protect children not just within our country. We have an obligation as citizens of the world to protect those vulnerable citizens, those children, throughout the rest of the world. That is what part of this legislation would do. As the member just mentioned, it would give the tools to the Canada Border Services Agency that it needs to keep track of people who are disposed to want to cause terrible harm to young children.

STATEMENTS BY MEMBERS

• (1400)

[English]

EARTH RANGERS

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, I rise in the House today to highlight the important work of many young Canadians, both in my constituency of Oshawa and across the country, in conserving Canada's environment and at-risk species.

Earth Rangers is the kids' conservation organization dedicated to providing children with the opportunity to protect animals, improve the environment, and make a difference.

Our government has placed a priority on connecting Canadians to nature and on ensuring that there is a community of environmental stewards among Canadians of all ages.

As part of the national conservation plan, our government has provided funding to allow Earth Rangers to expand programming to more than 624 schools, impacting more than 118,000 young students across the country. From Fort McMurray to Truro, children of all ages have had the chance to learn about the importance of conservation.

We are very fortunate to have some of these young Earth Rangers ambassadors here. I invite all members present in the House to help me welcome these green-minded role models to Ottawa and thank them for their work in protecting Canada's environment.

* * *

TRANS DAY OF REMEMBRANCE

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, today I rise to recognize November 20 as the Trans Day of Remembrance. People in communities across Canada and around the world are marking today by remembering victims of transphobic violence and rededicating themselves to working to end discrimination against transgender, transsexual, and gender-variant people.

Last year, there were 83 murders of trans people, and countless more were victims of violence and discrimination.

On this Trans Day of Remembrance, we should also look forward and ask how we can make things better. The past year has seen some progress on trans rights in places as diverse as Dallas, Texas, and Mexico City. Five Canadian provinces have recently added to their human rights codes explicit protection against discrimination, but it is clear that much more remains to be done to build a more inclusive Canada where transgender and gender-variant Canadians can participate fully and live without fear.

At the federal level, the Senate remains the last obstacle to full legal equality for the trans community. It has now held up passage of Bill C-279 for nearly two years after its approval by the House of Commons.

Once again on this Trans Day of Remembrance, we urge the Senate to pass this legislation without further delay.

* * *

[Translation]

TAXATION

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, today is November 20, a day dedicated to some important people we love and cherish. Today is Universal Children's Day.

Children are our treasure and our future, which is why our Conservative government recently introduced new measures that will put more money in the pockets of over four million Canadian families. These measures include an increase of \$60 per child in the universal child care benefit, income splitting for families, and an increase of \$1,000 in the child care tax credit and in the fitness tax credit, which will double and rise to \$1,000. On average, this means an extra \$1,140 that will stay in the pockets of Canadian families.

I am very proud that our Conservative government really cares about the health and well-being of children.

* * *

[English]

HOUSING

Mr. Adam Vaughan (Trinity—Spadina, Lib.): Mr. Speaker, National Housing Day is Saturday, and across the country, events and rallies are being planned. They are asking—in fact, they are demanding—a very simple thing from Parliament: Canadians want a national housing strategy.

Last week in Vancouver I attended a national conference on ending homelessness, and a new report pegs the number of people who are sleeping on the streets at 35,000 people. The junior minister for housing spoke at that conference, and she stated that once we get people off the street, the next thing we need to get them is a job.

This is a bizarre statement. In Calgary, 80% of the people sleeping in the shelter system have a job. They do not need a job; they have one. What they need is housing.

In Vancouver, the fastest-growing cohort of homeless people is seniors, most with disabilities, yet what they get is a sneering response from the government: get a job. Really?

In Toronto, most of the people sleeping in shelters—in fact, half of them—are children. Is the Conservative government's response to the housing crisis to get children into workhouses? Is that what it has come to?

We need to get a national housing program. We need it now. Listen to the mayors. Listen to local leaders. Canadians want a national housing program, and if the Conservative government will not deliver one, the Liberals will.

* * *

● (1405)

OIL INDUSTRY

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, hundreds of local Burnaby residents opposed to Kinder Morgan's new crude oil pipeline are poised to be arrested for protesting in a public park on Burnaby Mountain. The Conservatives are entirely responsible for creating this situation.

The government's changes to the National Energy Board Act have completely removed the ability of British Columbians from having any voice in planning if and how this massive energy project should proceed through our community. The Conservatives have compounded this problem by calling anyone who objects to these projects a "radical".

I can tell members that the vast majority of protestors are not radicals. They are local, law-abiding Canadians forced into this obscene position by the current Conservative government. They are parents, grandparents, university professors, teachers, students, and homeowners. They are on Burnaby Mountain because they feel their community is threatened, and they have no other way other than protesting to voice their concerns.

As the Conservatives have abandoned Burnaby and British Columbia, I am calling on Kinder Morgan president Ian Anderson to cease his company's current activities on Burnaby Mountain and not force local police to arrest my constituents.

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HARRY HARLEY

Mr. Terence Young (Oakville, CPC): Mr. Speaker, I rise today to inform the House of the passing on September 27 of the late Dr. Harry Harley, the former member of Parliament for Halton from 1962 to 1968.

Dr. Harley dedicated his life to the service of his country and to this Parliament. He was a member of the Royal Canadian Air Force and served in the Second World War. After that he continued to serve in the Royal Canadian Army Medical Corps as a captain. He was later promoted to the rank of major in 1956 and served in Europe with NATO.

Beyond his years of military service, Dr. Harley followed his passion in medicine and became a physician, devoting his life to helping others through his medical practice.

Dr. Harley proudly served the people of his Halton constituency. During his time in Parliament he chaired numerous committees that studied and advanced the medical practice of physicians nationwide. Dr. Harley led studies on drugs, food, prices, and the health and welfare of Canadians.

We will never forget the contribution Dr. Harley made to his patients, his constituency, and his country.

Statements by Members

Let us remember him fondly in this House.

* * *

HOLODOMOR

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, Saturday, November 22, marks the 81st anniversary of the Holodomor, a "death by hunger" genocide committed by Soviet dictator Joseph Stalin against Ukraine from 1932 to 1933. Though less known than other genocides, it was no less brutal and inhumane. In one year this deliberate catastrophe resulted in the deaths of 10 million Ukrainians. It was an act of pure evil that devastated the country of Ukraine and eliminated an entire generation of people.

On the fourth Saturday of every November we join Ukrainians in recognizing this dark chapter of their history. Since 2003, Canada has officially recognized the Holodomor for what it was, a genocide, which is an acknowledgement now shared by 23 other countries around the world.

The annual commemoration of this horrific event not only pays tribute to the innocent lives lost but also serves as a strong reminder of the duty that Canada has to stand up for a prosperous, free, and independent Ukraine.

Vechnaya Pamyat. Slava Ukraini.

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[Translation]

JEANNE-LE BER COMMUNITY SUPPORT

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Mr. Speaker, I would like to acknowledge the work of hundreds of organizations in my riding, Jeanne-Le Ber.

I am very proud to work alongside the workers and all the volunteers who give of their time to stand up for food and housing security, support seniors, or fight to keep kids in school. The commitment of these organizations is central to our community.

● (1410)

[English]

By way of example, I have visited many of these organizations, such as *Toujours ensemble*. Through its efforts, this Verdun-based organization, which is a member of the pathways to education program, has seen a reduction in dropout rates of 70%.

I am very proud of the hundreds of individuals who give of their time, spirit, and heart to build a stronger, better, and more inspired community. I thank each and every one of them.

* * *

TAXATION

Mrs. Tilly O'Neill Gordon (Miramichi, CPC): Mr. Speaker, in less than a week, three Liberal candidates have expressed how they want to force middle-class families to pay more taxes. The very same day he announced he was running for the Liberal Party, the Liberal candidate Bill Casey told CTV that the Liberal leader will raise taxes on Canadian families. He confirmed once again what Canadian families know, that the Liberals want Canadians to pay higher taxes.

Statements by Members

While the Liberals line the pockets of bureaucrats, our Conservative government will continue to give benefits to all families with children. Parents will now receive nearly \$2,000 for every child under six and \$720 for every child aged six to seventeen. Thanks to the family tax cut and the enhanced universal childcare benefit, parents can rest assured that they will be the ones making the decisions for their children, not big government.

Our government sees the importance of parents having the final say. Why cannot the NDP and Liberals see it?

* * *

CHILDREN'S RIGHTS

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, today marks the 25th anniversary of the adoption of the UN Convention on the Rights of the Child. Every year on November 20, Canadians celebrate national child day to honour our children.

[Translation]

This day is for more than just celebrating, though. We must also reflect on our values as Canadians and reaffirm our commitments in light of the promises we made 25 years ago in the House and to the world.

[English]

We owe it to our children to keep the promises we made 25 years ago. Canada has ratified the convention, and therefore we have an obligation to act on its mandates to eliminate child poverty in Canada and to invest in early childhood education, employment, housing, nutrition, and child care.

[Translation]

Support for the NDP keeps growing because Canadians know that the NDP is the only party that has comprehensive, national, affordable plans that meet the needs of families and their children.

[English]

It is time to honour and respect our commitment by taking action and delivering on our promises.

* * *

TAXATION

Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC): Mr. Speaker, it comes as no surprise that the Liberal Party is looking to recruit big-tax, big-spending candidates. The beer and popcorn campaign is up and running, and the Liberal candidate for Banff has extended it to cars and TVs.

Our government believes that Canadian families ought to be trusted to spend their hard-earned money as they deem necessary. The family tax cut would help 100% of families with children by putting more money in their pockets and giving families the freedom to spend it as they want. We are proud that over four million families will benefit by an average of over \$1,100 per year.

We should all be cheering for that.

CHILDREN'S RIGHTS

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, I rise to recognize the 25th anniversary of the UN Convention on the Rights of the Child. Canada played an important role in drafting the convention and was one of the first nations to sign and ratify.

Canada has made progress in the intervening years, but we still have much to do. Today, the well-being of our children is average among the world's affluent nations. UNICEF's index of child well-being shows that the health of our children is not what we would expect it to be, given the knowledge and resources we have. There is a widening inequity of opportunity among children living in urban, rural, and northern communities.

[Translation]

As elected members, we represent all Canadians, including children.

The government still has no focal point for children or policies and programs aimed specifically at all Canadian children, but most importantly for those at risk. We must do more, as their future and the vitality of our country depend on improving their opportunities and well-being.

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[English]

INTERNATIONAL TRADE

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, last night the House voted on whether the Canada-EU trade agreement should be implemented as negotiated.

The details of this agreement have been released, the outcomes are known, and the benefits are clear: a \$12 billion increase to our GDP and thousands of new jobs.

Being from a riding that has a diversified agricultural background, with grain, oilseed, and supply-managed farms, as well as a large and vibrant ranching and livestock community, I can say that this agreement is well endorsed and supported by the producers in my riding. Farmers are ecstatic about the opportunity to expand their markets.

NDP members, however, proved last night that they are simply unfit to govern, as they voted against this landmark trade agreement. Canadians witnessed yet again the NDP standing in the House and opposing yet another trade agreement that promotes trade, jobs, growth, and long-term prosperity.

•(1415)

[Translation]

CHILD POVERTY

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, 25 years ago, Ed Broadbent rose in the House to give his last speech as leader of the NDP and underscored the importance of fighting child poverty. He issued a challenge to eradicate child poverty before the year 2000. Unfortunately, we have yet to attain that goal.

Even more unfortunate are the Prime Minister's comments about Ed Broadbent's proposal: "Well, I think the 1989 resolution you talk about probably was the high-water mark of political stupidity in this country..."

In Canada, one in five children lives in poverty. That is unacceptable. It is shameful that the Prime Minister thinks an initiative to eradicate child poverty is stupid.

In 2015, the first NDP government will put in place an affordable daycare system and a plan to fight child poverty.

* * *

[English]

TAXATION

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, first, I would like to give my condolences, thoughts and prayers to the families of the three students who were shot today at my alma mater of Florida State University. Hopefully they are all okay.

Our government has made it a top priority to make life more affordable for Canadian families, to help them prosper, and to ensure that they have the right of choosing what is best for their own families. We want to ensure that all children get the best start in life so they can reach their potential, whether it be at home, at school, on the playground, or beyond.

Today is national child day, and I am honoured to rise in the House and say that we are living up to our commitment to support Canadian families. Whether it be the expansion of the universal child care benefit, whether it be the doubling of the children's fitness tax credit and making it refundable, whether it be the family tax cut, we are keeping that commitment to Canadian families to make life more affordable.

I am very proud of our government, and we will continue to put forward measures. I only hope that the opposition will choose to support this, because we are on the side of Canadians, their children, and making sure they have the opportunities and potential for the future.

ORAL QUESTIONS

[Translation]

TAXATION

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, yesterday, the Minister of Finance announced that he did not even go through his

Oral Questions

department before announcing his so-called job credit. That proves that this credit is a purely ideological one.

The Parliamentary Budget Officer claims that it will cost \$550 million to create just 800 jobs.

Does the minister not think that he should do his homework before introducing measures that make no sense?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, our reduction will apply to 740,000 small businesses across Canada. The Canadian Federation of Independent Business, the CFIB, understands that tax increases kill jobs, but the New Democrats would significantly increase taxes by bringing in a 45-day work year.

We want businesses to expand and owners to save and then spend their hard-earned money. What is good for them is also good for the economy.

[English]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, yet the minister ignored the CFIB when it said:

You are not going to pay for a full job through your EI hiring credit.

The minister has now admitted that he failed to ask his own department to analyze a \$550-million tax credit. The PBO did the analysis for him and found that the Conservatives want to spend half a billion dollars on 800 jobs.

Why did the minister fail to analyze a \$550-million tax credit before introducing it?

•(1420)

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, since the depths of the recession, our economy has created 1.2 million net new jobs.

Small businesses have been very clear that high payroll taxes are job killers. That is precisely what the NDP wants to impose on small business.

Let me also add that we listen to and we believe in small businesses. Apparently the NDP does not. It wants to raise their taxes. It wants to raise payroll taxes. This is a job killer and precisely the opposite of what is needed for the economy.

* * *

VETERANS AFFAIRS

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, while the minister is spending hundreds of millions without any government analysis, veterans are facing deep cuts under the Conservatives.

They are being told "no" when they are asking for help. Veterans are seeing the offices that served them shuttered by that government. Now we learn that over \$1 billion intended to help veterans never got out the door because of Conservative mismanagement.

How can the Conservatives justify this while they close veterans offices and shortchange injured soldiers?

Oral Questions

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, that is absolutely false. All governments always ensure that statutory funding is fully funded to ensure that there is no shortfall. This is the normal practice of all governments.

Annual expenditures at Veterans Affairs Canada have increased from \$2.7 billion, when the Liberals were in government, to \$3.5 billion in 2012-13.

Shame on that party for playing political games with Canada's veterans.

[Translation]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, the Conservatives are cutting services and closing regional offices, forcing our veterans to travel great distances, and now we have learned that the government helped itself to \$1.1 billion destined for our veterans.

That is unconscionable. No wonder veterans no longer want to be seen with the minister.

Why is the government trying to save money at our veterans' expense?

[English]

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, I understand that math is not necessarily the NDP's strongest point, but let me just repeat this. Since taking office in 2006, our government has spent over \$30 billion on veterans benefits and services. That is over \$5 billion in new funding. Our government has a strong record when it comes to providing benefits and services for Canada's veterans, and we will continue to do that.

[Translation]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, there is a shortage of staff, and veterans are waiting six to eight months for services. Veterans are dying before they receive the services or equipment they need.

In the meantime, the minister secretly returned \$1.1 billion to the treasury.

Is the government not ashamed of diverting money that was meant for our veterans?

[English]

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, as I mentioned, our government has a strong record when it comes to standing up for Canada's veterans, with almost \$30 billion since taking office.

If the NDP really cares about Canada's veterans and the benefits and services that are provided to them, it needs to start voting in favour of the initiatives we bring forward. Virtually every single initiative our government has brought forward for Canada's veterans the opposition has voted against.

INFRASTRUCTURE

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, one dollar invested in new affordable housing grows the economy by \$1.40. One dollar in roads, water, or transit brings \$1.20 in new growth. A billion dollars in new infrastructure stimulates 16,000 person-years of employment. However, the Conservatives have chopped their infrastructure fund by \$1.2 billion to pay for gimmicks that do nothing for jobs or growth. The PBO says their employment insurance scheme actually kills 10,000 jobs, and the late Jim Flaherty said income splitting was too expensive, unfair, and anti-growth. Why such bad choices?

Hon. Denis Lebel (Minister of Infrastructure, Communities and Intergovernmental Affairs and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, I would like to remind my colleague that as a former minister of finance, if he believes so much in infrastructure, he should have done much more back then.

As a former mayor, I remember the poor Liberals pretty well. They did nothing. Actually, they did something. They kicked the problem to the provinces at that time. Now we are fixing the problem. We are working with municipalities and provinces.

* * *

● (1425)

VETERANS AFFAIRS

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, speaking of bad choices, since 2006, the government has made new promises to returning soldiers and veterans totalling \$1.1 billion, but those promises were broken. The programs and services were never delivered. The government pocketed the cash. What did it do with it? Since 2006, it blew it on nearly \$750 million in tax-paid government advertising.

How can it justify swiping a billion dollars from veterans while wasting hundreds of millions on its own self-indulgence?

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, our government will take no lessons from the Liberals. It was under their government that our men and women in uniform suffered decades of darkness.

Our government is standing up for Canada's veterans. If it was up to the Liberals, they would have spent \$2.7 billion, whereas our government is spending \$3.5 billion annually. That is about \$5 billion additional dollars since 2006.

[Translation]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, despite our soldiers' pleas, the government closed nine veterans' service centres to save a few million dollars.

We have learned that Veterans Affairs Canada has returned over a billion dollars in unspent money to the Treasury since the Conservatives took office in 2006. During that same period, the government spent \$743 million in advertising.

Can the government explain why it places a higher priority on advertising to get re-elected than it does on taking care of our veterans?

[English]

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, as we all know, actions speak much louder than words. Our government has a strong record. As I mentioned, our government has invested almost \$5 billion in additional dollars since taking office in 2006. Compared to the \$2.7 billion the Liberals were spending, our government now spends \$3.5 billion annually and has spent over \$30 billion since taking office in 2006.

* * *

HOUSING

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, as we mark National Housing Day this weekend, Canada is experiencing a housing crisis. One in four Canadians spends more than 30% of their income on shelter. For too many, this means living in poverty. Conservatives are refusing to renew social housing agreements, and 200,000 Canadians risk losing their homes. Concerned Canadians from across the country are gathering in Ottawa Friday. Will the minister listen to them, take steps to fight poverty, and make real investments in affordable housing?

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, we have been listening. We have been meeting. We have, in fact, been signing agreements across the country with provinces to address the housing needs.

I met with representatives from FCM yesterday. Each one of the city representatives acknowledged that their cities have different challenges. Each is unique when it comes to housing. That is why we have invested over \$1.25 billion in affordable housing, giving the provinces the jurisdiction to spend that funding where they believe it is necessary, working together with the cities and municipalities to address the issue of housing.

[Translation]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, more than 1.5 million families in Canada have inadequate housing.

One-quarter of Canadians spend more than 30% of their income on rent. Canada is part of the G7, a group of the seven richest countries in the world, and we cannot even provide adequate housing for our families. Come on.

Can the government at least commit to renewing its investments in social housing?

[English]

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, in regard to the housing agreements, they are coming to an end, because the mortgages are paid off. Canadians understand that when mortgages are paid off, they do not keep paying the bank. What we have done is provide other supports, whether it is co-op housing or other flexibility within the investment in affordable housing.

Here is another novel idea for the opposition members. For Canadians who are vulnerable, for Canadians who want to improve

Oral Questions

their housing situation, we are helping them by giving them increased benefits, like the universal childcare benefit, like the family tax cut, and like increasing their skills and abilities so they can afford housing in the regions where they live.

* * *

• (1430)

POVERTY

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, from affordable housing to poverty, Conservatives are failing Canadians. One in five children in our wealthy country lives in poverty. I am sure the Prime Minister regrets that he once called the 1989 motion on ending child poverty “the high-water mark of political stupidity in this country”.

Most people believe that caring for our children is a basic Canadian value. Will the government finally introduce a plan to eliminate poverty among our children in Canada?

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, what is a Canadian value is not just talking but acting. That is what this government does. We have lifted over 225,000 children out of poverty since coming into government. UNICEF Canada said it is because of the measures we have introduced to help families directly, things like the universal childcare benefit, which we are increasing and expanding, and like our family tax cut.

Every single family in Canada with children will receive a benefit from these measures. That helps us lift Canadian families out of poverty. It helps make life more affordable for Canadian families.

[Translation]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, 25 years ago, the House unanimously adopted Ed Broadbent's motion to end child poverty by 2000. After 30 years of Liberal and Conservative governments, one in five children is still living in poverty. It is unacceptable that a rich country like Canada is leaving these children in such conditions.

What measures does the government intend to take to eliminate poverty in Canada?

[English]

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, it is too bad the New Democrats do not recognize the great work Canadians have done and that this government has done lifting over 225,000 children out of poverty.

We have the lowest level of poverty in our history. It is because we are doing things like cutting the GST by two points. We have introduced the universal childcare benefit, which will give families over \$1,900 in benefits, which is direct money in their pockets. A single mom with two kids under the age of six will be receiving \$3,800 in cash benefits.

Oral Questions

The NDP would take that away and put it in the hands of the bureaucracy.

* * *

[Translation]

CHILD CARE

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, the Conservatives promised 125,000 daycare spaces. After nine years in power, it is pretty easy to sum up the results. Not a single spot has been created—zero, zilch, nada.

While the Conservatives are proposing regressive income-splitting policies that are directed at a tiny fraction of Canadians, families are having a hard time making ends meet.

How does the government plan on helping families who are still waiting for a daycare spot?

[English]

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, I want the New Democrats to know this, and we have said this before: We have increased transfer payments to the provinces. The provinces, since we have come into government, have created 216,000 daycare spaces.

Here is the difference between us and them. We believe parents need more than just nine-to-five, full-time-work daycare spaces. Parents need flexibility for those who work part-time or when one parent decides to stay home. That is why our plan gives funds directly to parents—the universal childcare benefit, the expansion, the increase—because we trust them to make the decisions they need for their daycare.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, around \$6 a day is not going to be much help to working parents paying as much as \$90 a day for child care. While the Conservatives hand out tax cuts to the wealthiest families, the majority of families are falling further and further behind. Child care is putting an enormous strain on family budgets, leaving parents faced with difficult choices, but the Conservatives have failed in their promise to deliver 125,000 new spaces.

Why have Conservatives abandoned hard-working Canadian families?

• (1435)

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, here is what the NDP plan would do. It would cost \$5 million, it would help less than 10% of Canadian families, it would do nothing for rural Canadian families, it would do nothing for families that need evening child care, it would do nothing for those families in which one family member decides to stay at home. We know the NDP will take away the universal child care benefit, given the chance. We are keeping it, we are increasing it, we are expanding it to include older children, and we are including the family tax credit.

Again, the difference between us and them is we want money in families' pockets; they want it in big bureaucracies that do nothing to help Canadian families.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, while Conservative tax rates for wealthy families are

getting bad reviews from economists, former finance ministers, and ordinary Canadians alike, the NDP's plan for affordable universal child care at no more than \$15 a day has now been endorsed by the legislature of Canada's largest province. Canadians want to see their federal government become an active partner in making child care more affordable.

Why will the minister not adopt the NDP plan for universal, quality, affordable child care?

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, I think we just saw in Whitby—Oshawa what Canadians think of the NDP's universal child care plan.

Here's the issue. It is not a universal child care plan because their plan does not help a mom who is working part time and has private daycare or a grandmother helping to look after her child. Their plan only helps less than 10% of Canadian families. It does nothing for rural Canadians.

Our plan is simple. It means we trust parents. We give them the funds. It helps them make decisions that are best for their families in terms of their career choices, their work, and their child care.

* * *

[Translation]

EMPLOYMENT INSURANCE

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, we are talking about child poverty, but there are also parents who are living in poverty. Take, for example, seasonal workers who, year after year, have to face waiting periods and seasonal gaps, in addition to receiving a maximum of 55% of their insurable earnings, if they even qualify after the Conservative reforms.

Instead of funnelling workers' contributions into a program that will not create any jobs, why is the government not improving employment insurance in order to reduce poverty, including child poverty?

[English]

Hon. Candice Bergen (Minister of State (Social Development), CPC): Mr. Speaker, the changes that we have made to EI have not at all impacted the way people can qualify for EI.

However, what we have done is create over 1.2 million net new jobs. The unemployment rate is at the lowest since 2008. In terms of poverty, we believe the fundamental best answer for poverty is a good job, and that is why we are improving skills and creating jobs.

In addition to that, we are very proud of expanding and increasing the universal child care benefit. That \$100 cheque that parents get for every child increased to \$160 and, in addition, there is another \$60 for their kids over six years old.

Oral Questions

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, on this side of the House, we actually believe in reducing poverty, not increasing it. That is the difference between the two.

The finance minister has been benched all week, but he forgot to mention to his \$800-a-plate Bay Street lunch crowd that the economic update shows that his supposed budget surplus is actually based entirely on surpluses in the EI account. Instead of helping the unemployed, the minister has decided to raid EI funds to cover the cost of his income-splitting scheme and pad his budget.

Why is the minister balancing his budget and giving tax cuts to the wealthy few on the backs of unemployed Canadians?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, I was very pleased to present to Canadians our economic and fiscal plan, which shows how well Canada is doing in a fragile world. We are doing better than other countries. Our economy is growing better. Our 1.2 million new jobs is better. We have half the debt-to-GDP ratio of the G7. We have a AAA rating. Next year, we will have a surplus. We have already been able to give four million Canadian families tax breaks, tax breaks that they need. Also, 780,000 small businesses will—

• (1440)

The Speaker: The hon. member for Guelph.

* * *

VETERANS AFFAIRS

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, the Conservatives robbed our brave veterans when they cut over \$1 billion instead of funding vital programs and services. They spent \$750 million in self-serving ads and are cynically trying to balance the budget on the backs of veterans suffering from PTSD.

Veterans are waiting eight months for assistance. Veterans are travelling hours to see a case worker because Conservatives closed nine Veterans Affairs offices.

Why do the Conservatives pretend to support our veterans when the facts clearly show that they abandoned them in their time of need?

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, that is completely false. All governments always ensure statutory funding is fully funded to ensure there is no shortfall. This is normal practice in all governments.

We have absolutely no lessons to be learned from the Liberal Party. All Canadians remember it was under the Liberal government that our brave men and women suffered a decade of darkness. Our government has a strong record when it comes to standing up for Canadian veterans, and we will continue to do that.

* * *

NATIONAL DEFENCE

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, let us talk about a decade of delay and deception by the current government. Since 2006, the Conservatives have spent \$750 million on partisan advertising. Meanwhile, they have cut the defence

budget to the point that we hardly even have a functioning navy, as we heard at the defence committee on Tuesday.

The reality is that a total of \$14 billion has been either cut or announced and then clawed back from defence budgets.

Why do the Conservatives believe that hundreds of millions of dollars in partisan advertising is more important than providing brave men and women in uniform with the basic equipment that they require?

Hon. Rob Nicholson (Minister of National Defence, CPC): Mr. Speaker, first, I make this promise to the House. We will never go back to the way things were under the Liberals, when our military was completely ignored.

I would point out to the hon. member that if she reads the supplementary estimates, she will see that \$900 million has been added to make it \$19.5 billion. This is far more than was ever allotted under the Liberal Party, and it is because we support the men and women in uniform in our Canadian military.

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THE BUDGET

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the Conservatives' so-called job credit would cost more than half a billion dollars of taxpayers' money, yet the finance minister told committee that the government has not done any economic analysis of it.

Yesterday, when I asked the finance minister why, he said, "...we don't do analysis on every expenditure."

If a half-billion-dollar expenditure does not require analysis, exactly how much taxpayer money do the Conservatives have to spend before they do their homework?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, the Liberals really have no shame. When they were in power, they raided the EI fund of \$60 billion and used it as a political slush fund. What we are doing is providing benefits to 780,000 small businesses, 90% of all businesses. They will benefit. They will create jobs. It will be fair for them and good for the economy.

* * *

HEALTH

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, this week *The Lancet* published evidence that NewLink has never made a vaccine, owns no manufacturing plant, and has never commercialized any drug.

Oral Questions

It has now been four years since NewLink acquired the responsibility to develop an Ebola vaccine from Canada, but it only went to clinical trials last month, and only last Friday did it appoint a chief scientific officer for Ebola.

Therefore, why did the minister say this morning in committee that she had no concerns about the contract with NewLink Genetics to develop the Ebola vaccine?

Hon. Rona Ambrose (Minister of Health, CPC): Mr. Speaker, it was in fact the Chief Public Health Officer, Dr. Gregory Taylor, who said that he had no concerns about NewLink's efforts to commercialize the vaccine. He also answered the member's questions fully at committee.

I reiterate the commitment from not only the Public Health Agency of Canada but from the World Health Organization, from the U.S. Department of Defense at the Walter Reed institute, and from all of those in the international community and the private sector who are working to bring all of their influence to bear to support this Canadian vaccine, which we should all be proud of, to make sure that it gets to market safely and effectively.

• (1445)

[*Translation*]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, NewLink Genetics did not honour its agreement with the Canadian scientists who invented a potential cure for Ebola.

The contract states that NewLink Genetics must do everything possible to develop and sell the vaccine quickly. However, as can be seen on its website, the company just hired a scientist to take over the file. That reeks of amateurism.

Why did the Conservatives sign a contract with NewLink Genetics when the company is clearly not ready to commercialize the vaccine that Africa so desperately needs?

[*English*]

Hon. Rona Ambrose (Minister of Health, CPC): Mr. Speaker, I reiterate again that I am happy to offer the member a more in-depth briefing on the steps that have been taken not only by the Canadian government but also by international partners and a number of other bodies in the public health community to bring all of their influence to bear to ensure that this moves as quickly as possible.

Whereas clinical trials usually take five years, this is happening in a matter of months because of the coordination, domestically and internationally, to prove that this great invention by Canadian researchers and scientists is safe and effective and that we can get it out to those people who need it.

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[*Translation*]

VETERANS AFFAIRS

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, the Conservatives' hypocrisy has reached new lows.

They love to talk about how they have increased budgets for veterans over the past few years, but they forget that 5% to 8% of Veterans Affairs Canada's budget goes unspent every year.

That portion of the budget just gets sent back to the public treasury: \$1.1 billion allocated to veterans for compensation and services has been used for other purposes. That is disgusting.

Why are the Conservatives breaking their promises to veterans by cutting the committed budgets?

[*English*]

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, that is absolutely false. I would encourage the member to familiarize himself with the numbers and the benefits of the services that are available for Canada's veterans.

Let me list a couple. A veteran who is injured and in rehabilitation receives a minimum of \$3,500 in financial benefits each month. Veterans who are more seriously injured can receive \$8,000 or more a month in financial benefits from the Government of Canada and their military pension.

Our government has a strong record when it comes to standing up for Canada's veterans, and we will continue to do that.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, on my desk right now I have a file from a veteran in B. C. who was denied VIP service. I have another one from Ontario who was denied a hearing aid. I had a World War II veteran who was denied a lift so that he could go up and down his stairs.

Why? The department says that it simply cannot finance these types of initiatives, yet we find out that over \$1 billion has been sent back.

I would like to ask a question directly to the parliamentary secretary. Has he no shame that these veterans and many others go without, while the government transfers \$1 billion back to the finance department for its useless tax schemes?

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, I have a lot of respect for the member opposite. He has been around long enough to know and understand the process.

I would encourage the member, honestly, to not play politics or partisan games when it comes to Canada's veterans. On every single initiative our government has brought forward to help Canada's veterans, that member and his party—

Some hon. members: Oh, oh!

The Speaker: Order, please. The parliamentary secretary now has the floor. I will ask members on this side of the House to let the parliamentary secretary answer the question.

Oral Questions

●(1450)

Mr. Parm Gill: Mr. Speaker, that hon. member and his party have voted virtually against every initiative our government has brought forward to help Canada's veterans. As I mentioned earlier, if he and his party really care about Canada's veterans, I would encourage them to start standing and voting in favour of the measures we are bringing in for Canada's veterans.

* * *

INTERNATIONAL TRADE

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, last night, the House finally had an opportunity to express its view on the historic Canada-EU trade agreement. With details and benefits of this agreement available for all to see, the Conservatives voted in favour of recommending the implementation of this agreement. It comes as no surprise that the NDP stood in this place and voted against this historic free trade agreement.

Could the Minister of International Trade please update the House on this important agreement?

Hon. Ed Fast (Minister of International Trade, CPC): Mr. Speaker, last night the smoke cleared, and the NDP members made it clear that they oppose the Canada-EU free trade agreement. While the NDP opposes this important agreement, Canadians from coast to coast to coast have echoed their support for it.

Sadly, the Liberal record on trade is one of utter neglect. During 13 long years in government, Liberals completed only three free trade agreements. In a short eight years, our government has concluded trade agreements with 38 different countries.

It is this Conservative government that can be trusted to create jobs and opportunity by increasing Canadian exports all around the world.

* * *

PUBLIC SAFETY

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, where is the bill, Bill?

[*Translation*]

The number of prisoners in Quebec went up by 11% in two years. Criminal justice decisions made in Ottawa cost the provinces, which administer prisons. The minister cannot just wash his hands of it.

Jean-Marc Fournier, Quebec's minister for Canadian intergovernmental affairs, asked the government to sit down with the provinces and share the cost. Will the government do that?

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, we need mandatory prison sentences for serious crimes because Canadians need to know that people who commit serious crimes and repeat offenders will not have a chance to threaten their safety again. In the past, Canadians lost confidence in the justice system because punishments did not fit crimes.

Lax Liberal policies on crime failed to protect Canadian families and communities, so our government is committed to restoring confidence in the justice system. Mandatory minimum prison

sentences show Canadians that the rights of criminals will not take precedence over the rights of victims of crime.

[*English*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I am tempted to ask the parliamentary secretary to put his money where his mouth is.

[*Translation*]

If the government is serious about the fight against crime, it has to work more with its main partners, the provinces. It has not been proven that Bill C-10 has had a significant impact on crime, but it is definitely having a major impact on the provinces' budgets.

Will the minister sit down with his provincial counterparts to share the cost, as Quebec in particular has been asking for? It is a matter of money, not of knowing how good they are.

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, when it comes to defending the rights of Canadians and protecting our communities, she has nothing to criticize. Values are incredibly important to this government, which is why we have put these measures in place. They are to protect Canadians

We continue to work in partnership with the provinces. Transfer payments to the provinces are at record levels. Our government will keep crime in our sights and protect victims.

* * *

CBC/RADIO-CANADA

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, during the town hall meeting about CBC/Radio-Canada, the host of the popular show *Découverte* came forward with an impassioned plea for the future of our public broadcaster. He said, and I quote, "It's gone too far. We don't have the means to do what we should be doing, and well." He denounced the successive cuts by the Conservatives and the Liberals that have hurt the corporation.

Will the minister acknowledge that CBC's board of directors needs fewer Conservative cronies and more people like Charles Tisseyre who are passionate about culture and information?

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as Hubert Lacroix clearly stated, there are challenges "of the new media world that are facing all...broadcasters."

CBC/Radio-Canada is attracting fewer viewers. That is the problem. It still receives \$1 million a year from taxpayers. It is up to the corporation to come up with programming to attract viewers. The problem is lower advertising revenues and fewer viewers.

I urge it to continue to work to attract more viewers.

●(1455)

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, Mr. Lacroix also said that he would not ask for even one more penny from this government because he knows he would not get it, despite the fact that the public broadcaster is struggling to fulfil its mandate and comply with the law.

The young CBC staff—

Oral Questions

Some hon. members: Oh, oh!

Mr. Pierre Nantel: Pipe down, for Christ's sake.

Mr. Speaker, the CEO said, as did Charles Tisseyre, that young people are driving the digital shift, but the corporation coldly continues to show them the door. That is what he said; members can look it up.

Is killing the CBC's future the Conservatives' real objective? What will the member for Saint-Boniface tell young Franco-Manitobans? Will she tell them to see if there is any French content on Netflix?

[*English*]

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I will tell my constituents, the young constituents in particular, that I learned how to speak French listening to Radio-Canada. I will encourage them to continue to do so.

I will also tell them that we continue to provide CBC/Radio-Canada with over \$1 billion every year so it can deliver quality programming that Canadians want to listen to and watch.

In the meantime, I will encourage that member to continue to encourage those young people to learn both English and French, and to respect the national broadcaster and the work it does.

* * *

CITIZENSHIP AND IMMIGRATION

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, immigration officials have confirmed that within the government's existing plans there is space for more than 10,000 additional government-assisted refugees over the next three years.

At a minimum, and I know Jean Chrétien would want to do more, will the minister use his existing spaces to admit 10,000 new Syrian refugees over the next three years, while also creating new spaces for refugees from other countries?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, as the member already knows, Canada has already received nearly 22,000 refugees from both Syria and Iraq.

Here is what the Liberals would have us do. They would have left our asylum system clogged with claimants from rich and safe countries. They would offer to bogus claimants better health care than Canadians actually get. Instead of helping millions of people displaced inside Iraq and Syria made refugees by a terrible conflict where brutal terrorists are murdering minorities every day, they would have us sit on the sidelines.

[*Translation*]

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, officials have confirmed that Canada can accept 10,000 additional government-sponsored refugees over the next three years.

Instead of fighting about the low number of Syrian refugees that the government claims to have accepted, why does the minister not promise to be more generous, in the Canadian tradition of providing international assistance, and accept 10,000 new Syrian refugees over the next three years while also creating new spaces for refugees from other countries?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, it is sad to see, but the Liberals do not even want to mention the key points in this file. Almost 22,000 Syrian and Iraqi refugees have already been accepted and settled in Canada. What the Liberals do not want to talk about is their decision to neglect the millions of victims of the Iraqi conflict because their policy does not in any way reflect our allies' policies or the will of Canadians. They would like to remain on the sidelines during an unprecedented crisis, where the —

[*English*]

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

* * *

INTERNATIONAL TRADE

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, in order to get a trade deal with Europe, the Conservatives bargained away minimum processing requirements that protected fish processing jobs in Newfoundland and Labrador. At the time, the Conservatives promised Newfoundland and Labrador compensation of \$280 million to help our fishing industry adjust. The province accepted but, now, two years later, we have learned that the Conservatives are not following through. What is the deal?

Could the minister clear the air and confirm he will keep the commitment to Newfoundland and Labrador?

• (1500)

Hon. Ed Fast (Minister of International Trade, CPC): Mr. Speaker, the member is simply wrong. The support our government is proposing for Newfoundland and Labrador is actually focused on mitigating the impacts of eliminating minimum processing requirements. We continue to have dialogue with the province on these issues.

Our trade agreement will open up tariff-free access into the largest fish and seafood market in the world, worth \$25 billion a year. We have secured the very best fish and seafood package for Canada, one that will dramatically improve the access our Atlantic fisheries and seafood harvesters have to the EU. We encourage them to position themselves now to take advantage of these opportunities.

[*Translation*]

Ms. Ruth Ellen Brousseau (Berthier—Maskinongé, NDP): Mr. Speaker, over time, hundreds of high-quality Canadian cheeses have made their way to our tables.

However, the Conservatives have now opened our country's door to thousands of tonnes of subsidized European cheeses. The Conservatives promised a compensation plan, but we have yet to see anything one year later.

Where is the compensation plan for Canadian and Quebec dairy and cheese producers?

Oral Questions

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food, CPC): Mr. Speaker, about the only thing in that statement that is correct is that there are hundreds of quality Canadian cheeses produced in our great country. A number of those end up on tables in the European Union, and it is welcoming of our Canadian cheese in the deal we have signed.

We continue to work with the Dairy Farmers of Canada and with the processors on the best way forward, and we will continue that dialogue.

* * *

PUBLIC SAFETY

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, last week in Hamilton at McMaster University, a pro-Palestinian group held an event called “hug a terrorist day”. This was shocking and deplorable, given that less than a month ago, Canada lost Warrant Officer Patrice Vincent and Corporal Nathan Cirillo, two brave Canadian Armed Forces members, in terrorist attacks right here on our own soil.

Could the Minister of Public Safety and Emergency Preparedness please update the House on his views on this extremely offensive event, which makes light of victims of terrorism, and what our government is doing to protect Canadians?

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, we strongly condemn this callous attention-seeking stunt.

In recent weeks, right here, we have seen terrorists kill our Canadian Armed Forces members in cold blood, and the criminals of the Islamic State calling for volcanoes of jihad against Canadians.

It is clear now more than ever that we need to be vigilant against the threat of terrorists and not complacent. This is why our government will strongly move forward to bring the tools we need to keep Canadians safe.

* * *

INTERNATIONAL DEVELOPMENT

Ms. Yvonne Jones (Labrador, Lib.): Mr. Speaker, the child mortality rate in low-income countries is, sadly, 13 times higher than in developed countries.

How has the Conservative government chosen to honour our country's commitment to protect vulnerable children? It has deliberately underspent Canada's aid budget for low-income countries by nearly \$126 million.

On Universal Children's Day, will the government explain why it is taking aid money for poor children and using it to fund things like income splitting for wealthy families?

Hon. Christian Paradis (Minister of International Development and Minister for La Francophonie, CPC): Mr. Speaker, I was very happy to have a great event this morning with the Canadian network for international child protection.

This morning we announced a great initiative with UNICEF, with Plan International for the protection of children, especially in Kenya, in partnership with UNICEF.

Let us be clear. The Canadian government met all of its international development commitments last year and since we have been in office, which was not the case with the previous Liberal government.

Canadians can be proud because we pay what we pledge, and we are globally renowned on the international stage.

* * *

[Translation]

VETERANS AFFAIRS

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I recently met a disabled veteran who was wounded in training.

He was forced to retire two years early and is now living on a pension that has been reduced by 35%. The government promised him care and a dignified retirement. He was even offered snow-clearing and lawn-mowing services, even though he lives in a bachelor apartment on the fourth floor.

Can the minister explain why the \$1 billion budget for veterans was transformed into a tax cut for the wealthy?

• (1505)

[English]

Mr. Parm Gill (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Mr. Speaker, I understand I have answered this question a number of times already during this question period, but I am happy to do this one more time.

Our government has a strong record when it comes to providing benefits and services for Canada's veterans. Let me just list a few. We have reduced the layers of red tape for veterans for the services and benefits they receive. A veteran who is injured and in rehabilitation receives a minimum of \$3,500 in financial benefits each month. Veterans who are most seriously injured can receive \$8,000 or more per month in financial benefits from the Government of Canada and their military pension.

* * *

FOREIGN AFFAIRS

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Mr. Speaker, this upcoming Saturday marks the official anniversary of Holodomor, a tragic period in Ukraine's history that claimed many millions of lives. Our government solemnly stands with the people of Ukraine as they commemorate this anniversary.

Canada and Ukraine have always maintained a productive and fruitful relationship. Could the Parliamentary Secretary to the Minister of National Defence please update this House on Canada's relationship with Ukraine?

Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, tomorrow marks the one-year anniversary of the Euromaidan protests.

Business of the House

Our government continues to stand with Ukraine in the face of its current challenges, unlike the NDP.

The NDP member for Halifax is shamefully promoting on her website that “NATO schemes to use Ukraine as a battering ram and platform on which to foster major aggression against Russia.”

That statement is despicable.

Whether it takes five months or 50 years to liberate it, our government will never, ever recognize the illegal Russian occupation of any Ukrainian territory. Our Prime Minister made it clear to Mr. Putin at the G20 when he said: “...you need to get out of Ukraine.”

The people of Ukraine and Ukrainian Canadians know they can stand with us.

* * *

[Translation]

CANADA POST

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, the Conservative government is complicit by allowing Canada Post to eliminate home delivery.

While provinces and municipalities are trying to adapt their services to the needs of an aging population, Canada Post and the Conservative government are making things harder on seniors. Next year, the people of Boisbriand, and more specifically those with reduced mobility, will suffer the consequences of this reduction in service.

Why is the Conservative government cutting our public services?

[English]

Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC): Mr. Speaker, I have to remind the member that the Conservative government is doing no such thing.

Canada Post, which is independent and at arm's length, is facing a crisis in mail delivery. There were 1.2 billion fewer letters delivered in 2013 than in 2006.

Canadians are changing the way they communicate, and Canada Post is trying to respond, as are other postal agencies around the world. It has a five-point action plan, and in executing that plan in the move to community mail boxes, it is reaching out to those in communities to look at their needs and assessments and providing alternate arrangements for that.

* * *

[Translation]

INTERNATIONAL DEVELOPMENT

Mrs. Maria Mourani (Ahuntsic, Ind.): Mr. Speaker, at the October 28 Berlin conference on regional instability caused by the conflict in Syria, 40 participating nations, including Canada, recognized the importance of increasing humanitarian support inside Syria.

Lebanon, which has close to four million inhabitants, is currently playing host to over one million displaced Syrians.

In the spirit of the Berlin communiqué, will Canada soon increase its humanitarian aid inside Syria in keeping with resolutions 2139 and 2165? When the time comes, will Canada support efforts to resettle those who have been displaced?

Hon. Christian Paradis (Minister of International Development and Minister for La Francophonie, CPC): Mr. Speaker, I thank my colleague for her question. Events in Syria and neighbouring regions, including Lebanon, are a major tragedy.

Thanks to Canada's support, many humanitarian needs have been met. For example, our humanitarian aid partners have provided water to over 16 million people, food aid to 4.1 million Syrians and emergency help to nearly three million refugees. We are monitoring the situation very closely, and we are working hand in hand with the Canadian Red Cross.

I would also note that, while in Jordan in January, the Prime Minister made a significant commitment to provide aid to Syria and neighbouring regions. That includes support for the No Lost Generation initiative, which focuses on children.

* * *

● (1510)

BUSINESS OF THE HOUSE

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, since the last Thursday question two weeks ago, the House has seen fit to support a number of good pieces of legislation.

The member for Scarborough Southwest introduced a bill to make Remembrance Day a national holiday; the member for Alfred-Pellan introduced a good bill to create a national day of the midwife; and of course, the member for Scarborough—Rouge River just introduced a bill to eliminate child poverty.

These are all good bills that have received the support of the House. The official opposition, the NDP, has shown a lot of common sense, and I want to make sure people know that.

[English]

So that common sense continues, we are continuing to bring forward on the floor of the House of Commons a whole variety of important policy alternatives to what the government of the day is proposing, such as a national child care program—which is only one election away now—and also putting in place a public inquiry for missing and murdered indigenous women, which would take place within 100 days of an NDP administration.

In a couple of weeks, we have a couple of NDP opposition days coming up. We are looking forward to putting those opposition days forward and continuing to provide hope to Canadians that, within less than 11 months, we will see a change of agenda in Ottawa. That is something I think all Canadians are looking forward to.

With that in mind, I would like to ask my colleague the government House leader for the opposition days that are coming and the government's agenda for the coming week.

Government Orders

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I want to thank the NDP House leader for his usual Thursday question, his optimism, and his hope. We are happy to see optimism and hope over there. I can assure members that on this side of the House we share some of that optimism and hope, and we look forward to better days for the NDP.

I also want to thank him for his program of daily concurrence motions this autumn. It has meant that practically every day we have had a chance to have a say on the hard work our committees do and specifically on the report the NDP tabled between the throne speech and the summer adjournment. In just the last five sittings since my last Thursday statement, this House has considered and adopted reports prepared by the Canadian heritage committee, the veterans affairs committee, the finance committee, and even the procedure and House affairs committee.

As a former international trade minister, I took great joy in seeing our debate and vote on the agriculture committee's report on the Canada-Europe free trade agreement. The NDP's concurrence motion allowed my colleague, the agriculture minister's parliamentary secretary, to bring forward his own motion reflecting the developments that followed the committee's work calling on the House of Commons to endorse this free trade agreement. In the past, the committee and the NDP had expressed concerns that they could not commit to a position until the agreement's text was available. Now that the agreement's text is available, they had an opportunity to endorse it right here in this House. Having seen the text of that agreement, I was disappointed that the NDP voted against it. It would be the single largest boost to the Canadian economy in a generation, one that would produce billions of dollars annually to the economy.

That being said, we have other business to attend to in this House.

[*Translation*]

With respect to the business of the House, let me acknowledge the co-operative and productive conversations we and our teams have had this week with the other parties. This afternoon and tomorrow, we will debate Bill C-26, the Tougher Penalties for Child Predators Act, at second reading. Monday, we will have the third reading debate on Bill C-18, the Agricultural Growth Act.

[*English*]

Tuesday morning we will consider Bill C-40, the Rouge national urban park act, at report stage and third reading. In the afternoon, we will switch to the third reading debate on Bill C-27, the veterans hiring act, which I hope will be passed quickly given the apparent support for it.

On Wednesday, we will start the second reading debate on Bill C-42, the common sense firearms licensing act.

Next Thursday will be the sixth allotted day when the NDP will bring forward a proposal for debate.

Wrapping up next week, on Friday we will have the fourth day of second reading debate on Bill C-35, the justice for animals in service act, which is known more affectionately as Quanto's law.

Finally, for the benefit of all of the committees of this House and their planning, following some consultation with my counterparts, I am currently looking at Wednesday, December 3, for the final allotted day. However, I will formally confirm that sometime next week, I expect.

GOVERNMENT ORDERS

● (1515)

[*English*]

TOUGHER PENALTIES FOR CHILD PREDATORS ACT

The House resumed consideration of the motion that Bill C-26, An Act to amend the Criminal Code, the Canada Evidence Act and the Sex Offender Information Registration Act, to enact the High Risk Child Sex Offender Database Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, it is an honour for me to rise on debate on the tougher penalties for child predators act.

Although members of the House do not always agree on the best approach to tackle challenging societal problems, I am confident we can all agree on the need to act to better protect children from the heinous crime of sexual exploitation.

Since 2011, children accounted for approximately half of all victims of police-reported sexual assault in Canada. Clearly this is unacceptable, and clearly it is incumbent on us to do everything in our control to better safeguard children from a crime that leaves an everlasting impact. The government strongly believes that further measures are warranted in this regard and that is why it has brought forward this legislation.

The tougher penalties for child predators act is a comprehensive piece of legislation that would allow us to better protect communities and children from convicted sex offenders, both in Canada and abroad. The changes we have proposed in the bill would allow us to move ahead on two different fronts, one that is supported by the Department of Justice and one that is supported by Public Safety Canada.

The first element, broadly speaking, addresses penalties for child sexual offences through amendments to the Criminal Code. The second deals with changes to the Sex Offender Information Registration Act, which I will get into in a few moments.

Government Orders

As we heard from the Minister of Justice, when the bill was first introduced our government proposed a number of enhancements that would allow us to ensure that penalties for child sexual offences would better reflect the long-lasting damage inflicted on young victims and further hold offenders accountable for their actions. Members of the House will not be surprised to hear me reiterate our government's firm belief that the punishment should fit the severity of the crime. I trust that members agree with me that, when we speak of the crime of sexual exploitation against children, this is a particularly important principle of living in a law-abiding society. There is no question that children are particularly vulnerable to sexual abuse and exploitation, so now is the time to act.

The other set of changes we are proposing is with respect to the information available to law enforcement about registered sex offenders and, of course, to the public.

As we have heard, the bill contains proposed amendments to the Sex Offender Information Registration Act, amendments that would enhance our knowledge about the whereabouts of registered sex offenders when they travel abroad, as well as increased offender accountability. The act is the governing legislation for the national sex offender registry, the existing federal database that houses the names of convicted sex offenders across the country. As members may be aware, this database is administered by the Royal Canadian Mounted Police and is accessible to police forces countrywide through a provincial-territorial registry centre. It is a vital tool that allows police to obtain a list of convicted sex offenders living or employed in a geographical area, when required for preventive or investigative purposes.

Currently, offenders subject to the registry must comply with a number of obligations with respect to reporting to registry officials. For example, they need to report each year, in addition to anytime they change their address or legal name. Further, they are obligated to notify registry officials if they plan to be away from their main or secondary residence for a period of seven days or longer. They are required to provide the estimated dates of travel, and for any domestic travel, they must provide the address or location at which they expect to stay.

With respect to international travel, registered sex offenders are not currently obligated to report absences unless those absences are seven days or longer. We feel this represents a significant gap in terms of registry officials' authority to obtain complete information on the international travel plans of registered sex offenders.

● (1520)

When it comes to sex offenders with a child offence conviction, they would be required to report any out-of-country absence of any length of time. Again, they would be required to provide specific travel plans, including dates and locations. All registered sex offenders would be required to report their travel dates and the addresses or locations where they are staying for any trips longer than seven days outside of Canada.

We have also proposed a change to address a gap that currently exists with respect to information sharing about registered sex offenders between the officials at the national sex offender registry and those at the Canada Border Services Agency. Some Canadians may be surprised to learn that currently there is no avenue for

registry officials to share information regularly with border officials, since they are not a designated police service. In addition, the Sex Offender Information Registration Act currently does not authorize such disclosure. This unnecessarily limits our knowledge of travelling sex offenders.

It stands to reason that those on the front lines, those guarding our borders, could be playing an even more meaningful role in safeguarding our communities than they already do. With this legislation, we could empower them to do just that by giving them the right information. After all, border officials are the ones who will admit convicted sex offenders back into the country. The bill would allow for registry officials to disclose relevant information about certain registered sex offenders to Canada Border Services Agency officials, including the cases of child sex offenders who have been designated as being at a high risk to reoffend.

Such a change would allow them to be placed in a lookout system. This type of information sharing would mean that border officials would then be alerted to travelling sex offenders and that upon those offenders' return to Canada, the officials would then be in a position to collect the offenders' travel information and to share it with registry officials. This kind of exchange could allow for the investigation of crimes of a sexual nature, in addition to addressing any other potential breaches of reporting obligations of the offender. These changes, I propose, would go a long way toward helping us better protect children from this offender group in both Canada and abroad.

Finally, with this legislation, we would allow for the future creation of a publicly accessible national database of high-risk child offenders. Separate from the national sex offender registry, this database would capture those who have been the subject of public notification in a provincial or territorial jurisdiction and would be presented in a searchable format for any Canadians who wish to access such information.

We are pleased with the progress that we continue to achieve in making our streets and communities safer, particularly for the youngest members of our society. The passage of this bill and the implication of its much needed amendments would take us even further in this regard. I therefore call on all members of this place to support the protection of children, on which I have heard many encouraging things today, both at home and abroad, from the horrific crimes of child sexual exploitation.

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, the government has introduced many bills that amend the Criminal Code in a number of ways.

Can the hon. member tell us whether the government has done any studies following up on these successive changes to the Criminal Code since it came to power in 2006?

Government Orders

Can the member tell me about any studies on the positive or negative impact of these successive changes to the Criminal Code and whether or not there are solid results that indicate that further bills to amend the Criminal Code of Canada should be introduced? I would like to hear about these studies.

•(1525)

[English]

Mr. Dan Albas: Mr. Speaker, with regard to studies, I would point out what the hon. Parliamentary Secretary to the Minister of Justice mentioned this morning with regard to correct jurisprudence.

Through the study of case law, we have seen more and more that both the bar associations and judiciary are bringing to light the fact that in cases of sexual exploitation of a child, there is an initial offence, coupled with the recording of images, disturbing as they may be, which is a separate offence, and then the distribution of those, which is another offence. Oftentimes, previously lasting last six or seven years, concurrent sentences were given. We believe that every time a child is victimized, both at the actual offence and then from the recording and then the distribution, the child is revictimized over and over.

I am pleased to say to the member opposite that in the studies, the courts have started choosing to impose consecutive sentencing, instead of concurrent sentencing, because the former more accurately reflects the heinous nature of these crimes.

I hope that the member opposite will look at some of these cases and see that they are truly horrific. Hopefully, we can all work together to ensure that people who prey on our children will face the full extent of the law.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, it is good to be here to debate this extremely important bill.

The crux of the differences here in the House relates to mandatory minimum sentences. I want to ask if the member could help all parliamentarians understand where the government actually sits on mandatory minimums.

Under the Department of Justice Act that created the department, there is a statutory obligation that the Minister of Justice is sworn to uphold when sworn in as minister. He must table on the floor of the House of Commons, for any bill that he brings to this House, the legal opinion prepared by his expert 2,500 lawyers on his full-time staff. He must table an opinion showing that the bill he is bringing to the floor is charter-proof—in other words, that it is compliant with Canada's Charter of Rights and Freedoms.

Has the government tabled that opinion? If it has not done so, when will it do so?

Mr. Dan Albas: Mr. Speaker, on the subject of mandatory prison sentences, I would suggest that the member consult his own Liberal colleague, the member of Parliament for Mount Royal. When he was the justice minister he brought in more mandatory minimum sentences than any previous justice minister in the history of Canada.

In fact, mandatory minimums have been around since the turn of the 20th century. They are used specifically to reflect society's abhorrence of the heinous nature of these kinds of victimization, particularly of our youth. I would ask the member to also consult

with his leader, who has said publicly that he wants to take away mandatory minimum sentences, even when they relate to the sexual abuse of another human being. I would ask the member where in the charter that kind of behaviour is allowed.

This particular bill focuses on protecting children both here and abroad. I hope that the member opposite can see past the ideological barrier that he has put before himself and help us to protect Canadian children.

* * *

•(1530)

[Translation]

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Bruce Stanton): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill S-1001, an act to amend the Eastern Synod of the Evangelical Lutheran Church in Canada Act, , to which the concurrence of the House is desired.

[English]

The bill is deemed to have been read the first time and ordered for a second reading at the next sitting of the House.

* * *

TOUGHER PENALTIES FOR CHILD PREDATORS ACT

The House resumed consideration of the motion that Bill C-26, An Act to amend the Criminal Code, the Canada Evidence Act and the Sex Offender Information Registration Act, to enact the High Risk Child Sex Offender Database Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I should say at the outset that I intend to split my time with the member for Ottawa Centre.

I am glad to be able to participate in this debate on Bill C-26. I said earlier in the question and comment period that I appreciated both the tone and the content of most of the speeches and remarks made today, given the gravity of the subject matter and the obvious unanimous condemnation, by all parties and all members of Parliament, of this sort of activity. There can be no doubt that we genuinely want to do the best job that we humanly can to stop this kind of activity and to do all we can to pass good legislation.

Much of the bill deals with sentencing and I want to start with that in my remarks. We know that sentencing is an art as much as a science. It is a real challenge for judges to achieve the balance of the three things that sentencing seeks to do. In the first case, it is to punish bad behaviour, obviously. The public demands and is justified in demanding that perpetrators be punished. Sentences usually are and should be crafted and measured in such a way as to accurately reflect the degree of public condemnation for the nature of the offence. In this case, there could be no higher condemnation of the public.

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The third and perhaps most critical element of sentencing is to deter and stop the practice. Hopefully, the sentence is significant enough that people will think twice before they risk undertaking this abhorrent practice, for fear of the punishment. However, that is where it becomes really sticky with this particular type of offence, because the psychiatric profession considers pedophilia to be a psychological disorder. I am not sure a pedophile, someone who is engaged in child sexual abuse, makes a rational choice of, "I had better not do this or else I am going to go to jail for 6 months, 9 months, 18 months, 10 years." I am not sure reason and logic enter into it with a person who has this appalling disorder.

That is not to say that everyone who engages in child sexual abuse is a pedophile or has a psychological disorder. Some do, such as the most offensive types of business people who are selling and marketing the product of child pornography. That, I agree, we not only have to denounce and put a significant deterrent in place, but also punish thoroughly and without reservation.

Part of this bill, as I read it, gives the judge greater direction, I suppose, and in fact takes away the discretion of a judge in dealing with concurrent sentencing versus consecutive sentencing. In thinking this through, and staying with the example of child pornography, there is more than one offence associated with the production and distribution of this product, so to speak.

The actual assault on the child, of course, is a crime and warrants a strict sentence; the documenting of it, making a film of it or taping it, is a crime in and of itself; and then broadcasting and publishing the documented assault is a third crime. Therefore, there are really three criminal offences wrapped into the one act, as the law currently stands. I believe it is section 163.1 in the Criminal Code. These could be treated as one single offence and one sentence or three sentences to be served concurrently rather than consecutively.

● (1535)

In my view, and we will see if it gets amended or commented on during the committee stage, I do not disagree that it is reasonable to consider all three of these assaults as warranting their own punishment applied. One might say the same if there are multiple children involved. It could be perhaps 10 separate crimes with 10 individual children. I think the argument is warranted to make it a concurrent and not a consecutive issue.

While I have the floor, I want to recognize and pay tribute to a woman from Winnipeg named Rosalind Prober, who is the president and founder of an organization called Beyond Borders. This organization was founded in 1996, and she has been a tireless champion for the protection of children, both domestically and abroad. Her organization, Beyond Borders, is the Canadian arm of an international NGO based in Bangkok called ECPAT, End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes. It was Rosalind Prober who pushed for the first sex tourism laws in 1996, when Lloyd Axworthy was the foreign affairs minister. At the time, she appeared before committees saying that sex crimes of this nature against children, committed by Canadians, should be extraterritorial. In other words, the laws of Canada should and must apply to Canadian citizens as they travel abroad.

That was a breakthrough. That was almost a sea change in the mindset of Canadians, bringing awareness to the fact that sex

tourism to exploit children was becoming a growing international problem. I am very proud that it offended the sensibilities of Canadians to such a degree that we expanded our domestic laws to apply to Canadians travelling abroad. It has not always worked. I have a number of examples where even the laws we have in place regarding this have failed to deter some fairly egregious examples, but I will not go into those here today, because there is no benefit.

As Bill C-26 stands, I am glad the NDP's justice critic said at the outset that we are going to support the bill to get it to committee. I think it warrants it. It deserves it. We owe it to our children to pull out all the stops and do all we can to pass the best laws possible to protect them.

I point out that the Minister of Justice, in introducing the bill, when he appeared before the justice committee, pointed out that sexual offences against children had increased 6% over the last two years. This is in spite of a number of measures taken since 2006. This Conservative government, in three parliaments, in 2006, 2008, 2011, implemented the Safe Streets and Communities Act, mandated aggravated assault where the child is under 16 years of age, made it illegal to provide sexually explicit material to a child, and raised the age of protection from 14 to 16 years of age. There are about 10 or 15 legislative changes to the Criminal Code regarding the protection of children and doing our best to stop the sexual exploitation of children, yet the minister claims that there is a 6% increase over the last two years.

We really have to look at the efficacy of the efforts made to date, and it is not unreasonable to question, then, the efficacy of the proposals put forward in Bill C-26, because frankly, everything we have done has failed to stop the escalation of these appalling incidents.

I know I am going to vote in favour of the bill to get it to committee so it can be studied more thoroughly. We owe it to our children. It is one of the most important things we can do in this 41st Parliament.

● (1540)

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank my colleague for his speech this afternoon on a delicate subject.

I would like to ask him a question about the Conservatives' possible tactics in terms of criminal law and justice. I think the English phrase "tough on crime" captures the idea better than the French equivalent, "dur sur le crime".

Does my colleague believe that the Conservatives are capable of using questionable tactics such as introducing bills simply so that they can turn around and say that they are tough on criminals and show their strength?

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There are many documents and some studies that show that the real effect of these bills is not what was intended. The results are not as good as they thought.

Does he think the Conservatives are capable of such political tactics?

[English]

Mr. Pat Martin: Mr. Speaker, my colleague from Sherbrooke had a valid point. By and large, since 2006, in the previous three Parliaments, we have seen the Conservatives rather cynically exploiting what is a standard neo-Conservative tool across the world, which is the politics of fear. They are building up a straw man and then saying that the only people who can protect us from that straw man is them, because they will get tough on crime. There is an awful problem there. Bill C-26 may be the exception.

Some of the mail-outs into my riding from the Conservative Party show a picture of a man sneaking into a bedroom window with a knife and a mask. It more or less is saying that this junkie will kill people in the night with that knife if they do not vote Conservative, because only the current Prime Minister can protect them from this straw man. The politics of fear are cheap and cynical and only lead to stacking up prisoners in prison like cordwood and passing the burden onto the provinces to pay for those prison cells.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, we will somewhat reluctantly be supporting this bill going to committee as well. There are good points and bad points.

The member mentioned the politics of fear and being tough on crime. I would like the member's view on this. There is another approach that should also be taken. We have the laws and can be tough on crime, but a better approach might be to be smart on crime. It might be finding ways to prevent these issues and these serious activities from happening by giving young people a better opportunity in life through some social programming and those types of approaches.

I have travelled on the issue of human smuggling and have seen the individuals who have been abused, both in the sex trade and the slave trade, and how they happened to fall into that trap through those who would exploit them.

I wonder if the member might provide some comments, from his point of view, on preventive measures and taking a different approach and what it might do for society.

Mr. Pat Martin: Mr. Speaker, if we are serious about the efficacy of the bill and if we are serious that the goal is to make our streets and our children safer, then we have to be concerned about this, because if locking up more people and mandatory jail sentences led to safer streets, the United States would be the safest country in the world. It has 2.3 million people locked up in prison, and they still have rampant urban strife, violence, and social problems.

We have to question, first, whether stiffer sentences will stop a pedophile who has a psychological disorder and maybe does not use the reason and logic of penalty versus the action he or she is going to take, and second, whether in other situations and other types of crime, locking people up is really going to create safer streets. There is no empirical evidence to have us believe that.

Some states in the United States are going bankrupt because they are locking up so many people, such as Texas, Florida, and California. They are starting to say that their tough on crime agenda is bankrupting their budgets and not making their streets any safer and that all they have is more people locked up.

If we are serious about efficacy and serious about safer streets and safer children, let us make sure we are doing things right.

• (1545)

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I want to thank my colleague from Winnipeg for his intervention. As usual, it was very precise and well rounded. He gives me an opportunity to build on some of those argument.

I want to start with some experience I had as a teacher advocate on this issue.

One of the things that is deeply disturbing are children who are exploited by people who are entrusted to care for them. They are some of the most troublesome cases to deal with. Yes, there are cases where people are exploited by people they do not know, but there are many documented instances of people who exploit children who are under their care or supervision.

One of the ways this is done is through something called "grooming". This is where a person of authority, through coaching, et cetera, establishes a trust relationship with the child and uses a reward system, which is called grooming. It is deeply troubling, and many have identified it as a pattern that leads to sexual exploitation. We have to look at this along with the bill, which I agree with my colleague we will support to get it to committee to see if we can improve it, for the reasons he mentioned.

Part of what we have to do is prevent this from happening. The way to do that is to look at the context of these relationships where people are in positions of authority. We have seen cases recently in the media, be it coaches or people in other positions of authority. If we look back at how the abuse started, it was because there was really no one around other than the abuser. In other words, we need to better understand how to prevent it.

People can groom others because they have opportunity, and the opportunity arises when there is not a caring community around. There is not sufficient oversight. Usually that is the case where there has not been proper investment in basic community services and community centres where there is robust programming, with people who are trained and where there are protocols to make sure that people who will exploit are not coming into positions of authority.

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To be frank, I do not think it is good enough to just have a police check. I think it is a matter of looking at the context, be it in an after-school program or a sports program. We need to have people involved who have the training to spot an abuse of authority and we need a required reporting mechanism.

Often we see that there is an opportunity to prevent these horrific scenarios, and that needs to be looked at as well as the law. After all, on this side of the House, we think it is important to prevent these kinds of situations from happening.

I have talked to people who have gone through this kind of experience, and it is horrific. One does not ever fully repair. One can cope after abuse, but someone who has gone through sexual exploitation as a young person never fully recovers. One cannot go back in time, and we have to understand that.

No one in this House has a monopoly on caring about this issue. On this side of the House, we think it is important that we invest smartly in all of the services we can invest in to prevent this kind of thing from happening. Part of that is just discussion. I discuss these issues with my kids. They have friends, and we talk about these things. We have to have a culture where we are not afraid to talk about these things.

I am glad to have had the opportunity just this past week, during our constituency week, to have had a three-day conference on mental health and suicide prevention. One of the things we talked about with people who are survivors and people who are involved in social services and mental health services is that it is time to change the conversation, or have the conversation.

●(1550)

It is time to have that conversation, where people are not in fear of discussing these albeit sensitive issues. When children feel like someone is abusing that trust relationship, they know who to speak to. Sometimes it is not the parents. As parents, we all wish it would be us, but sometimes, for all sorts of reasons, they cannot come forward. If it is not the parents, there needs to be someone else they can talk to. We need to look at this.

I wanted to start off with that, because as someone who has been a teacher advocate, working with young people and being involved in this issue a little, it is important to understand this and the importance of prevention. I remember working with my colleague from Winnipeg on the whole issue of abuse of hockey players, and doing some work with a well-known hockey player who wanted to ensure that the attention was brought forward and that we dealt with the issue.

We also have to look at how we deal with offenders. My colleague was quite on point with this issue. We have to understand what causes people to behave in this way. We absolutely have to crack down on the exploitation of those who want to take these images and make money from them. I can think of things as heinous as that, but it is hard to think of anything more heinous than taking and selling these images. Every time we hear on the radio that people have been charged with the selling of child pornography, we wonder what goes on in their heads. Sometimes these people are just trying to make a buck.

It is a moral argument about why this happens. We have to crack down on that. As wonderful as the Internet is, having brought us all sorts of opportunities, it has also brought a lot of grief and exploitation of innocent people. We need to look at that.

We also need to look at some successful programs that have dealt with accountability, in perhaps a different way than the government looks at it. We have to look at the whole approach of communities having accountability and circles of support. Those who have been involved, those who have served their time or those who are serving their time are actually challenged to be accountable for their actions.

It is an interesting discussion in criminal justice. The whole idea of accountability can be seen in different ways. Some will say that accountability should mean people go to jail for however long as they can be kept in there, and that is is. I believe in something where those who victimize someone and have been found guilty should have an opportunity to another way of being held accountable, which is confronting what they have done.

The whole idea of circles of support and accountability have been hugely successful. I know in Ottawa people have been involved. I think of Emmy Verdun, from the Anglican Church of St. John the Evangelist, who is one of the officers for the circles of support and accountability in Ottawa; Rick Keindel, Staff Sergeant, Ottawa Police Service, who is part of the group; Sharon Rouleau, the treasurer; Nicole Bedard, the secretary; and directors Robert Cormier, Alice Doell, James Foord and Kerry Lamming. These people are teachers, police officers and one is a retired pharmacist. They have become involved in the circles of support and accountability. Their work is extraordinary. Their cost is almost nothing. Sadly, the government cut funding to that program.

However, it works. The people who are involved in some of these crimes are told that at some point they have to go back into society. Even when we look at the table of proposed sentencing, at some point people are going to have to return to society. This approach tells them that they have to be accountable. The people involved in this program, often volunteers, are willing to help these people, to ensure they are accountable for what they have done, and they get support.

●(1555)

If we are honest about tackling this issue, then we need to look at preventing it. As I said before, we need to invest smartly in those people who are in positions of authority and trust, and can help kids speak to adults and others in a safe way. We also need to ensure that when people are finished their time, we need to have a program to ensure it does not happen again. If we do not do this, then we fail the kids who we are trying to protect.

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker I am in complete agreement with my colleague who spoke about prevention, not punishment.

The hon. member for Winnipeg Centre also raised a very good point in the speech he gave earlier. That is, a person who commits a sex crime against a child is probably not thinking, during the crime, about the punishment that will be handed out.

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Therefore, I would like to ask my colleague what he thinks about the part of the bill that increases penalties.

[*English*]

Mr. Paul Dewar: Mr. Speaker, that is why we want to get the bill to committee where we can ensure we look at the issue in a smart way, which is not only about sentencing and that is it. I did not have a chance in my comments to talk about the mandatory minimum approach only. My colleague from Winnipeg talked about it.

Everyone agrees that this is a complex issue. We need to have nuance in how we respond to it. From the criminal justice point of view, some have said that if we just give mandatory minimums and that is it, then we might, without intent, be undermining the very victims who are looking for justice.

That is why it is important, as we go to committee, that we understand what we are trying to fix. As opposed to just giving a simple response, we need to have a robust response in the sentencing as well as the services that are required to prevent and deal with those perpetrators.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, the challenge we are having on this side of the House is not that there is no substantiation for the government's position on mandatory minimums, but it knows that this is not going to work. The government's own officials have told it in writing that this is not going to work.

It is not just Liberals who oppose mandatory minimums for their own sake. Here is perhaps one of the most compelling voices. Former Progressive Conservative MP for Ottawa West David Daubney, who retired only recently as director of criminal law policy in the Department of Justice after a distinguished career there, was quoted as saying this about the government as he was on the way out the door. "The policy is based on fear – fear of criminals and fear of people who are different. I do not think these harsh views are deeply held." He went on to say at the same time, because he was the subject of so much pressure inside the department, that "Somebody has to take the risk of talking."

Could my colleague tell me what would possess a government or a minister of justice, who swears to uphold the law when he is sworn in as the minister and who has to bring opinions to the floor of the House from his own lawyers to show that the legislation is constitutional and in conformity with the charter, to take action with the deliberate knowledge that it will not work?

• (1600)

Mr. Paul Dewar: Mr. Speaker, I am glad my colleague brought up Mr. Daubney, a well-respected citizen of this city and also respected in our country for his work.

The member is asking me to crawl inside the mind of certain people, but I can only observe the outcomes as opposed to what their intrinsic motivations are.

Let me quote the following:

—the experience with mandatory sentencing legislation in a number of countries has shown that these laws do little to promote public confidence in the sentencing process...minimum sentences are not an effective sentencing tool: that is, they constrain judicial discretion without offering any increased crime prevention benefits.

That is in a report from the Department of Justice. It is a telling report and we should be guided by it.

I thought my colleague from Ottawa South was warming up to quote someone who was the champion of mandatory minimums, and that is Newt Gingrich. He said that it was a total mistake and to stay away from it because it had failed completely. It is an odd day, but there are days when I agree with Newt Gingrich.

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): Before we continue, I wish to inform the House that in the first round we had more than five hours of debate on this motion. Thus, from now on, there will be a limit of ten minutes for remarks and five minutes for questions and comments.

Resuming debate. The hon. member for Sherbrooke.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, it is a pleasure for me to rise to debate Bill C-26, after my two colleagues, the first from Winnipeg-Centre and the second from Ottawa-Centre.

Bill C-26 was introduced by the Minister of Justice. Anyone who has been following the debate for the last few minutes will know that the bill deals with sexual predators who prey on children. It is entitled An Act to amend the Criminal Code, the Canada Evidence Act and the Sex Offender Information Registration Act, to enact the High Risk Child Sex Offender Database Act and to make consequential amendments to other Acts. That is a somewhat technical title.

The short title always reveals a great deal about the government's intentions. Generally, when I examine a bill, I immediately look at the short title, which appears at the very beginning of the bill. In this case, the bill is called the tougher penalties for child predators act. I have often managed to discover the government's hidden intentions in the short title, because it often says a great deal about the real purpose of a bill. There are sometimes very sensible bills that often have titles that are more normal or neutral or much closer to the long title. The government often holds press conferences about this type of bill where it claims to champion the issue in question.

Of course, the Conservatives regularly say that they are tough on crime, and this is obviously one of their trademarks. In this case, they drafted a bill and gave it the short title of the tougher penalties for child predators act. The Conservatives want to consolidate their image as being tough on crime. In reality, however, statistics, research, previous bills and results obtained since then indicate that the effects of Conservative legislation have perhaps not been what they were expecting.

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We even saw recently—I believe it was on Tuesday—an article in *Le Devoir* about the increase in the prison population in most provinces of Canada. An increase has been observed in the inmate population in provincial jails, even though our criminal laws have been greatly strengthened and sentences have been increased since 2006. One would think that the ultimate goal was to discourage criminals from committing crimes. That is the logic the Conservatives use. However, statistics show that is not what is actually happening. In fact, since 2006, there has even been a 6% increase in sex crimes in Canada. Might we then determine that this is a conclusive result, given the numerous changes the Conservatives have made to the Criminal Code? Can we talk about a conclusive result? I would hope that the purpose is to reduce crime in Canada, and I agree with that.

• (1605)

It is thus a question of determining the best way of reducing crime. Is it to impose tougher penalties? Most, if not all, of the experts agree that this is not the solution. A few of my colleagues referred to this when they spoke, after wondering whether more severe penalties were really going to discourage criminals from committing crimes.

The member for Hochelaga put it well just now, when she asked my colleague from Ottawa Centre whether someone intending to commit one of the most revolting crimes, a crime against children, the most vulnerable members of society, thinks about how many years they are going to spend in prison if they are caught. I do not believe that is how they think.

I cannot get inside the heads of such people, because it is difficult to understand, but according to what I have heard, they generally think of themselves as invincible. They believe that they will never be caught, that they are above the law and that they are capable of getting around all the rules. I do not think they wonder which crime carries the lightest sentence before they commit it, whereas they quite obviously have problems with crime and behaviour.

There are experts who can answer such questions and understand how these criminals think. In the end, it comes back to what I was saying at the beginning. We have to find ways of preventing such crimes from being committed in the first place. People often talk about prevention rather than cure. In these cases, it is much better to find ways of preventing such crimes, instead of just seeking to punish them even more severely in the belief that this is the way to reduce crime in Canada.

These are two fundamentally different schools of thought. The Conservatives prefer harsher sentences to crime prevention. This is not the first time we have seen it. We saw it when considering Bill C-10, which was one of the omnibus bills that amended the Criminal Code. We saw what side they were on with respect to these issues. They more or less copied the U.S. model, which has failed to achieve the expected results, according to a number of studies.

The facts show that U.S. states that had the death penalty did not have lower crime rates. It is not because sentences are more severe—the death penalty being the most severe—that things are better. In the states where the death penalty is still in force, crime rates are not lower. This proves that we will not eliminate crime in Canada by legislating 25-year sentences or consecutive sentences to ensure that

criminals never get out of prison. There are many other much more effective ways of eliminating crime. We should think about that.

• (1610)

We are going to support Bill C-26 so that it goes to committee in order to try to make amendments to it, but also to hear from experts on these matters. They will be able to give us more information about the best ways of reducing crime, among other things. After amendments have been made, we will likely support this bill.

[*English*]

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I have listened to the last couple of members from the official opposition who spoke, and I agree with their comments.

The member for Ottawa Centre said earlier that one of the problems with the penalties and longer incarceration is the lack of preventive programs within prisons for these people, who will eventually be released. One of the programs that was cancelled by the government, which was manned by volunteers to a great extent but funded by government, was the Circles of Support and Accountability. It was an extremely important program, and it no longer exists. Now when individuals come out of prison, they are going to create more danger on the streets.

There are two sides to this coin. One is prevention, to assist individuals in not committing crimes in the first place, and severe penalties do not prevent them from committing crimes. That is for sure. The second side of the coin is to have rehabilitation programs within the prison system that would, to the best extent possible, ensure that when those people are released, they do not recommit a crime of a sexual nature—or any crime, for that matter.

I wonder what the member's comments are on those aspects, because there is nothing in this bill that I can find that addresses either of those issues. There are longer sentences and mandatory minimums, but there is nothing in the bill that deals with the important aspects of prevention on the one hand and rehabilitation on the other.

• (1615)

[*Translation*]

Mr. Pierre-Luc Dusseault: Mr. Speaker, I would like to thank my colleague for his excellent question. He clearly pointed out the options for truly resolving the issue by showing that the Conservatives have not come up with the best solution in Bill C-26.

In fact, a great deal of work must be done in prisons to stop those who are leaving prison from committing other crimes.

First, we must continue targeting this aspect of prevention and then, when inmates are back out on street, we must also have a good system, with sound financing, to help with their reintegration into society. These people must have a good support system when they are on the outside again.

In Sherbrooke, a number of people work in halfway houses or with groups that help with social rehabilitation, and this is an important aspect of prevention. Someone who is rehabilitated and whose progress has been exemplary—we hope—in prison, will have a much greater chance of recovering and becoming a good citizen again.

There are three important components: prevention in order to stop crime from happening in the first place; monitoring while in prison; and of course, social rehabilitation. I think these three components are extremely important and we must continue providing support for them.

[English]

Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC):
Mr. Speaker, I am pleased to rise today in support of Bill C-26.

Each day, in Canada, children are the victims of sexual abuse. It causes unimaginable devastation to their lives and it causes lifelong emotional turmoil that profoundly affects victims well into adulthood.

Our government pledged to protect Canadians and keep them safe, especially the most vulnerable among us: our children. This legislation is one way we are fulfilling that promise.

The proposed new measures would help better protect children from a range of sexual offences, including child pornography. Furthermore, they would help ensure that offenders receive sentences that better reflect the serious nature of these crimes.

Over the summer and fall of last year, the Minister of Justice met with Canadians across the country. In those meetings, there was one central theme: victims wanted a stronger voice in the justice system and sentences that truly reflect the crime committed. Today, this legislation illustrates that we listened and that we are delivering for Canadians.

For example, we are seeking an end to sentence discounts for multiple child sexual offences. Sexual predators would receive sentences that take into account each young life that they have devastated.

The legislation would also ensure that those sentenced at the same time for child pornography and for contact child sexual offences, especially those who have victimized more than one child, would serve their sentences consecutively—in other words, one after another.

In general, concurrent sentences are imposed and served simultaneously for two or more convictions that arise out of one continuous criminal act or single transaction. These sentences are based on what is referred to as the “same event or series of events” rule.

Conversely, consecutive sentences are imposed and served one after another for multiple convictions when the offences are unrelated, as they arise out of separate criminal transactions.

The concepts of concurrent and consecutive sentencing predate Confederation. Amendments over the years have complicated the statement of the rule contained in the Criminal Code to the point that it offers little guidance to courts.

To address this deficiency, the proposed amendments would direct a court to consider ordering, where applicable, that the sentences it imposes be served consecutive to a sentence of imprisonment that the offender is subject to at the time of sentencing. Where the court sentences the offender for multiple offences at the same time, the proposed amendments would direct courts to consider ordering that

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the terms of imprisonment for offences arising out of separate events or a separate series of events be served consecutively.

Bill C-26 would also increase minimum and maximum penalties for certain child sexual offences, and there would be increases in the maximum penalties for violations of supervision orders. Canadians want those who violate the conditions of their probation orders, prohibition orders, and peace bonds held to account.

Moreover, these measures would ensure that the spouse of a person charged with child pornography offences could also be required to testify in court.

Under the Canada Evidence Act and under common law, unless spouses are irreconcilably separated, the spouse of a person accused of most offences cannot testify for the prosecution, even if they want to, as they are not competent, and they cannot be forced to testify against their spouse, as they are not compellable.

The Canada Evidence Act contains statutory exceptions to these rules, permitting spousal testimony for most child sexual offences and for offences of violence against young persons, but not for child pornography offences.

● (1620)

The amendments proposed through this bill would also add child pornography, section 163.1, to the list of exceptions in the Canada Evidence Act, subsection 4(2), making the spouse of a person accused of any of the child pornography offences compellable to testify for the prosecution. In child pornography cases, the evidence of the accused's spouse may be required to prove the guilt of the accused. For example, the spouse's denial of responsibility for child pornography on a shared home computer may be necessary to prove the accused's guilt beyond a reasonable doubt.

These changes are necessary and have been long in coming. Statistics tell us so, but more so the stories of victims. A report by the Canadian Centre for Justice Statistics showed that in 2012 more than 3,900 sexual offences against children were reported to police in Canada. That is an increase of 3% from 2011.

As a society, we must do what it takes to protect our children and help them heal. Today, we are standing up for the vulnerable and showing them that their voices are being heard in our justice system. This legislation is in keeping with our commitments in the 2013 Speech from the Throne to punish those who break the law, to match penalties to the severity of the crimes, and to ensure that the rights of victims come before the rights of criminals. It follows up on our previous actions, through legislation such as the Safe Streets and Communities Act, to better protect our children.

Government Orders

Our government also recognizes that bullying and cyberbullying are serious concerns for many Canadian families and communities, and we are committed to doing everything we can to protect our children. That is why, last year, we acted to protect children and other vulnerable Canadians from this degrading behaviour by introducing Bill C-13, the protecting Canadians from online crime act. Our government has also provided funding to create and enhance child advocacy centres across the country to help young victims and witnesses cope with the trauma they have experienced and to better navigate the often-complicated criminal justice system.

Despite our differences in this chamber, I believe we can all agree that nothing is more reprehensible than harming a child. Our government is deeply committed to strengthening the justice system to ensure that sexual offenders who prey on children are punished to the fullest extent of the law. Bill C-26 would send a signal that we as a society do not accept this kind of behaviour in our communities, and it would allow the justice system to better respond to the needs of child victims and their families.

In reviewing speeches from my hon. colleagues across the way, I understand that they have some concerns about mandatory minimum sentences. That said, they have agreed that this bill should go to the committee for further study, and I could not agree more. I hope that the opposition will work with us in giving this bill a thorough examination. I believe, at the end of the day, we can mend our differences for the sake of our children.

• (1625)

[Translation]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, my colleague spoke about the spouse of an accused person who could be compelled to testify in child pornography cases, as well as exceptions to the Canada Evidence Act in this regard.

However, I must admit that I did not really understand what he meant. I would therefore like to ask him to explain to me, in his own words, why an exception is being made for spouses.

[English]

Mr. Wladyslaw Lizon: Mr. Speaker, as I mentioned in my speech, the list of exceptions in the Canada Evidence Act making the spouse of a person accused of any of the child pornography offences compellable to testify for the prosecution would help to get the person who commits the crime to receive a sentence and serve the sentence. That is the change in the act that we are introducing.

[Translation]

Ms. Marjolaine Boutin-Sweet: Mr. Speaker, why are they asking for an exception in this particular case?

The answer that has been given is that it could help in sentencing a person, but that might also be true in the case of a murder, for instance. What is the difference? Why should there be an exception here and not in other cases?

[English]

Mr. Wladyslaw Lizon: Mr. Speaker, if I can give an example, the spouse's denial of responsibility for child pornography on a shared home computer is necessary to get the conviction of the accused. Therefore, this is a change we are making.

Child pornography is something that is relatively new, and it has grown over the years since we have had the Internet. It has been growing ever since. This is a crime that was not committed as often before this tool became available for the perpetrators. Therefore, it is important that we go after those who commit that terrible crime and that we use all the tools necessary to get a conviction.

• (1630)

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, I would like to thank my colleague and very good friend from Mississauga East—Cooksville for what I think was an excellent presentation in the House this afternoon.

There is no more important issue for all of us than the protection of our children. I am a father of 15-year-old and 10-year-old daughters. I think about them constantly. I am always worried and concerned about their safety and that they can live, as the member and I do, in the great city of Mississauga. It is one of the safest cities. It has been recognized as the safest city in Canada for more than 12 consecutive years.

However, we do know that there are people who prey on our children. We do know that there are people who act irresponsibly. I would like to ask the member and give him another opportunity to explain why this particular bill is so important to protect children in the city of Mississauga.

Mr. Wladyslaw Lizon: Mr. Speaker, as my colleague is the father of two young girls, I am the grandfather of three beautiful grandchildren who live not in Mississauga but in Waterloo, and I also want them to feel and be safe. I do not think that any of us here in this chamber would not agree that we want our children and grandchildren to be safe in this country. This is very important.

I mentioned in my speech that the Minister of Justice did a lot of travelling in Canada, organizing and taking part in round tables and getting information from different groups. He came to Mississauga. We had a meeting with the great police force that we have, the Peel Regional Police. They were very supportive of this bill. We also had a great discussion about how to improve the safety of our children, how to protect them, and how to protect our citizens.

I would like to say that this is a truly great police force that works with the community and works for the safety of the community.

The Acting Speaker (Mr. Bruce Stanton): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Rivière-des-Mille-Îles, Science and Technology; the hon. member for Trinity—Spadina, Aboriginal Affairs.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I am rising to speak to Bill C-26, an act to amend the Criminal Code, the Canada Evidence Act, and the Sex Offender Information Registration Act, to enact the high risk child sex offender database act and to make consequential amendments to other acts.

Government Orders

According to the legislative summary prepared for this piece of legislation, the bill would amend the provisions of the Criminal Code that deal with sexual offences committed against children and young persons by increasing the mandatory minimum penalties and maximum penalties for such offences.

Bill C-26 would also make the following changes to the law: it would increase maximum penalties for violations of prohibition orders, probation orders, and peace bonds; it would set out rules for the imposition of consecutive and concurrent sentences; it would require courts to impose consecutive sentences on offenders who commit sexual offences against more than one child; it would amend the Canada Evidence Act to ensure that spouses of the accused persons could be called as witnesses for the prosecution in child pornography cases; it would amend the Sex Offender Information Registration Act to increase the reporting obligations of sex offenders who travel outside Canada; and it would enact the high-risk child sex offender database act to establish a publicly accessible database containing information with respect to persons who are found guilty of sexual offences against children and who pose a high risk of committing crimes of a sexual nature.

It is quite a complicated piece of legislation. The NDP critic for justice, the member for Gatineau, and a number of my other colleagues have risen in the House to indicate that New Democrats will support getting the bill to committee at second reading. As always, we are very concerned that we need to have legislation that truly does protect our children and keep our communities safe.

As we have seen with other pieces of legislation that the Conservatives have presented, the devil is always in the details. Therefore, we think it is very important that there be a comprehensive study at committee, that we hear from witnesses with a variety of points of view, and I was very pleased to hear the member opposite indicate that the government would entertain amendments to this piece of legislation, which from our experience here in the House over the last three years, would be extremely unusual.

New Democrats are so adamant about getting the bill to committee and having a comprehensive study at committee because of these differing points of view. The legislative summary outlines the differences. We will hear that there are people who are strongly in favour and people who have some concerns. Some of these groups are not ones we would ordinarily think would raise concerns.

Under the commentary in the legislative summary it says:

The amendment proposed in Bill C-26 requiring that, in cases with multiple victims, mandatory minimum sentences must be served consecutively has prompted public debate about the "totality principle," which states that an offender's overall sentence should not be unduly harsh. Lawyer Clayton Ruby, author of the textbook *Sentencing*, has said that consecutive minimum sentences do not leave room for considering the individual offender and the nature of the offence. However, Sharon Rosenfeldt, spokesperson for Victims of Violence, has stated that reliance on the totality principle allows those individuals who commit crimes against children to repeatedly reoffend.

We can see how important it is we get both perspectives on this before we go forward with a piece of legislation. They also say:

Another subject of debate concerning Bill C-26 has been the proposed creation of a publicly accessible databank containing information about those persons found guilty of sex offences against children who are deemed to be at risk of offending again. The Association des services de réhabilitation sociale du Québec had

expressed concern that such a databank will create a false sense of security, as this type of information gives the impression that the danger of a sexual assault comes from strangers, whereas the evidence suggests that the vast majority of sex offences against children are committed by those close to them. The Marie Vincent Foundation has determined that in 85% of the cases of sexual offences committed against those under 12 years of age, the offender was a person known to the victim (father, next of kin, neighbour, friend of the family, etc.).

A number of comments concerning Bill C-26 have mentioned the possibility of vigilantism rising from a publicly accessible database of sex offenders. Detective Constable Stephen Canton, the police officer in charge of the Niagara Regional Police sex offender registry, is also concerned that "[w]hen you start to identify offenders, you start to get less compliance and it pushes them underground."

Victims' rights groups have expressed support for the changes proposed in Bill C-26, however. Gatineau Police Chief Mario Harel, vice-president of the Canadian Association of Chiefs of Police, has also said that the information-sharing provision is important, as is the ability to compel spouses to testify in child pornography cases. He welcomed Bill C-26, suggesting stiffer penalties could have a deterrent effect.

• (1635)

There is a wide variety of opinions that have been expressed in some of the input gathered in advance of the bill. Therefore, it is important that there is an opportunity not only for the committee to reconcile those different points of view, but also to keep in mind that the ultimate goal is truly the protection of children and communities.

Some of my New Democratic colleagues have referenced the fact that one of the things that has to happen is that we need to put in place programs that assist in preventing reoffences. I want to reference the Circles of Support and Accountability program.

This is a quote from Steven Sullivan, a former federal ombudsman for victims of crime. He said:

...the federal government recently announced it was cutting the measly \$650,000 in funding Corrections Canada offers. CoSA also receives funding from the National Crime Prevention Centre; that's also set to end this fall. In total the program costs \$2.2 million a year...

Like most community-based victim services, CoSA is a fairly cheap program. It has 700 volunteers across the country; they meet with offenders after their release, help them find jobs and places to live, meet with them regularly for coffee. They support offenders as they start to live normal lives, ones that don't involve new victims. They hold them accountable.

I want to talk a little about the CoSA, Circles of Support and Accountability. This is a snapshot that was provided in the *Ottawa Citizen*. It says:

The program pairs newly released sex offenders—known as core members—with three to five volunteers. For at least one year, the volunteers pledge to have daily contact with the core member, helping with such basic needs as finding employment and housing, attending medical appointments and shopping. They also undertake to hold him accountable if he shows signs of slipping.

It goes on to say:

In return, the sex offender pledges to honour any conditions imposed by the court, steer clear of high-risk behaviour and communicate honestly with circle members.

How are the core members selected?

Most are high-risk sex offenders, the worst of the worst. They must want to participate, and are screened and evaluated by CoSA groups before they are accepted.

Some criticism has been raised, including the comment:

Doesn't this amount to coddling people who should be shunned? Not at all, says... a member of the Ottawa CoSA's board. "What we're doing is promoting community safety by engaging with them." It's when sex offenders are isolated or marginalized that they are most likely to reoffend, he says.

He went on to say: "Our motto is 'no more victims!'"

Government Orders

That is an important point. The point of programs like this is to prevent offenders from reoffending, to keep our communities and children safe.

I want to turn for a moment to a publication from back in March 2013, put out by the John Howard Society. It talks about the impact of public notification and says:

When making a decision as to whether a public notification should be issued, the justice system must balance the need for community safety against the offender's right to reintegrate into society. Public notifications are used in hopes of increasing public safety. The threat of a public notification may work to deter the offender from breaching any conditions and to encourage him to participate in treatment. Public awareness may also encourage community members to be aware and to report suspicious behaviour, which may potentially reduce criminal behaviour. Also, they may increase collaboration between all areas of the justice system, like probation, corrections, law enforcement, prosecutors and victims, which may lead to more support for the offender.

It is probably not surprising that there is a caveat here. It states:

However, Public Notifications may discourage offenders from making post-release plans for treatment or from finding housing because they fear that by doing so they will simply identify the potential destination. Once the offender is released, the publicity may lead to job loss, threats, harassment, and housing instability - all which may force the offender in to hiding, which detracts from community safety and may elevate risk.

Evidence shows that programs that assist and support individuals re-integrating in to the community are much more effective than shaming in preventing reoffending. When used in conjunction with effective re-integration strategies, notifications can build community involvement, promote rehabilitation, and prevent the offender from re-offending.

● (1640)

However, public notifications with no community involvement do little to support the community or the offender. The public must be educated not only in what risks these individuals pose, but what can be done to prevent them from re-offending.

I believe there is probably agreement across the House that what is important is that any legislation that comes forward truly does what it purportedly aims to do, that is to protect children and keep our communities safe. It is clear that if we just do it with harsher sentences and removing supports for reintegration into community, we are not going to achieve those aims.

Again, I will support this bill going to committee at second reading. I am optimistic that the Conservatives will actually consider amendments to Bill C-26.

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, the member made a very strong presentation this afternoon. I agree with many of the points she has made.

Before I was elected to this place, for many years I was the chair of Safe City Mississauga, a crime prevention organization. I do echo some of the member's thoughts about how we can prevent these things and how we should invest in doing so. In fact, the government has invested in a huge way in crime prevention, supporting organizations that make sure that crimes do not start in the first place.

Today we are debating Bill C-26 and its amendments to the Criminal Code of Canada aimed at ensuring that when people are found guilty of being child predators, they will face stiff sentences that match the crimes they have perpetrated.

It is great to say on one side that we should invest in justice issues and crime prevention, and that is part of it. I completely agree with that. However, I never hear from the NDP why it does not support

tough sentences for terrible repeat serial offenders, such as this bill will address. Why does it not support those kinds of sentences?

● (1645)

Ms. Jean Crowder: Mr. Speaker, I believe that in my summary I wrapped up our position on this.

What we have consistently called for as New Democrats is a comprehensive program that looks not just at the appropriate sentences for crimes committed. As I said earlier, we absolutely support legislation and programs that keep our communities safe and that protect our children. I am a mother and a grandmother and would not support something that would put my children and grandchildren at risk.

However, what we often end up dealing with in this place is a piece of legislation that has a very narrow perspective dealing with particular sets of offences, particular crimes. What we do not do a good job of is taking a step back and looking at a comprehensive approach.

The member for Winnipeg Centre rightly pointed out the fact that we could learn a great deal from states like California and Texas, where they have had to revisit their tough-on-crime agenda. It looks at crime in a very narrow way. What Texas in particular has done is that it has recognized that not only must it have appropriate sentences but also that when people are found guilty, there is a need for rehabilitation programs inside and methods to integrate them back into the community.

I would urge the Conservatives to take that more comprehensive approach.

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, I think we can all agree that some of the most despicable crimes in our society are committed by sex offenders.

The government speaks a great deal about victims' rights being extremely important, and we agree. I would like to ask my colleague whether she has identified within this proposed bill any explicit provisions addressing victims' rights.

Ms. Jean Crowder: Mr. Speaker, I would argue that some of the cuts outlined by the former ombudsperson for victims highlight the fact that perhaps we are not serving victims well with some of these pieces of legislation. When we do things like cut programs that try to prevent offenders from reoffending, we are not actually supporting potential future victims.

Again, it does speak to the need for a more holistic approach looking at the prevention of crime to begin with, making sure that we are addressing educational needs, poverty, housing, and drug and alcohol addiction. There are many things that we need to look at in terms of prevention.

We then need a justice system that responds appropriately and has the resources, so that police forces can investigate and so that there are not backlogs in the criminal justice system that would stop us from dealing with crime expeditiously.

We then need a prison system where people are housed appropriately so that they are kept inside when they need to be, but also have rehabilitation and drug and alcohol treatment programs within the prison system.

Then, when offenders are eventually released, we need those systems on the street to help them reintegrate so that they do not re-offend.

If we had legislation that looked at all four of those aspects, I think we would probably find much broader party support in the House for the legislation that comes forward that is purportedly tough on crime.

[*Translation*]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, I am honoured to speak on such a serious issue as the subject of Bill C-26.

This bill is a perfectly clear manifestation of the Conservatives' law and order ideology. It also demonstrates the Conservatives' failure to provide the law and order they talk so much about, since sexual offences against children have increased by 6% in the last two years.

We in the NDP have zero tolerance for sexual offences against children, while respecting jurisprudential principles and basic law, an area where the government too often expresses its disdain for judges by reducing their freedom of decision-making and imposing minimum sentences.

I would remind the House that we offered to speed the passage of the parts of former omnibus Bill C-10 that dealt with sexual offences against children. In those parts, the mandatory minimum sentences were more severe. However, today we are debating a bill that would increase the existing mandatory minimums and the maximum sentences for certain sexual offences against children.

This provision gives the impression that the Conservative government is trying to make up for its failures, but I would like the government to tell me how these new mandatory minimum and maximum sentences can succeed when they have failed in the past.

Like the other members of Parliament, I have read the statistics. The number of crimes committed has risen exponentially. As the mother of three children, I find the following figures rather frightening: in 2008, 54 people were charged with luring children by means of the Internet; in 2012 that number was 127; in 2008, 241 people were charged with sexual interference; in 2012 there were 916.

I wonder whether the problem lies with the sentences or with the services provided.

We know that our communities need more resources to combat the sexual abuse of children. The NDP has supported the program called Circles of Support and Accountability or CoSA.

The former federal ombudsman for victims of crime has revealed that funding for this program will end this fall. That is very sad because, like most community services for victims, the CoSA program is not very expensive. Its 700 volunteers across Canada meet with offenders after their release, help them find work and housing, and meet with them regularly over coffee. The former ombudsman said they were helping offenders remake their lives, avoid reoffending and take responsibility.

Harsher prison terms will probably not be enough.

Government Orders

I would like to raise another point I think is dicey in this bill: the creation of a publicly accessible database containing information with respect to persons who are found guilty of sexual offences against children.

• (1650)

A number of elements that need to be clarified come to mind when I read this bill. This database is likely to lead to a false sense of security, as it gives the impression that the threat comes only from strangers, from those sex offenders walking around in our communities and on our streets, even though the vast majority of child molesters are close to the family. The Fondation Marie-Vincent has determined that in 85% of cases of sexual abuse of children under the age of 12, the abuser is a person the child knows.

I am not saying that establishing this kind of database is a bad thing. I am saying that care must be taken and that the database should not be the only tool for making people safer. It has a role to play, of course, but it is not the main way to make our neighbourhoods safer.

There is another point that bothers me: this kind of registry has already been established in the United States, and we can see that the results are not very good. The Chicago-based *Journal of Law and Economics* conducted a study in 2011 that showed that the highest rates of sex crimes in the United States come from sex offenders who are listed in registries that are available to the public, simply because the offenders whose names are on these public lists have a tendency to hide and comply less with the law. They tend to live in secrecy. They will take longer to reintegrate into society and be rehabilitated. In other words, they will not be monitored as other offenders are by assistance services and they will be more likely to reoffend. I think this is something that should be examined in greater depth, and I am sure that my colleagues will try to raise all of these sensitive issues in committee.

Since 2006, the Conservative government has taken measures that it says are meant to protect children better. We have taken note of this, but considering that the numbers of sex offences against children continue to rise, the government's repressive measures are clearly not sufficient.

We would like to see measures that will protect children in a tangible way and make our communities safer, not measures that are just intended to make the Conservatives look good in press conferences. We must also examine in depth whether certain of these measures—such as the high-risk child sex offender database, evidence from spouses of accused persons in child pornography cases and the imposition of consecutive sentences on offenders who have committed sexual offences against children—are in compliance with the Charter of Rights and Freedoms.

Finally, it is easy to see that the unilateral and essentially repressive approach by the Conservatives is unlikely to be enough in and of itself and that this strategy must be urgently reviewed in order to fight effectively against child sexual molestation.

Government Orders

•(1655)

[English]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, we have all wrestled with these issues in a sincere attempt to do the right thing for our children. The issue of sentencing keeps coming up, and Conservative members asked some questions of NDP members about why we do not support longer sentences all the time in every situation, as if that always makes things better.

Would my colleague care to comment on the lack of evidence proving that longer sentences make safer streets or that longer sentences will solve the problem of child sexual molestation?

The medical community agrees that pedophilia is a psychological condition and that reason and logic do not always enter into the mind of the type of predator that preys on children for sexual gratification. The sentence might be a 50-year sentence, but that person might not have the rational capability to weigh the risk of the action he or she is about to take.

Could the member point out the flaw to this notion? Could she point out the lack of evidence that longer sentences in and of themselves, without the necessary treatment, necessarily lead to safer streets or safer children?

•(1700)

[Translation]

Mrs. Djaouida Sellah: Mr. Speaker, I would like to thank my colleague for his very pertinent question.

As I mentioned in my speech, I think that repressive measures in and of themselves have never been a solution. We must also allow these offenders to be rehabilitated and to be monitored, because repression alone will not make our communities safer. We must look into prevention and allow these people to be monitored, something that goes beyond punishment.

I will try to say this using a medical metaphor: instead of trying to put ointment on a sore and stop the oozing, it would be better to get to the root of the problem and prevent it from happening. Of course there have to be penalties. However, they must go hand in hand with prevention, reintegration and rehabilitation.

It is therefore important that the agencies providing assistance to these people have stable funding in order to help them.

[English]

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I agree with the comments that the member made about penalties not being the whole answer. We agree with her that prevention and preventive programs need to be put in place. We agree those are needed, but there is another side to the issue.

The bill clearly states that there would be longer periods of incarceration. There are the mandatory minimum sentences that the government seems to love. There is the issue of programming within the prison system, which at the moment is in disarray. There is also the issue of support for organizations that assist sex offenders when they come out. The one I am thinking of is called Circles of Support and Accountability. That program has been cut. It had an over 90% success rate in ensuring that sex offenders do not reoffend when they come out.

Is that not part of the programming as well? Should the government, beyond increasing the sentencing, not also be increasing the funding and support for those programs that—

The Acting Speaker (Mr. Bruce Stanton): Order. The time has expired, but we will give the hon. member for Saint-Bruno—Saint-Hubert 40 seconds to respond.

[Translation]

Mrs. Djaouida Sellah: Mr. Speaker, I would like to thank my Liberal colleague for asking such a relevant question.

I made that point in my speech when I said that the government should be supporting community organizations that help these people turn things around instead of just punishing the guilty. I therefore already answered his question about what the NDP is advocating.

When it comes to Conservative bills, the devil is always in the details. That is why we want experts to talk about how effective these proposed changes would be.

•(1705)

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, I am not entirely pleased to be rising in the House today. It is not because of you, Mr. Speaker. It is always nice to discuss bills in your presence. However, I have a keen interest in this bill. Why? Because it deals with one of the most despicable kinds of crime, namely sexual abuse, and even worse, sexual abuse involving children.

To ensure that the people at home, who are civic-minded enough to watch CPAC, can follow my speech, I would like to specify that I am speaking to Bill C-26, An Act to amend the Criminal Code, the Canada Evidence Act and the Sex Offender Information Registration Act, to enact the High Risk Child Sex Offender Database Act and to make consequential amendments to other Acts.

We are currently at second reading stage of this bill. It was introduced by the government and will be supported by the NDP. I believe the Liberals will also be supporting it. It seems pretty clear, then, that this bill will be supported by an overwhelming majority of members in the House at second reading. Again for the people at home, this means that the bill will be sent to committee, where it can be analyzed, and hopefully, perhaps even improved, if there is any good faith on the part of the governing party, which has a majority.

Before I talk about all kinds of considerations, I want to be very clear: the NDP has zero tolerance for sex offences, and especially for sex offences involving minors. I want to be crystal clear on that, as we have been somewhat frustrated in the past regarding the level of debate on these issues on the part of our colleagues across the aisle.

Government Orders

I will give a brief overview of a few of the points in Bill C-26, just to make sure we all understand what we are dealing with here. The bill increases existing mandatory minimum penalties and the maximum penalties for sexual offences against children. It also increases maximum penalties for violations of prohibition orders, probation orders and peace bonds.

Obviously, the main point of this bill is to increase sentences. Now I am going to take a critical look at the bill. Again, it is very important. I am the father of young children, including a five-year-old little girl. I want all Canadians and my colleagues opposite to understand that if anyone were to hurt my little girl, I would turn into an angry bear, as any father in the country would. Nonetheless, we live in a society governed by the rule of law, and even faced with this obligation to legislate on sentencing for sexual offences against children, we must be able to have an intelligent debate.

A question comes to mind right away when we talk about increasing sentences. The debate has been public for a few days. I wonder what the repercussions will be for our provincial partners, who will end up with larger prison populations. Across Canada, provincial prisons have seen increases of 10%, 12% or 15% in the number of prisoners, and that is because of all the increased minimum sentences imposed by the current government.

Never mind determining which minimum sentences were logical and justified and which ones were not. As a matter of principle, we think that the provincial partners should not be left to deal with the problems caused by federal legislation. That is a problem in and of itself. At third reading—the stage that makes the bill—even if everyone agrees, this type of problem will one day have to be taken into consideration by this Parliament, and above all by the party that is in power, at least for another 10 months or so.

I noted another point in Bill C-26. It seeks to ensure that a court that imposes a sentence must take into consideration evidence that the offence in question was committed while the offender was subject to a conditional sentence order or released on parole, statutory release or unescorted temporary absence.

• (1710)

Too many cases of potential reoffenders have been documented fairly regularly in television reports. These were people who had served fairly long sentences and failed to meet requirements such as staying away from children's playgrounds. That is an example of a fundamental aspect of the bill. We have to think about it and see if we can improve the situation.

Bill C-26 is based almost totally on a repressive approach. Unfortunately, that is not enough. We also have to ask ourselves how we can contribute to the much broader aspect of prevention, which is essential and an absolute priority.

The Minister of Justice himself admitted that there has been an increase, estimated at 6% over the last two years, in sex offences specifically against children. If I rely on the figures, and if I correctly understand the proportions, that means that dozens of families—parents, fathers, mothers and children—have had their lives affected and terribly damaged by the behaviour of a pedophile predator.

Suppose an individual has abused a six-year-old girl. Admittedly, being able to tell the girl's mother that he will go to prison not for

seven years, but for nine, because of the changes made by the government, may be a form of consolation. However, the only true consolation that should exist in such a horrific scenario is to be able to tell the parents that the person was going to act out against their child, but the resources put in place prevented him from acting out and their child was not abused. That is the only scenario in which we should invest a maximum of resources as a priority, because that is the only scenario for the population of Canada as a whole. I hope I am making myself understood.

I am therefore not opposed to every form of minimum sentence. In some cases, if competent people believe that harsher sentences are required, then I agree. The only thing that counts, however, is to take early action and have a maximum of resources available in the field so that we can tell parents that the worst thing that could happen to their child did not occur. When the worst has happened, it is not a true consolation to families experiencing such trauma to tell them that now that the worst has happened, the offender will spend 12 months longer in prison than if he had been sentenced two years ago.

This leads me to discuss the near-failure of the policies of the last six years, which have followed a tough-on-crime approach in greatly increasing sentences. We are therefore facing two problems: there is nonetheless an increase in the number of children being abused and in the number of people serving long prison sentences, and our provincial partners are going to be short of funding to manage it all.

In committee, our colleagues across the aisle will have to convince us that the path we are on will not add to our social problems, but help decrease such problems. For example, legislative measures have been used in the past six years to increase surveillance. However, we cannot discuss surveillance unless we can ensure that the RCMP and other police forces have the resources they need to do their work.

The government should not take \$650,000 away from Correctional Service Canada as it has done, because CSC has been getting results, although they are imperfect. However, these situations are completely imperfect, involving criminals and sick people who commit the most awful acts. Still, if the resources provided make it possible to prevent just five offenders from reoffending, that is a step forward. I do not sympathize with those who reoffend. As a father I have trouble feeling sympathy for someone who committed a revolting act 15, 20 or 30 years ago, even if he has served his time.

• (1715)

No, I am thinking of the victims. If five offenders do not reoffend, there are five fewer victims.

Minimum sentences are not the only thing for us to consider in this debate. We must also think about the essential resources needed to decrease the number of victims.

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I think it would be a little naive for the Conservatives to imagine that criminals are more or less normal people who do a cost-benefit analysis of their actions and consider the severity of the sentence they could face.

Government Orders

Obviously, when a human being gets to the point of committing such monstrous acts, he certainly is not thinking about the consequences. We could put him in prison for 100 years and he would still be just as crazy at the end of the sentence. It will change absolutely nothing.

Mr. François Lapointe: Mr. Speaker I thank my colleague for his question.

Certainly, we have a responsibility to uphold the rule of law in our society, even though both the law and the society may be imperfect.

We cannot take all the people who commit serious, terrible crimes and send them to Mars for 150 years. That will not work.

Two of my colleagues opposite rose to ask, with indignation in their voices, why the NDP was against minimum sentences for child abusers. If my colleagues on the other side of the House could demonstrate, with facts from criminologists, sociologists and the like, that every time the minimum sentence is raised by 12 months, the number of victims decreases by 20%, I would be standing on my desk—not just on my chair—demanding that it be increased by seven years. At seven times 20% there would be no more victims and I would be very happy.

The problem is that things do not work that way, in a black and white fantasy world. More intelligence is required.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I would like to come back to my colleague's remarks.

The U.S. has a great deal of experience with mandatory minimum sentences. This concept was invented and perfected in the U.S., particularly in Texas and California.

However, in the past four or five years, a senator and a congressman have finally concluded that there is no proof or analysis to justify this shift towards harsher and harsher minimum prison sentences.

Can my colleague help us understand why the government continues to push for a concept that even the Republican Party in the United States has given up on?

Mr. François Lapointe: Mr. Speaker, with my Liberal colleague today, I am reliving one of the biggest problems I have when I am in my riding: people with a completely reasonable point of view on a situation simply cannot understand where the Conservatives are going, and they want me to help them understand. I cannot explain this to my dear colleagues, because I do not understand myself.

I am well aware of the trend in some of the southern American states, which have made extensive use of cumulative minimum penalties, in spite of any kind of case law. That trend has been around a lot longer than this government, so they now have a little distance from which they can look at the results. The results are simply not there.

Reasonable people are asking why the Conservatives are taking a path that has failed time and time again in other jurisdictions. Like my colleague, I see that it makes no sense.

As for trying to explain it, perhaps I could one day, if ever I have a Conservative brain. However, I hope my colleague is patient, because that will probably never happen.

• (1720)

[English]

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Mr. Speaker, I am pleased to add my voice to the discussion on Bill C-26, an act to amend the Criminal Code, the Canada Evidence Act and the Sex Offender Information Registration Act, to enact the high risk child sex offender database act and to make consequential amendments to other Acts.

I would first say, as many of my colleagues have stated in their interventions, that I will be supporting the bill going to second reading for specific reasons.

We believe that at its root, Bill C-26 is an important bill, and we have a zero-tolerance perspective on sexual violence, sexual crimes, particularly those crimes involving children. We want to see the bill go to committee in faith that during the committee hearings, the discussions around certain aspects of the bill will be extensive and productive.

However, yet again, we see another foray into the world of mandatory minimum sentences. As my colleagues were discussing, the issue of mandatory sentences is a troubling issue, and we have ample evidence from our neighbours to the south and here in Canada that mandatory minimum sentences do not produce the results that my colleagues from across the way expect of them.

My colleague asked earlier whether there was any evidence that an individual who was going to commit such a crime sat down and thought about the mandatory minimum sentence such that, "If I do this, I am going to prison for x amount of time." That would be a rational discussion for an irrational person.

There is ample evidence showing that mandatory minimum sentences do not produce results. However, more important is the issue of the legislative branch intruding into the jurisdiction of the courts. I have brought this up before. Here one of my colleagues brought up the question of why the NDP is so opposed to harsher sentences.

I do not think there is anyone in the House, on this side or the other, who does not agree with appropriate sentences for heinous crimes. However, there is a difference between allowing for harsher sentences in legislation and dictating to the courts that they must, without any judgment by judges, impose these sentences. This is where we have difficulty with the bill before us.

I hope that we can sit down in committee and explore how we can have appropriate sentences prescribed and available while still allowing the judges to use their discretion and abilities, the reasons they sit on the bench, to impose those sentences.

The bill's going to committee would also allow us to explore the potential of unintended consequences.

• (1725)

In the parliamentary summary, one of the commentaries brought forward about the creation of the database is the concern. It says:

*Private Member's Business***PRIVATE MEMBERS' BUSINESS**

[English]

CRIMINAL CODE

A number of comments concerning Bill C-26 have mentioned the possibility of vigilantism rising from a publicly accessible database of sex offenders. Detective Constable Stephen Canton, the police officer in charge of the Niagara Regional Police sex offender registry, is also concerned that "[w]hen you start to identify offenders, you start to get less compliance and it pushes them underground."

Ultimately, we want to see a bill enacted into law that does what it needs to do, without the sense of going after a mosquito with a bazooka. We need to ensure that we do it right, and this is the work of the committees. We need to ensure that we do not create situations with unintended consequences, such as the one I just read. That would put us in a situation where otherwise law-abiding citizens, through a mob mentality and their own loss and pain, find themselves in a position where they have information that allows them to exact vengeance in an effort to get rid of their own pain. We do not want to this to happen.

We want to ensure that people are protected from those who may repeat. We want to ensure that people are aware of high-risk offenders, in particular those people who have for one reason or another continuously been allowed back onto the streets and who run the risk of reoffending for whatever reason. We need to protect our communities in that way. In enacting this bill, we need to ensure it would do that.

One of the other aspects that I would like to touch on is the amendment that would allow for spouses to testify against one another. Again, this is something I hope the committee will explore, because of unintended circumstances. We do not want to find non-offending spouses in a position where they might be held accountable for the actions of their partners. We want to ensure that their rights as individuals are protected and secured, and that they are not swept up in the net of the actions of their partners.

This bill is said to protect our communities. Like most laws, it would be in place to respond after the fact, after the crime has been committed. In that context, we have to ask whether the bill would act to protect communities. We have to ensure that the resources are there for our communities to prevent crimes of this nature and to prevent the repeat of crimes of this nature.

As I said in the beginning, I will be supporting this bill at second reading, with the full faith and confidence that my colleagues across the way will be open to discussion and whatever amendments arise from that discussion.

• (1730)

[Translation]

The Deputy Speaker: It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

The hon. member for Jeanne-Le Ber will have five minutes for questions and comments when the House resumes consideration of this bill.

The House resumed from June 5 consideration of the motion that Bill C-583, An Act to amend the Criminal Code (fetal alcohol spectrum disorder), be read the second time and referred to a committee.

Ms. Yvonne Jones (Labrador, Lib.): Mr. Speaker, I am pleased to rise today to debate Bill C-583. This is a bill I believe strongly in, and I would like to thank my colleague opposite, the member for Yukon, for introducing it. I would also like to acknowledge and thank my colleague, the member for Charlottetown, for his work on this bill and for his leadership in our caucus on this issue. I would hope that all parties and all members in this house can come together in support of this bill, recognizing the place fetal alcohol spectrum disorder has in Canada and in our justice system.

As the member of Parliament for Labrador, and our party's critic in northern Canada, I have seen the sad effects of fetal alcohol spectrum disorder, which causes a number of disabilities, including fetal alcohol syndrome, partial fetal alcohol syndrome, alcohol-related neurodevelopmental disorder, and alcohol-related birth defects.

Many Canadians may not be aware that fetal alcohol spectrum disorder affects our Inuit and aboriginal populations to a much higher extent than the rest of Canadians. As an Inuit woman, and with a large aboriginal community in Labrador, we have been working to recognize those who have been born with this disorder while also working with organizations to prevent prenatal alcohol exposure.

I have been receiving calls and emails from constituents about this issue, especially from those doing important work at the Labrador Correctional Centre in Happy Valley-Goose Bay. They understand the need for our justice system to include the fact that many individuals in the court system suffer from fetal alcohol spectrum disorder.

This past September, on International Fetal Alcohol Spectrum Disorder Awareness Day, the FASD Newfoundland and Labrador Network continued to raise this issue, as it does every day of the year, in my home province. I would like to thank them for their dedication. They know better than anyone that children affected with FASD have significant challenges in school and especially with other functions they are expected to participate in. The challenges due to brain damage resulting from FASD have certainly wreaked havoc. The lack of support for these children then leads to mental health issues and addictions and makes it difficult for them to hold down steady jobs.

One of the biggest issues is a lack of screening in many parts of the country or a national standard so that our health care and education systems are aware of persons who suffer from FASD and can take appropriate measures to offer special assistance. We cannot let Canadians fall through the cracks and go on to become societal outcasts.

Private Member's Business

Fetal alcohol spectrum disorder affects 2% to 5% of the provincial population, or between 10,000 and 25,000 people. Because of the higher magnitude with which the aboriginal population suffers from this disorder, I know that Labrador is more deeply affected by FASD than other areas of our province of Newfoundland and Labrador. In northern Canada, much more needs to be done to understand and prevent the disorder. In Nunavut, Labrador, Nunavik, and the Inuvialuit regions, we must work with the high-risk communities to make immediate change and help prevent more children from being born with FASD.

The Labrador Inuit Health Commission, which works with the Nunatsiavut government in Labrador, has done good work raising awareness about prevention and in educating local communities about this disorder by holding workshops and other information sessions, distributing posters, holding open houses, going into schools, and using other community outreach methods. It has done and continues to do tremendous work.

• (1735)

The health commission is working hard as well to address FASD, and it deserves to be commended for all the work it is doing, not only in our province but also across the country. The Nunatsiavut government has taken steps to ensure that schools in towns such as Hopedale and Nain can identify sufferers of FASD and offer a more tailored education experience to meet the needs of the students.

This bill would amend section 2 of the Criminal Code of Canada by adding the following:

“fetal alcohol spectrum disorder” or “FASD” refers to any neurodevelopmental disorder that is associated with prenatal alcohol exposure, and that is characterized by permanent organic brain injury and central nervous system damage that result in a pattern of permanent birth defects, the symptoms of which may include....

This is very important because these items are the fundamental piece of the bill, and the issue that we continue to deal with. The amendment continues to say that the symptoms:

...may include

- (a) impaired mental functioning,
- (b) poor executive functioning,
- (c) memory problems,
- (d) impaired judgment,
- (e) inability to control impulse behaviour,
- (f) impaired ability to understand the consequences of one's actions, and
- (g) impaired ability to internally modify behaviour control;...

As this list indicates, this is a very serious disorder that causes some very serious symptoms. This bill would help to recognize this when people who are before the courts suffer from fetal alcohol spectrum disorder. Clearly, our judgments must take these symptoms into account when sentencing individuals for their actions. It is no surprise that sufferers of FASD have difficult challenges during all stages of the criminal justice system.

I will elaborate on the above points briefly and how they face challenges while dealing with the courts.

As my colleague, the member for Charlottetown, has pointed out, poor memory and memory loss when a person is unable to recall prior events or parts of events is a huge issue. If individuals legitimately cannot recall how events have unfolded through no fault of their own, these individuals may end up incriminating themselves

in court or during interrogation, as they become vulnerable to accepting events as they are presented to them.

An impairment in mental functioning, judgment, and reasoning leads people with FASD to sometimes make the wrong choices and end up running into conflicts within our legal system. This must be taken into account when a crime is committed by someone suffering from fetal alcohol spectrum disorder. These and other symptoms of FASD outline just how delicate a situation can be when dealing with a person who is suffering from this disorder while going through our criminal justice system.

When I talk to people who work in the correctional system in ridings like mine, I hear from them about their regularly seeing clients who suffer from FASD. They understand how this disease impacts these people's judgment, memory, and understanding of events around them. Many times they have expressed their concerns to me about these individuals who are experiencing FASD and going through the legal system. I could talk extensively on FASD in particular, simply because I deal with this issue on a daily basis within my own riding. I know the delicacy of this issue. I know how important it is to understand it from a public perspective, but also to provide education about it in our communities so that we can work harder to try to prevent this disease that, as we know, is preventable.

• (1740)

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am pleased to participate in the second reading debate with respect to Bill C-583, an act to amend the Criminal Code (fetal alcohol spectrum disorder).

I welcome the opportunity to listen to the debate and engage in the discussion on the implications that fetal alcohol spectrum disorder, FASD, has on the criminal justice system.

I would like to begin by thanking the member for Yukon for bringing this very important but complex issue forward to attention of the House of Commons. The impact of FASD is a significant issue in his jurisdiction, as it is elsewhere in Canada. I would like to commend him on his leadership in attempting to address the complex issue of FASD and the criminal justice system.

FASD is an umbrella term used to describe permanent brain damage caused by prenatal exposure to alcohol. Although alcohol is not the only substance that can have an impact on a developing fetus, alcohol is the only substance that appears to affect both the physical structure of the brain and the brain's function.

As is the case with many other forms of mental disability, the vast majority of people who live with FASD do not demonstrate any physical characteristics. For this reason, FASD is often referred to as an invisible disability.

Private Member's Business

Many individuals with FASD suffer from cognitive impairments, such as impaired judgment, poor memory, and impulsiveness. They may also have difficulty linking events with their consequences, which makes it difficult for them to learn from their mistakes.

These impairments are sometimes referred to as primary characteristics of FASD, as they are the characteristics with which a child is born. They are associated with the structural and functional changes in the brain.

Individuals with FASD can also develop what are referred to as secondary characteristics. These refer to the disabilities that may develop as a result of a failure to appropriately and adequately address the primary characteristics. They are more behavioural in nature, and can include mental health concerns, employment problems, disrupted school experience, addiction issues, and trouble with the law.

The brain abnormalities associated with FASD are different for every person with this disability. There can be a significant disparity in the level of impairment among young persons diagnosed with FASD.

Owing to both the primary and secondary characteristics of FASD, individuals with FASD may be at an increased risk of coming into contact with the criminal justice system. Unfortunately, there is scant research on the exact prevalence of FASD in the criminal justice system.

Owing to the presence of individuals with FASD in the criminal justice system and the particular challenges that arise from their involvement in the system, there have been many calls for changes to legislation to specifically address the issue of FASD.

An FASD prevalence study is currently under way in Yukon to evaluate the prevalence of FASD in adult individuals who are incarcerated or on probation in Yukon. This could help to better understand this very complex problem.

The Yukon study will contribute to the understanding of how many people in the corrections system face challenges linked to FASD, mental health disorders, and substance abuse problems. I understand that the Department of Justice Canada has contributed to the development of this study. I look forward to learning about the results in 2016. I think it will provide a valuable contribution to the way forward on this challenging issue.

The Government of Canada has been actively engaged in many programs promoting access to justice for marginalized individuals for many years, including those with FASD. One example I would like to draw to members' attention is the aboriginal justice strategy. This is a federally led program that is cost-shared with the provinces and territories. It has operated since 1991 to support innovative community-based justice programs that help to address the overrepresentation of aboriginal people in the justice system.

The aboriginal justice strategy provides cost-effective alternatives to mainstream justice processing by ensuring accountability for low-level, non-violent offences according to the same principles used in non-aboriginal cases. The strategy provides funding to approximately 275 community-based justice programs that reach over 800 aboriginal communities in all jurisdictions. Many programs provide

services specifically related to FASD, and all 275 programs indicate that those exhibiting FASD characteristics are among the clientele using their services.

In addition to the aboriginal justice strategy, the government also funds the aboriginal courtwork program, which works to ensure that aboriginal people in contact with the criminal justice system, whether as accused persons, witnesses, victims, or family members, have fair access to equitable and culturally sensitive treatment throughout the court process.

• (1745)

Each year, over 52,000 aboriginal Canadians in over 435 communities benefit from the access to aboriginal court work services. These services increase the efficiency of the court system, especially in remote communities, and promote outcomes that support healthy, safe families and communities.

By highlighting these programs and projects, I do not wish to give the impression that FASD is an issue that only affects aboriginal Canadians. However, anecdotal evidence indicates that rates of FASD are higher in aboriginal communities for a variety of historical, cultural and other reasons. Therefore, much of the government's response to date on this issue has focused on aboriginal people, but there is wide recognition that FASD has a broader impact.

This broad impact is recognized by Bill C-583, which would apply to all individuals with FASD. The bill proposes to amend the Criminal Code to do three things: it would define FASD in the Criminal Code; it would empower the courts to order FASD assessments for the purpose of bail and sentencing; and it would deem FASD to be a mitigating factor on sentencing if certain conditions were met.

I am sure all members can agree with the general intent of this bill. The goal of providing special treatment to individuals who suffer from a particular type of permanent brain damage, which may impact their level of criminal responsibility, is commendable.

When I read the bill, however, I found it raised a number of important questions that ought to be considered. For example, some people will ask why there is a need to address only FASD and not any other mental disability or mental disorder. Is FASD the only disability that has an impact on an individual's degree of responsibility for the purposes of the criminal law?

I also wonder whether the provinces and territories currently have the capacity to undertake assessments that would be ordered as a result of this bill. The bill would require medical assessments by various experts in the justice system.

Finally, given that courts can already take evidence of FASD into account for the purpose of sentencing but are not obliged to consider it for every case, we must fully analyze the impact of explicitly adding this to the Criminal Code.

In closing, while we support the intention of the bill to find alternative ways to address FASD in the criminal justice system, I believe we need to review and reassess the available options. I believe a study of the subject matter by the appropriate committee could be beneficial to all.

Private Member's Business

Again, I would like to recognize the efforts of the member for Yukon for raising this important and challenging issue, and I look forward to hearing from other members on the potential impacts of this bill.

I move:

That the motion be amended by deleting all the words after the word "That" and substituting the following: "Bill C-583, An Act to amend the Criminal Code (fetal alcohol spectrum disorder), be not now read a second time, but that the order for second reading be discharged, the bill be withdrawn, and the subject-matter thereof be referred to the Standing Committee on Justice and Human Rights and that the committee report back to the House within four months of the adoption of this order".

The Deputy Speaker: It is my duty to inform hon. members that pursuant to Standing Order 93(3), no amendment may be proposed to a private member's motion or to the motion for second reading of a private member's bill unless the sponsor of the item indicates his or her consent.

Therefore, I ask the hon. member for Yukon if he consents to this amendment being moved.

Mr. Ryan Leef (Yukon, CPC): I do consent, Mr. Speaker.

• (1750)

[*Translation*]

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): Mr. Speaker, the opportunity I have to discuss the consideration of fetal alcohol spectrum disorder within the criminal justice system will allow me to describe the impact of this syndrome on the daily lives of many Manicouagan residents.

FASD affects approximately 1% of Canada's population. Research shows that the incidence of FASB is significantly higher among aboriginal people and in rural, remote and northern communities.

Whenever I tour the riding, I travel to some places that are on the 52nd parallel and even a little further north. I think my riding goes up to the 54th parallel. In any case, I travel to very remote communities. Unlike some of my colleagues on the other side of the House and in other parties, rather than visiting social clubs, social groups or chambers of commerce first, I visit educational institutions and primary schools, first and foremost.

I talk to the staff, and when I visit remote communities, especially aboriginal communities, I always ask about the incidence of fetal alcohol syndrome. It is quite well documented that this syndrome occurs very frequently in the aboriginal population and in remote areas. The statistics I gave you just now, Mr. Speaker, are clear evidence of this.

A few months ago now, when I went to Pakuashipi, I had a discussion with one of the social workers, and I think in fact I even discussed the issue with the school principal. I asked him about identifying and monitoring young people with fetal alcohol syndrome or behavioural issues linked to fetal alcohol syndrome.

I was told that it was quite difficult to make a diagnosis in remote areas. This is why children must often move to Montreal or Quebec City, where they are better equipped. There are experts in development and education who are able to make a diagnosis and detect early signs of the syndrome.

I was told that while the teaching staff in remote communities are qualified to identify signs of fetal alcohol syndrome, before a diagnosis can be made, the student must have reached quite an advanced stage of development and education. In most cases, the case must be referred to a specialist in an urban area, such as Quebec City or Montreal.

However, the instrument before us today addresses the situation as experienced by adults who must deal with the criminal justice system. These are adults over the age of 18, of course, who have not necessarily ever been diagnosed. This is the point on which my argument is based: they were not diagnosed at an early age.

Technological advances have helped in detecting signs of fetal alcohol spectrum disorder. This was also brought to my attention. Until recently, detection was rather complicated. That is why in 2014, young people are being more closely monitored than adults or young people were in the 1970s. That is why in 2014, the criminal justice system sometimes has to deal with adults who simply do not have any diagnosis on file. There may be some mention here and there in a medical file. Nonetheless, generally speaking, the 1% of the population that has fetal alcohol spectrum disorder is highly represented in criminal cases, at 60% or 80%. The numbers elude me, but these people make up a high percentage of the prison population and of those brought before the criminal justice system.

That is the reasoning I will present during my arguments, namely to take into account this characteristic, as well as the diagnosis at an advanced age in criminal cases. These elements were included in my motion and in the instrument being brought to our attention today.

The instrument submitted to us for consideration seeks to establish a procedure for assessing individuals who are involved in the criminal justice system and who, it is suspected, suffer from fetal alcohol spectrum disorder. As I indicated, here we are talking about undiagnosed adults.

• (1755)

I want to make sure it is understood that I am making the case that the instrument before us is first and foremost about sentencing submissions. At the risk of repeating myself, I am aware that the vast majority of Canadians do not have in-depth knowledge of the justice system. That is why I want to talk about sentencing submissions.

Private Member's Business

When an individual has moved through criminal proceedings and is convicted of the offence in question, his lawyer and the crown prosecutor are to meet at a subsequent stage. It is usually when the guilty verdict is handed down to the individual that sentencing submissions are set for a later date. This always depends on the severity of the crime committed. However, with respect to fetal alcohol spectrum disorder, my understanding is—and I do not think I am erring in law here—that submissions would take place at the sentencing submissions stage. Consequently, the lawyer of the individual who stands accused would submit that it is highly likely that his client has fetal alcohol spectrum disorder. The crown prosecutor would be allowed to present arguments and elements that would be taken into consideration by the judge.

Here is my conclusion: I think that this will be debated in committee. Those responsible, the justice critics, will have a field day. What I was saying was that there is a potential for backlogs, or at least hold ups and delays in the courts, particularly if experts have to weigh in on the likelihood that an adult has fetal alcohol spectrum disorder. I have been told that it is far more difficult to make an accurate diagnosis once a person reaches adulthood. For adults with possible behavioural problems related to fetal alcohol spectrum disorder, it is much more difficult to identify the impact and occurrences in everyday life. That could pose a problem.

For example, I handled mental health cases and criminal cases. I often submitted applications under subsection 672.11 of the Criminal Code. That is legal jargon. It is about criminal responsibility at the time of the action or criminal responsibility in cases of mental disorder. That is an additional factor. When lawyers submit applications under section 672.11, clients usually go to the Philippe Pinel Institute in Montreal where the experts do their expert thing, so to speak, for two to three weeks. Then they come back. In Sept-Îles, when my clients appeared in the judicial district of Mingan, there were undue delays lasting two or three weeks. Local expertise was not necessarily able to meet the needs.

Will a similar process be set in motion when there are sentencing submissions? That is what happens when these elements are brought forward. I do not know. That is my information, and it will have to be debated in committee by the people responsible for this file. This is not within the scope of the present discussion, but the process could get bogged down.

Prevention and intervention are key to improving the situation. Advances in screening methods used by pediatric health care and education professionals have made it possible to identify cases of fetal alcohol spectrum disorder in the early stages of child development. As I mentioned, it is preferable to do this at a very early age.

In closing, I would like to quote comments made at a justice conference held in the Yukon in 2008:

Given the stringent criteria associated with defences of “not criminally responsible on account of mental disorder” [subsection 672.11, as I mentioned] and “unfit to stand trial” [also subsection 672.11], which are defined in the Criminal Code, most individuals with FASD [fetal alcohol spectrum disorder] would not meet this threshold ... Instead, they are considered to be fully responsible individuals and the judge sometimes considers their disability to be a mitigating or aggravating factor.

I would like to emphasize the phrase “the judge sometimes considers”. At present, this is at the judge's discretion and is not codified. The remarks made at the Yukon conference in 2008 indicate that the judges already apply this principle and that it is already taken into account, more or less informally, because it is not codified.

Consequently, the instrument currently before us would simply formalize a practice already being implemented.

• (1800)

We have already seen this in the past and it is nothing new.

I submit this respectfully.

[*English*]

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, I would like to start by thanking all members of Parliament for engaging in this debate. It has been a great opportunity to bring the intentions of Bill C-583 to the forefront.

I will talk briefly about the impetus for the bill and my belief in it. However, before I get to that, there are a few people in my community in the Yukon I would like to thank for all the work they have done to support this legislation getting this far.

I would particularly like to thank Rod Snow and Heather MacFadgen; the great people at FASSY and Mike McCann; and a good friend and former member of the Royal Canadian Mounted Police, Gina Nagano, who provided some fantastic insight into the merits of Bill C-583 on a recent visit here in Ottawa.

My staff, of course, as members can imagine the evolution of this bill, have done a tremendous amount of work with the broad stakeholders across Canada, and for that I thank them.

I thank the great stakeholders in our nation who have done so much work that we have been able to get the bill to this point.

I want to touch on one thing, so that those across the community realize. Unfortunately, in the life of a private member's bill, time is not always our friend. We know that it is not immediate, but as we near the end of the 41st Parliament, I am being very realistic about the chances of my bill now getting through all the phases a bill needs to go through, including three readings in the Senate. It is important to me that we do not just have a symbolic victory for this bill, but that we actually have concrete, measurable, and tangible things.

On that note, I was proud to support the government's initiative to expedite the subject matter of this bill, move it into committee, break down the silos, and go across departments to study this bill from a broader range than the focus I had under Bill C-583. From that, I have absolutely no doubt whatsoever that we are going to achieve outcomes and recommendations that will provide a broader benefit for the entire community of FASD. I very much look forward to seeing the results of that study and hearing expert testimony right across Canada, particularly from my home territory in the Yukon, which I know are leading the way in FASD research. I am looking forward to that.

Adjournment Proceedings

I know the recommendations are going to be concrete. I know they are going to be solid and beneficial to the entire community. I know, without exception, that we are going to build on the great work we are already doing as a government, take those recommendations, and come out with an action plan that will invariably improve the lives of people living with FASD in Canada. I am very excited about that.

I cannot help but notice that in the world of social media, already the NDP has tweeted out that I have agreed to kill my own bill. Let me correct the record on that point before those members get on their tweeter storm.

This is an important step for people living with FASD and an important step for the community. I urge NDP members, before they launch out into their social media hack job on this, to understand that this is critical for the community and important for the people across this country. Their opportunity to study and research this is going to be the most significant step forward that we have had on FASD in a long time in the Canadian Parliament. For that I am proud, and for their previous support of my bill, I am thankful. However, I ask them, I urge them, to not play politics with this issue, get on board, support the committee, provide witnesses, participate wholeheartedly and completely, provide recommendations that are going to help this community, avoid the social media attack campaign that they have already started less than a minute and a half ago, and get on side with this community. That is what I am asking as we move forward, and I look forward it.

Fundamentally, as a former member of the Royal Canadian Mounted Police and as a deputy superintendent of the Whitehorse correctional facility, I know and I have seen first-hand the impact of the criminal justice system on people living with FASD who involve themselves or get mixed up in it. I believe fundamentally that the merits of my bill are sound and I stand behind the tenets of that piece of legislation. Were it not for the time I had left, this bill would still be going forward, and I know with a good amount of support from the House of Commons.

I will leave members with this note.

I know that our government stands behind victims, and victims first, and people with FASD are victims first. Long before they ever become offenders in the criminal justice system, they are victims. There is no other population in our country who, when they take their very first breath, are on a collision course with the criminal justice system, and that is true for people with FASD.

I look forward to bringing this issue to committee, getting great results with the subject matter experts who exist in our nation, and finding concrete and real results.

• (1805)

I look forward to everyone in this place participating wholeheartedly in that study so that we can improve the lives of Canadians. I thank the government for its efforts on this.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: Pursuant to Standing Order 93, the recorded division stands deferred until Wednesday, November 26, 2014, immediately before the time provided for private members' business.

ADJOURNMENT PROCEEDINGS

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

[*Translation*]

SCIENCE AND TECHNOLOGY

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, I am pleased to have the opportunity to follow up on a question I asked during question period on October 21 regarding a letter written by more than 800 international researchers who criticized the fact that Government of Canada scientists are seeing a rapid decline in funding while their freedoms are being eroded.

The letter, addressed to the Prime Minister, spoke about how important it is for the international science community to work together to address the threats to our health and environment. The scientists urged the government to put an end to its war on knowledge and to provide adequate funding for research. They also said that the Conservatives' muzzling of scientists was undermining international co-operation among researchers. In their letter, they even quoted a *New York Times* editorial that denounced the Conservative government's muzzling of scientists and called this practice an attempt to guarantee public ignorance.

The scientists who signed this very recent letter come from 32 different countries, including Argentina, Australia, Austria, France, Germany and Israel.

It seems that the Conservatives have gotten used to muzzling and ignoring the advice of Canadian scientists. They also ignore scientists and Canadians who speak up to oppose their unsound approach. This letter proves that their despicable practices are not only undermining democracy and knowledge in Canada, but they are also undermining our international reputation.

It was only a matter of time before the international scientific community criticized this government. In the last year alone, many published reports have described in detail this government's disdain for research and science.

Adjournment Proceedings

Last October the report by Evidence for Democracy, a non-profit organization, and Simon Fraser University assessed the degree of accessibility of federal researchers. The report gave 85% of departments a grade of C or lower. All departments scored lower than their U.S. counterparts. If Americans have the right to access their federal scientists, why do we not have that right?

Another report by the Environmental Law Centre at the University of Victoria and the non-partisan group Democracy Watch described this government's Orwellian efforts to silence researchers. The 128-page report was widely quoted in the media across the country. It also led the Information Commissioner to call for a formal investigation into this muzzling.

I would like to conclude by referring to the comprehensive survey commissioned last year by the Professional Institute of the Public Service of Canada. The report entitled "The Big Chill" found that 90% of federal scientists do not feel that they can speak freely to the media about their work. If their minister made a decision likely to harm public health, safety or the environment, nearly as many said they would face censure or retaliation if they shared their concerns.

We can see that the government is afraid of science, facts and democracy.

How can the government deny that its malicious approach is not conducive to Canadians' well-being and that it is now a source of embarrassment in the international scientific community?

● (1810)

[*English*]

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, I am happy to respond to comments made earlier by the hon. member regarding support for and conduct of publicly funded research.

This government sees science and technology as an important contributor to a strong and prosperous society. Since 2006, the government has provided more than \$11 billion in new resources to support basic and applied research, talent development, research infrastructure, and innovative activities in the private sector, including more effectively aligning federal support for research and business needs.

I am proud to say that this government's investments have made Canada internationally known for its research strengths, highly qualified personnel, and advanced research infrastructure. For example, Canada is ranked number one among G7 countries for higher education expenditures on research and development as a percentage of GDP.

Our investments are clearly making a difference. In the highly competitive global environment, where innovation and collaboration matter more each day, the world has taken notice of Canada.

Our federal departments and agencies produce over 4,000 scientific publications per year. Moreover, Canada produces some 5% of the world's peer reviewed articles. That is pretty impressive for a nation with less than 0.5% of the world's population.

Our government strives to maintain this research excellence. Through economic action plan 2014, our government announced significant measures that enhance support for advanced research.

The new Canada Rirst Research Excellence Fund, with resources of \$1.5 billion over the next decade, will help Canadian post-secondary institutions excel globally in research areas that create long-term economic advantages for Canada.

Our federal granting councils play a major role in boosting our research performance by funding programs in the natural and social sciences, engineering, and health.

Successful Canadian science requires collaboration among all members of the scientific community. It requires governments at all levels to put in place frameworks and policies that support research success. It requires universities and colleges to inspire and develop tomorrow's highly educated workforce, and it requires our businesses to continue to invest and commercialize.

As the hon. member knows, it is important to not only perform world-class research but to communicate the results. Federal scientists regularly provide media interviews and publish thousands of research papers every year. The Government of Canada communications policy directs federal institutions to cultivate proactive relations with the media and to respond promptly to enquiries. Further, through open government, the government is opening access to federal research and is supporting openness and transparency.

We have taken action, because we are committed to turning ideas and innovations into new knowledge and products that will result in jobs, growth, and prosperity for all Canadians.

● (1815)

[*Translation*]

Ms. Laurin Liu: Mr. Speaker, I thank my colleague for commenting on this topic.

However, my question had to do with the muzzling of scientists and not with funding for science. That said, since my hon. colleague brought it up, I will tell her that Statistics Canada has shown that funding for science and technology in Canada has dropped by more than 14% over the past five years. This looks bad for the federal government.

Not only do the Conservatives want to muzzle scientists, but they also want to dismantle any mechanism that would enable us to investigate this censorship.

Adjournment Proceedings

Despite a 31% increase in complaints to the Information Commissioner this year, her budget has been cut by nearly 10% since 2009. Wait times have now reached disastrous levels. That is not standard practice for a government that has nothing to hide.

Why does the Conservative government not take action to unmuzzle scientists?

[English]

Mrs. Susan Truppe: Mr. Speaker, the government is extremely proud of the world-class research being conducted through Canada's science, technology, and innovation ecosystem. The world-class research of federal scientists and researchers is helping us improve the quality of life for Canadians through improving public health, ensuring the safety of foods and products, building strong and vibrant communities all across the nation, and ensuring a clean and healthy environment for future generations.

To better support Canadians, federal scientists communicate these results promptly through regular media interviews and research papers. Government scientists are not subject to separate rules for communicating with the media. All federal public servants follow the same established rules under the Government of Canada communications policy.

The strength of Canada's capacity for innovation requires advanced research and innovation in all sectors involved in the science, technology, and innovation ecosystem. To that end, our government remains committed to ensuring support for science and technology to improve the lives of Canadians.

ABORIGINAL AFFAIRS

Mr. Adam Vaughan (Trinity—Spadina, Lib.): Mr. Speaker, when I first took my seat in Parliament, the first question I asked was related to the tragedy that has befallen this country, in particular the missing and murdered indigenous women. My question was when would the government spend as much effort finding what happened to these women as it had spent searching for the Franklin expedition.

The response was that new money had been put into the program and that steps were being taken to protect these women's lives and that all was in order because this announcement had been made just days before I took my seat.

The trouble is that the minute we start to do the research on this issue, we find out that it is not new money. It is existing programs bundled under a new name, which have quite clearly failed both this country and, more particularly, the women involved in this horrible tragedy.

My question for the government is, where is the new money? One of the issues for those of us who represent urban ridings and ridings that do not have treaty lands or traditional territories identified is that the shelters we have for these women do not get a penny of federal funding. We know that when women are escaping violence, they quite often flee to major urban centres for safety, but there is no place for safety; there are no spaces being created to house that safety. There are no programs dealing with the dynamics that happen on our city streets, which are deadly.

When will the government deploy meaningful resources, new dollars, to deal with this issue and provide us with a real response to

a real crisis that we see on city streets every day in places like Toronto, Vancouver, Calgary, Edmonton, Winnipeg, Montreal, Halifax? The list is sadly so long. I do not have all the time in the world to name them.

• (1820)

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, I would remind all Canadians that Canada is a country where those who break the law are punished, where penalties match the severity of the crimes, and where the rights of the victims are recognized. That is why our government has made it very clear that abhorrent acts of violence against aboriginal women and girls will not be tolerated.

We also believe in taking action. For example, economic action plan 2014 committed to a new investment of \$25 million over five years to continue our government's efforts at reducing violence against aboriginal women. As a result of this commitment, the Minister of Labour and the Minister of Status of Women released the Government of Canada's action plan to address family violence and violent crimes against aboriginal women and girls on September 15. I had the opportunity to sit on that committee, and one of the most important aspects of this action plan is that it responds in a very real way to the call for action from families and communities while also addressing the recommendations of the special committee.

There are three main areas in which our government is taking action. First, our government is taking action to prevent violence against aboriginal women and girls with specific actions that include the development of more community safety plans across Canada, including in regions the RCMP analysis has identified as having a high incidence of violent crime perpetrated against women and girls; projects to break intergenerational cycles of violence and abuse by raising awareness and building healthy relationships; and projects to engage men and boys and empower aboriginal women and girls to denounce and prevent violence.

Second, our government is taking action to assist and support victims of violence. Specifically, the action plan supports family police liaison positions to ensure that family members have access to timely information about cases, specialized assistance for victims and families, and positive relationships and the sharing of information between families and criminal justice professionals.

Third, the action plan includes initiatives such as funding shelters on reserve on an ongoing basis, supporting the creation of a DNA-based missing persons index, and continuing to support police investigations through the National Centre for Missing Persons and Unidentified Remains.

We will also continue to work closely with provinces and territories, police services, and the justice system, as well as aboriginal families, communities, and organizations to address violence against aboriginal women and girls.

Adjournment Proceedings

Mr. Adam Vaughan: Mr. Speaker, my question was very specific and has not been addressed with the answer that has been provided. In fact, it is almost exactly the same answer that was provided to me the first time I asked this question.

I asked about cities. I asked about urban settings. During the debate on this issue that was brought forward under a different motion, we heard a member, I believe it was the member for Sault Ste. Marie, talk about the fact that 30% of the women had disappeared at the hands of strangers.

In our criminal justice system, we know that the rate for the general population of stranger violence is 0.4%. In other words, 0.4% of the people who die violently in our country in a criminal act die at the hands of a stranger. However, for aboriginal and first nations women, it is 30%. That tells us very clearly that this is not a family violence issue. What this tells us very clearly is that when these women are looking for safety, they are not finding it. Where they are not finding it in horrific numbers is in urban settings, in cities.

Everything you just talked about is on reserve and traditional lands. What are you doing in cities to protect women?

The Deputy Speaker: The member for Trinity—Spadina should be aware that comments have to be directed to the Chair rather than to individual members of Parliament. His time has now expired.

The hon. parliamentary secretary.

Mrs. Susan Truppe: Mr. Speaker, our government's investments to address violence against aboriginal women and girls are very significant.

In fact, measures in the action plan released by the Minister of Labour and Minister of Status of Women on September 15 represent a total investment of nearly \$200 million for five years. This includes new funding of \$25 million for five years, beginning in 2015-16. There is also ongoing funding of \$158.7 million for five years, beginning in 2015, for shelters and family violence prevention activities.

Starting in April 2015, there will be dedicated resources of \$5 million over five years through Status of Women Canada to improve the economic security of aboriginal women and promote their participation in leadership and decision-making.

● (1825)

[*Translation*]

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:25 p.m.)

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