



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, November 27, 2007**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Tuesday, November 27, 2007

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1005)

[*English*]

### GOVERNMENT RESPONSE TO PETITIONS

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

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### SPECIAL CLAIMS TRIBUNAL ACT

**Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC)** moved for leave to introduce Bill C-30, An Act to establish the Specific Claims Tribunal and to make consequential amendments to other Acts.

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

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[*Translation*]

### COMMITTEES OF THE HOUSE

#### CANADIAN HERITAGE

**Mrs. Maria Mourani (Ahuntsic, BQ):** Mr. Speaker, I move that the first report of the Standing Committee on Canadian Heritage, tabled on Wednesday, November 21, 2007, be concurred in.

I am pleased to rise for the first time in this House as the Bloc Québécois heritage critic. My first thoughts are for my colleague from Saint-Lambert, who has done such a wonderful job as critic since 2004. I thank him for all the work he has done. I would also like to assure all the stakeholders in the cultural community in Quebec and even Canada that, like my friend, the member for Saint-Lambert, I will listen to them and be an ardent defender not only of culture, artists and artisans, but also of the right of nations to exist as strong and different entities in the world. To me, cultural diversity should never disappear.

Before I get to the substance of my remarks, I also want to recognize the people of Ahuntsic. The name Ahuntsic calls to mind our historical heritage. Ahuntsic was the Huron name given to the French assistant of Récollet missionary Nicolas Viel, whom we have all heard of. Both men died in the rapids of the Rivière des Prairies in 1625.

What is important is that today, Ahuntsic is a magnificent cultural community. I wanted to pay tribute to the teams behind FestiBlues, an international festival, as well as Cité Historia, Maison de la culture, Ressart, Artisans de la rue, Foyer de la danse, Musique Multi-Montréal, Violon de Grand-mère, and our libraries and educational institutions. As hon. members can appreciate, Ahuntsic is a riding where culture is really very important. I also want to pay special tribute to the people behind the project to create the Maison des arts et des lettres, a very important addition to our community and something we are going to work very hard for at the federal, academic, municipal and provincial levels.

We have decided today to focus on issues that are important to the Bloc Québécois and Quebec because culture is an important part of our identity and the survival of our nation—and by nation, I mean Quebec. However, culture is also vital to Canada as a nation. The same is true of the environment, which is a crucial issue for the generations to come. And what is this government doing? It is systematically proceeding with a demolition project and muzzling the opposition in Bali. The same is true of broadcasting and telecommunications policy, where we are also seeing veiled demolition projects—the government does not act directly—and where the government is keeping the opposition out of the debate.

Hence this morning's motion, aimed at setting the record straight to some extent and raising the alarm with this government which, it should be remembered, is a minority government. The motion we are debating states, and I quote:

That, in the opinion of the Committee, any new directive to the CRTC from the Governor-in-Council amending the interpretation of the Broadcasting Policy for Canada or the Canadian Telecommunications Policy be first put before the House through the Standing Committee on Canadian Heritage for its consideration.

This motion, which I put forward at the Standing Committee on Canadian Heritage and which was adopted by a majority of committee members, reflects a profound uneasiness with this government turning its back on its democratic duties when it comes to presenting its policy directives to Parliament.

If this government wants to let the free market prevail, that is its philosophy. But if it wants to amend the legislation governing the CRTC, it should do it through the front door and let us have a debate in this House.

*Routine Proceedings*

In fact, if we are debating this issue here today, it is because of this government's unacceptable behaviour in refusing to put its policy directives into a bill. This government, which is still a minority government, is bringing major policy changes in through the back door, without any real debate.

It seems fundamental to us that the partners have their say on issues of such importance to Quebecers and to Canadians as well.

Talking about changes to broadcasting is really something fundamental that affects the protection of culture for the Quebec nation as well as for the Canadian nation. That is why we want these changes debated here in this House.

• (1010)

If they want to change the legislation, they should introduce a bill.

I know some people will insist that no major changes are being contemplated, and they will suggest that people are getting upset over nothing and that opposition members of Parliament are blowing things out of proportion, but that is not true. On November 6, the current Minister of Canadian Heritage, Status of Women and Official Languages made an important announcement. She did not make it here, nor did she make it in committee. She made it at the convention of the Canadian Association of Broadcasters. She said, "I challenge you to be open to change—because change will come."

I would like to ask the minister what changes she thinks are in store. Everyone here would like to know. The Conservatives are doing their best to avoid talking about these fundamental changes that will affect our ability to protect Canadian and Quebec culture.

Let us talk about these changes. During the ADISQ Gala on October 28, in response to recent CRTC decisions that indicate a shift toward policies that put market forces ahead of the duty to protect culture and society, 18 groups of artists and businesses operating in the cultural sector, including 17 that work mainly in Quebec, strongly urged the Minister of Canadian Heritage, Status of Women and Official Languages to use her power to issue policy directives to the CRTC to avoid this major shift.

This protest from Quebecers received unanimous support from Quebec's National Assembly. Then, on October 29, in response to this urgent appeal from the cultural sector, the Minister of Canadian Heritage, Status of Women and Official Languages told my colleague, the member for Saint-Lambert, that "the CRTC is an arm's length agency". Nevertheless, 11 days before that, on October 18, that same minister had ordered the CRTC to review its decision to amend the broadcasting licence of Avis de recherche inc. So she did intervene. On the 29th, the CRTC was autonomous, but on the 18th, she intervened in a decision. That is contradictory. Perhaps she was trying to hide her real intentions. Perhaps on the 18th, she was revealing her true intentions.

The truth came out during the minister's speech on November 6. The minister told those attending the Canadian Association of Broadcasters convention that her first priority was "—an increased reliance on competition and market forces—". She made that very clear. Later on, she said, "The status quo is no longer an option".

The Minister of Canadian Heritage, Status of Women and Official Languages could not have been more clear. She said no to the

Quebec and Canadian cultural communities and to the National Assembly. And she said yes to the financial free market. Regarding broadcasting, whether on the radio, television or Internet, the minister's approach is, in fact, to defend the interests of large corporations. She treats culture first and foremost as a consumer product, even though Canada signed the convention on cultural diversity.

I think this conservative approach will be detrimental to culture and to the Quebec nation, which the Prime Minister and his government claim to recognize. Furthermore, in the speech made by the Minister of Canadian Heritage, Status of Women and Official Languages on November 6, there was no mention of the concept of nation. In fact, there was no place in her speech for the Quebec nation. For the Conservative government, nation is merely a word and is not linked with any action or real commitment thus far. We must denounce this, because we are not a "nation-concept", but rather a real nation that truly exists and we must have our powers. It is even more upsetting when this kind of behaviour is seen in a minister from Quebec.

At present, artists are worried, and with good reason.

• (1015)

Unfortunately, we cannot count on the "Quebeckness"—that is, a sense of belonging to a nation called Quebec—of any Conservative members to defend the interests of the Quebec nation when it comes to broadcasting and in other areas.

Under the Conservatives, Canada is unfortunately following a path driven by market forces rather than the defence of national identities. Not only is the Quebec nation worried, but the Canadian nation is also concerned. The Quebec nation must not be dragged down this path, which, in the end, serves no purpose but assimilation into what could be called global cultures. We are here to defend our culture of course, but I really encourage the other members from Canada to also defend Canadian culture, just as we, the Bloc Québécois, can do for Canadians.

We therefore repeat that, in order to support our culture, it is crucial that the application of radio and television broadcasting policies be left to the Government of Quebec, our national government, and that it be allowed to determine the regulatory framework within its borders.

When the current Minister of Transport, Infrastructure and Communities of the Conservative government was communications minister in Quebec, he defended the following statement:

Quebec must be able to establish the rules for operating radio and television systems, and control development plans for telecommunications networks, service rates and the regulation of new telecommunications services...Quebec cannot let others, *meaning Canada*, [member's emphasis] control programming for electronic media within its borders...To that end, Quebec must have full jurisdiction and be able to deal with a single regulatory body.

The member for Pontiac, like his Conservative colleagues from Quebec, is now contributing to the threat facing Quebec society and its culture.

Now, more than ever, Quebec needs its own CRTC. We cannot trust the Canadian government or a pan-Canadian body to protect our Quebec nation and its culture.

*Routine Proceedings*

A Quebec body would consult and make decisions based on the priority interests of our nation, and only our nation. Furthermore, the power of direction would be assumed by the Quebec government.

Having recognized Quebec as a nation, the federal government must now do something tangible about it and at the very least agree to a devolution of power, if not give up that power under the Constitution. This could be a first step in showing that it truly recognizes us as a nation.

Unfortunately, the Conservative government is characteristically anti-democratic, implementing policies without debate and presenting parliamentarians and the general public with a *fait accompli*.

In fact, this government does not respect what the majority of Quebecers want and it is abusing its prerogatives.

It does so on the environment—as we have seen quite recently—and on the gun registry. We saw what it did to Status of Women Canada and Canada Summer Jobs. I could go on and on. The only time there was any kind of agreement was in connection with the war in Afghanistan. That is all it cares about. But there again, the government has hijacked the mandate. Unfortunately, instead of striking a balance between humanitarian aid and security, the government has put the entire focus on war.

As far as broadcasting and telecommunication are concerned, this government is using its power of direction over the CRTC in order to weaken the regulatory framework without any real debate in this House.

• (1020)

When the CRTC drifts toward deregulation and ignores its responsibility to protect culture, this government does not say a word.

I strongly encourage the House to pass this motion in order to make this government more accountable to the people of Quebec and Canada before this Parliament.

In Quebec, as anywhere else in the world, our national identity depends on the strength and vitality of our creators. When they sound the alarm as they did in October, we cannot sit idly by, especially when the Minister of Canadian Heritage says she recognizes the nation of Quebec and she herself is from Quebec.

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, first, I would like to start by congratulating the member for Ahuntsic for her excellent speech, and also for how she conveyed to this House the very essence of the motion.

Some speeches in this House are very illuminating about the role we play here as parliamentarians, and the member for Ahuntsic delivered such a speech today.

There are some fundamental issues and recognizing Quebec as a nation is one of them. Quebec must be recognized as a nation in the full sense of the word, and the only way that can be achieved is if a firm position is taken, such as the one my colleague took this morning.

I would like her to elaborate on what this adds to how the recognition of Quebec as a nation is viewed, and the power over

culture this recognition entails, particularly when it comes to communications.

**Mrs. Maria Mourani:** Mr. Speaker, I thank my colleague for his question.

I would say that culture is vital to every nation. If we study history a bit, we see that, when there has been the desire to destroy or eliminate a people, the first thing attacked is its culture and identity. Unfortunately, we have seen this here, in Canada, with events involving aboriginals. Attempts have been made to turn them into white people, to annihilate their own culture. At present, the culture of many aboriginal communities is still under attack.

I have visited some reserves and certain areas. For example, I went to Chisasibi, where the Cree live. They told me they could not raise their children because they were not allowed to be parents and their culture had been annihilated. I met with young people who told me that they were ashamed to be Cree. That is abominable. Their culture and their identity have been taken away from them. For this reason, it is vital to not let our culture be swept away by market forces.

We now live in a country called Canada and we too are a different nation. To be able to manage our identity, we will not entrust it to others; we must manage it ourselves. That must be done in all areas, particularly in telecommunications and broadcasting, and hence the request for a Quebec CRTC. We are the only ones who can understand what we want in terms of culture and identity.

I do not wish to be meanspirited with regard to this matter. However, we need only think of the 18 organizations who spoke out, of which 17 were from Quebec, because they felt that their culture, which is different than that of Canada, was being attacked directly.

When we talk of recognizing the Quebec nation, there must be an acknowledgement that the term “nation” goes hand in hand with the terms “action” and “responsibility”. Then, we must be given the powers that rightfully belong to us, in all matters whether culture, immigration or protection and security.

• (1025)

[*English*]

**Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.):** Mr. Speaker, allow me to congratulate you on your award.

Let me say for the member that I am always of the belief that the sum of our parts is greater than what we are individually. Individually we are weaker than what we are as a nation, the nation being Canada.

My province of British Columbia has a unique linguistic and cultural milieu, as does every province and as does the province of Quebec. It irritates me no end, and I just cannot imagine why it is, that members of the Bloc do not see that the sum of the provinces of Canada makes us greater than what we are as individual provinces. I do not understand for a moment how the Bloc feels that culture in Quebec is being assaulted by Canada when the lion's share of money for culture in our country has gone to Quebec.

More money has gone to Quebec than to any other province or summation of provinces in Canada and that has always been the way it is. Quebec has received more than its fair share of money.

*Routine Proceedings*

Does the hon. member not think that we as provinces together are stronger than we are as individual provinces? Does she not think that together we can make our Canada much greater than we can if we fracture it? Does she not think that her culture is stronger within a united Canada than if it is separate? If separate, the culture and language of Quebec would be weakened rather than strengthened, because there is no way that Quebec as an independent state would be receiving the moneys it receives right now for the protection of its culture and language.

Believe me, if my province of British Columbia could get half the money that Quebec receives for its culture and language, we would be ecstatic.

[*Translation*]

**Mrs. Maria Mourani:** Clearly, Mr. Speaker, we will never agree on this difference. Whether we like it or not, for the time being we are a nation, but the day will come when we will become a country that will be a powerful player on the world scene. It will not be a military power, something that Canada seems to be drifting toward and that we are forced to go along because we are not yet a country.

Is it not clear why we want to become a country? Because of all this. Because, as a country, we would not go into Afghanistan or Iraq, for example, we would avoid finding ourselves in situations that are non of our business. The fact of the matter is that we have different values, a different identity and a different outlook on the world.

Having said that, I disagree with my colleague when he says that the Quebec culture would be weaker in the event of a separation from Canada. That is false. Look at France, which is a state in and of itself. Is it weaker? Are the United States weaker? No, they are actually invading us with their culture. The difference and the strength of cultures does not come from independence then, but rather from what one decides to do with it; that is what gives a people its strength and its identity. We have resisted Canadian colonization for many years and we are still here. We still have our own identity, and our language has survived. Quebec is not bilingual, as Canada says; Quebec is French, it is intercultural and, one day, it will become a country.

● (1030)

**Mr. Marc Lemay (Abitibi—Témiscamingue, BQ):** Mr. Speaker, the hon. member for Ahuntsic has presented the issue very well.

However, I want to go back to the motion. I am wondering if my colleague could explain it, in the little time remaining, because I do not understand its meaning.

The motion provides that "...any new directive to the CRTC from the Governor-in-Council amending the interpretation of the Broadcasting Policy for Canada or the Canadian Telecommunications Policy be first put before the House through the Standing Committee on Canadian Heritage for its consideration".

Where is the problem and how was the Minister of Canadian Heritage, Status of Women and Official Languages going to be drifting away from the existing regulations?

**Mrs. Maria Mourani:** Mr. Speaker, I thank my colleague for his question.

The fact is that we have noticed that the Minister of Canadian Heritage, Status of Women and Official Languages was using, to some degree, her power to issue directives to begin to sway the CRTC toward deregulation and the free market.

We are quite concerned about that. And this is not just Quebecers. Indeed, fellow members on the committee who represent the other opposition parties also supported that motion, because even Canadian culture stakeholders are concerned about this deregulation process, which could result in more foreign productions taking a greater part of the market. In other words, we would have a free market. Whoever would be best positioned to sell cultural products would simply do it.

Currently, we have regulations which provide that there must be a certain quota in terms of Canadian content and production. Back home, we are talking about quotas for Quebec productions.

That is the reason for our concern. We noticed that the minister gets involved when it suits her, but only then. We felt that if the minister wanted to change things, she simply had to come and tell us in committee, so that we could report back to the House. This is simply democracy at work.

[*English*]

**Hon. Jim Abbott (Parliamentary Secretary for Canadian Heritage, CPC):** Mr. Speaker, it is quite important for Canadians to realize what this debate right now is all about. It is about the Bloc Québécois, that does not want to discuss the tackling violent crime act, just delaying. There is absolutely no reason for this motion to be here.

The member knows full well that according to the Broadcasting Act there could never be a broadcasting policy directive that would not go to the committee for consideration. Therefore, the motion is absolutely useless.

What is very instructive is that last night on Bill C-2, the tackling violent crime act, members of this House voted in favour of the bill by a vote of 222 to 1. I am not sure whether the member voted in favour of it or whether she was in the House but the fact was that the Bloc Québécois, in putting on a show last night that it was actually serious about crime, stood and made it appear as though it were in favour of the tackling violent crime act.

It will be instructive to see what happens with the NDP and the Liberals as it relates to this motion. If they stand and continue this farce that is presently going on, this debate that is absolutely unnecessary because the motion carries absolutely no value, it will tell Canadians everything they need to know.

Is the NDP serious about tackling violent crime? Are the Liberals serious about tackling violent crime? We know that the Bloc is not, in spite of the fact that it stood and voted for it last night. What are the NDP and the Liberals going to do? This debate should end.

● (1035)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great amusement to my hon. colleague, with whom I sat on committee and who I have a great deal of respect for, but the fact is that we have a serious issue to debate today.

*Routine Proceedings*

I know that the Conservatives have numerous bills on mandatory minimums for furniture theft, bicycle theft and whatever else they can drum up. We also know that the Prime Minister absolutely shamed Canada on the international stage this weekend. He is showing more and more that he is not the leader of a national government but basically a front for big oil, and people are outraged at that.

When we talk about an agenda here, the agenda that we are seeing is of someone who, from the beginning, said that Kyoto was a socialist plot to rob Alberta of its just pillaging of the tar sands.

Regardless of all that, the debate in the House today is an issue that needed to be brought forth. If the member does not like the timing of it, too bad, so sad. This is the work that we do in the House. The question is whether the issues of the CRTC relevant.

The member's own government is the lead nation at the GATS in Geneva to strip all the foreign content rules off Telecom and is now at the receiving end of a plurilateral request to strip all domestic content quotas from the ability of broadcasting to even maintain a cultural policy. That is something the Conservatives are doing internationally in Geneva. Does the member not think that the Canadian public expects that members, whether they are from the NDP, the Bloc, the Liberals or even the Conservative Party, will look at those issues when they come back and ensure we have a say on what is happening with the wholesale sell-off of our cultural landscape by the government?

**Hon. Jim Abbott:** Mr. Speaker, it is interesting to hear the NDP member try to justify the fact that he is trying to delay the tackling violent crimes act, which is exactly what this so-called debate is about.

Having been an expert person on the committee, the member knows full well that this motion is absolutely useless. The committee ended up passing a motion that is ultra vires. It is beyond the ability of the committee, the governor in council and beyond the ability of anyone, except to amend the Broadcasting Act. Surely he is not talking about amending the Broadcasting Act.

I say again that Canadians should note that the Bloc Québécois does not care about tackling violent crime. If we hear a long speech from the member who just stood about absolutely nothing, we will also know that the NDP, in spite of the fact that only one of its members stood last night to vote against Bill C-2, when its members stood and made it appear as those they were actually serious about tackling violent crime, it was a hypocritical act for them to stand and make it appear as though they were actually in favour of Bill C-2. I would say to the Liberals exactly the same thing.

**Mr. Charlie Angus:** Mr. Speaker, I rise on a point of order. Seeing as the hon. member has accused us of being hypocrites when we do vote for our constituents, I would ask him to withdraw that remark.

Simply because we are not brow-beaten like they are does not mean that he can push us around with a bunch of cheap comments.

**The Deputy Speaker:** I might say to the hon. member for Timmins—James Bay that, whatever he may think, it is not unparliamentary to accuse groups of being hypocritical. We just cannot accuse each other of being hypocrites.

The hon. member may want to withdraw the remark or he may not but it is certainly not something that qualifies as unparliamentary.

**Hon. Jim Abbott:** Mr. Speaker, I was very precise. I said that the NDP engaged in a hypocritical act.

[*Translation*]

**Ms. Nicole Demers (Laval, BQ):** Mr. Speaker, I have to wonder—although it does not surprise me—how the parliamentary secretary can try to avoid responding to the motion introduced by my colleague this morning, and instead try to respond to all kinds of things that have nothing to do with this motion.

But the Minister of Transport, Infrastructure and Communities agreed with the principle of this motion when he was a member of the Quebec government.

So I do not understand how the Parliamentary Secretary for Canadian Heritage can go against the wishes of a minister from his own cabinet.

• (1040)

[*English*]

**Hon. Jim Abbott:** Mr. Speaker, the Broadcasting Act, as approved by Parliament, sets out the broadcasting policy for Canada. The CRTC's responsibility is to regulate and supervise the Canadian broadcasting system, with a view to implementing the broadcasting policy for Canada as set out in the act.

The CRTC cannot change the act and the government has no intention of providing the CRTC with that power. The CRTC is a regulatory body that operates independently of the government. The member of the committee from the Bloc Québécois is fully aware of that, which is why it is so deeply regrettable that the Bloc members and apparently the NDP members, although we will see what they do with their speeches, but they seem to be absolutely set on the issue of stopping Bill C-2, which is the only reason for this debate.

**Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.):** Mr. Speaker, I want to ask my hon. colleague on the other side about an issue that is extremely important to many Canadians, the issue of media centralization, media control in a smaller number of hands, which is the CRTC's responsibility.

I believe the CRTC has failed miserably in not allowing a diversity of voices to get out. It has failed in terms of allowing the media concentration that is occurring today, which is not only disruptive to the public but disruptive to journalists and to this House. It also is disruptive to the ability of all of us as elected officials to do our jobs.

What will the member's government do to allow, enable, suggest or encourage the CRTC to enable a broader diversity of voices in the media and to decrease the media concentration that is choking off a diverse number of ideas to be out in the public for public consumption and for collective action?

**Hon. Jim Abbott:** Mr. Speaker, as the member may know, the Senate has looked at this issue and I was involved in a review of this issue as part of the status of broadcasting in Canada. It is a small part but, nonetheless, a part of the current ongoing CBC mandate review. He may have questions about how the CRTC has chosen to go about doing its mandate, which are all very interesting things.

*Routine Proceedings*

I mean no disrespect to my friend but we should look at what this debate right now is about. This debate is about the fact that the Bloc Québécois and, I would rather suspect, the NDP are somewhat soft on attacking violent crime.

It will be very interesting to see what happens when it comes time for the Liberals to stand and either debate or not debate. My recommendation would be to let their slot go by and see what happens with the NDP and the Bloc because that is really what all of this is about. It is simply to delay tackling violent crime on the part of the opposition to this government.

[*Translation*]

**Mrs. Maria Mourani (Ahuntsic, BQ):** Mr. Speaker, I find what is going on in this House with the parliamentary secretary rather amusing. He is essentially telling us that culture is not important to him and his government. He is accusing us of trying to waste time to avoid debating their bill. But we voted in favour of the bill. What is he talking about? I do not understand.

What I understand from what he is saying is that culture is not important to him, to the Minister of Canadian Heritage, Status of Women and Official Languages, to his government and to his Prime Minister.

Can he tell us more about the changes and the free market the minister mentioned in her speech? What exactly are the changes the minister wants to make?

We would like some reassurance on this subject.

[*English*]

**Hon. Jim Abbott:** Mr. Speaker, it was rather telling of that member when she was on her feet a couple of minutes ago, on a slightly different topic but nonetheless related, and said that she and the Bloc Québécois did not have the same way of looking at the world. Those words were singularly prophetic of the fact that those members are debating something that does not require debate. The motion is totally ultra vires. The motion is nothing that the House can actually seize upon and do anything about.

What this debate is about is the Bloc Québécois attempting to shut down the debate on Bill C-2 on tackling violent crime. Those members went through the motions of voting in favour of it. Why are they trying to stop the tackling violent crime debate?

• (1045)

**Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.):** Mr. Speaker, it is a pleasure to speak to this motion. It goes to the heart of something that affects all of us in our country.

A strong democracy is the ability of the people of a country to freely elect individuals who can represent the interests of the public, and for those individuals to come to a democratic house such as this one and fight for those issues that are important to the people who elected them. That is our responsibility, but suppose something happened to sever that. Our ability to drive an idea forward into action is predicated in part on a free and open media, where diverse ideas are allowed to be put out in the public, to be lauded or excoriated, depending on the quality of the idea and its synchronicity with the desires and wishes of a free public.

What happens when that triangle is affected negatively? What happens if we do not have a media that is open, free and with diverse ideas? What happens if elected members are unable to do their job in driving ideas forward into action?

Sadly, that is what has happened in our country. Part of the blame I believe goes to the CRTC in its inability to prevent the media centralization and concentration that has occurred over the last several years. There are four large groups that control all the mainstream media in Canada. We can pick up newspapers from any areas in the country and we will find the exact same story. There may be a series of media outlets but the stories are identical. A story written by one reporter who works for a corporation which owns a series of the mainstream media will be put in all the media outlets and therefore, the public will only be exposed to that one idea.

That is not healthy for the country. It is not healthy for journalism. In fact, the Canadian Association of Journalists has said very clearly that journalistic independence has been affected and that consolidation in the media has created a culture that demands that journalists file the same story over the airwaves. One story will go to large areas of the public, and the public does not have access to other ideas.

There has also been a shift in the quality. Rather than dealing with hard issues that affect Canadians' day to day lives, we are living in an era of infotainment, which is what the public is fed. This presupposes that the public is dumb and bovine, which is actually ridiculous. The public thirsts for ideas. They want people to fight for what they want in various areas. Not being able to do that erodes the morale of the public and makes people understandably jaded. If members of the public do not feel they are able to effect change, then they will pull back and will not engage the pillars of our democracy.

The government must get a handle on this. It cannot allow the concentration of the media to continue. It must put into place avenues that allow a broad diversity of views. It cannot allow this narrowness that takes place.

With respect to the infotainment that is pushed forward, we hear about Britney Spears, Lindsay Lohan, or a rapper's mother who sadly has died. However, I do not believe that those issues which are trotted out in the press at length are more important to Canadians than a senior who cannot get medical care, the mid-level, middle aged couple who cannot find a place for their elderly parents in a seniors home, the addict on the street who cannot find care, the psychiatric patient who cannot find mental health care, and individuals who live in poverty, the low income people who are struggling to put food on the table to feed their children and themselves.

Putting food on the table, getting education for their children, having money in their pockets, having a brighter future, access to health care, and good infrastructure are concerns that Canadians have. Those things are more important to them than reading about Britney Spears' latest adventure.

• (1050)

The inability to put ideas in front of the public and engage the public to move those ideas forward is a significant detriment to the future of our country. It makes us all less than what we could be.



*Routine Proceedings*

It is heartbreaking. As elected officials we see people across party lines who have a plethora of great ideas to help Canadians. Nobody has a hammerlock on good or bad ideas. We all have ideas. The tragedy of the House and the structure in our country is that we as elected officials do not have the ability to drive those ideas forward as the public expects.

In my province of British Columbia the three leading dailies are owned by one group. The *Globe and Mail* editorial board, for example, made a decision five years ago not to publish editorial pieces by members of Parliament, except under extraordinary circumstances. A newspaper cannot criticize MPs for not having ideas on one hand, but on the other hand not publish their ideas when they are given.

A case in point: A very thoughtful journalist wrote a piece asking why we are not seeing more ideas about the mission in Afghanistan. I wrote a piece that same day which by two o'clock was in the hands of the *Globe and Mail*. It did not publish the piece because it does not publish opinion editorials by members of Parliament.

I called and reminded the *Globe and Mail* that that was the eleventh op ed piece the paper had received in the last year on solutions for the mission in Afghanistan. I asked how in good conscience the paper on one hand could criticize us as members of Parliament for not having ideas, but on the other hand not allow us to have those ideas published in the paper when we are working hard to offer the best solutions.

In the end, maybe they are not the best solutions, but if we have a proper system, it will inspire people to come up with better ideas, to justifiably criticize those ideas and say, "I have a better idea to put into the mix". Ultimately we would be able to bind the best ideas we have in our country, feed them through the system and implement them for the betterment of our public. That is our job. That is how the system should work, but the system is not working in that way. It should. A government should work with all parties to enable that to happen, not for the interest of any specific government at hand, but for the larger objective to enable us to fight for the issues, ideas and solutions that our public needs.

Every one of us knows people in our ridings who struggle day to day to put food on the table, to build a future, to have some hope, to get medical care, to live. All of us know people like that. People ask us why they are not seeing ideas and action in these areas and why we are not able to put forward solutions and get them implemented when it makes sense to them. We need a system that allows that. We can work together in that area to make it happen for the good of the House, for the good of our democracy and for the good of our nation, most importantly.

All of us have heard some wonderful ideas from very smart people in the public. They come to our committees and offer those solutions. People in the public service have great ideas and yet those ideas sit in a sinkhole not to go anywhere. That is not in the public interest. That does not serve the public well.

The government can work to enable the CRTC to allow a broad diversity of ideas. It would not only be healthy for our democracy but it would be healthy for journalists. All of us know the heart-wrenching environment that journalists work in today. Journalists

themselves would say they would love to put fascinating ideas forward but their editors would not tolerate it. There is a notion that the media has to put forth issues that either bleed or have some other horrific conflict laden issues surrounding them. Why?

In Al Gore's book *Assault on Reason* there is a great quote. He lamented that if the issue bleeds it leads, and if it thinks it stinks. That is not a very good assessment of our world. It is not the way it should be, it is not the way it ought to be and it is not the way it has to be.

● (1055)

We can build something better. We can build something stronger. We can have a House that enables Canadians to work through their elected officials to implement those solutions that affect the day to day lives of the people we serve. That is our job and our duty. We can only do it if we have an environment in this House where ideas are taken seriously, where those ideas can be moved into action rather than sitting forever in a swamp and going nowhere. We also need a media which, at times, is prepared to print the ideas that are out there for what they are and let the public judge whether those ideas are good, bad or mediocre.

We will live and stand by what we put forward. We will live and stand by what we do. That is a healthy democracy. People will or will not elect us based on the quality of our actions and the quality of ideas that we implement to serve the interests of our communities and the interests of our great nation. That is what our duty is. That is the system we ought to have.

I would implore that the government work to enable the CRTC to have that diversity of views. If we do not arrest this constriction of the media now, we will not be able to have the nation we could have. Our Canada would be less than what it could be. I would implore the government to do that. If ever there were a legacy that would serve the country for decades to come, it would be that.

In the interests of the public, in the interests of the House of Commons, in the interests of journalists who enter that profession to serve and to put ideas forward so that those ideas could have an effect and a public that would benefit from that, the government needs to implement those solutions. A failure to do that would make our country less than what it could be.

Last, with regard to the comments made by the Bloc, as the Canadians that they are and we are, I would hope that they would look into their souls and see that the culture and language of Quebec as the cultures and languages that we have in all our provinces are better as a sum than what we are as individuals. Together we are a stronger nation. All our cultures and languages are stronger and protected and enrich us all if we are able to live and work together in an environment of tolerance and understanding. To look at this as a them versus us environment would weaken all of us. It would weaken Quebec. It would weaken British Columbia. It would weaken every province. The importance of a federal government is to enable cultures and languages to thrive.

*Routine Proceedings*

The member from the Bloc Québécois said that Quebec is not a bilingual province, and I assume she meant that it is a francophone province. Does she not forget the Cree who live in the northern regions of Quebec? Does she not account for the anglophones who live in Quebec? Or the immigrants who come to Quebec for many reasons? What about them?

Every province has a milieu of different cultures and languages. It is obvious to say that French is the dominant language in Quebec, but why would she take an exclusionary attitude toward the people of her province by saying that Quebec is only one narrow thing and it is only defined in one narrow way.

Is it not stronger for us all to be defined in a broader way, with a greater diversity and a greater milieu of cultures and languages? Of course it is.

If Quebec were to separate and become an independent country, as the member suggests, and engage with the United States, as previous leaders of the Bloc Québécois and the Parti Québécois have said, do they really think that the culture of their language would be strengthened?

Ottawa and the Canadian people put more money into the province of Quebec than into any other province for the protection of language and culture. Nothing compares to that whatsoever.

If Quebec were independent, it would engage with the United States. Does the member from the Bloc, or the Bloc Québécois or the Parti Québécois leaders, or the people of Quebec truly think that the people of the United States would care whether or not they are going to speak in French? They are not going to speak in French. They will speak in English.

● (1100)

The discourse that would take place between Quebec and the United States would not be francophone based, not based on the Quebec French culture, it would be based on using the English language and a culture that would be primarily that which we see south of the border.

The reality of it is that the culture and language of Quebec would actually be weakened through independence than if it were to stay in the milieu of Canada that strengthens all of us.

I want to say to the government in closing that there is the issue of a lack of media diversity and the lack of the ability of MPs to do their jobs that all of us desire with full hearts. We must be able to do our jobs. By not being able to do our jobs, we weaken our democracy, weaken our country, and we do not serve the Canadian public well at all.

[*Translation*]

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, I know the hon. member for Esquimalt—Juan de Fuca and I am very surprised by his speech. According to him, it would seem that Canada has no personality. Culture is a reflection of a people's personality. His speech suggests that we can be unduly influenced by the personality of anyone and everyone who comes to join us.

Furthermore, I would point out that it is Canada's responsibility to invite and give information to immigrants regarding its structures and accommodation intentions. Canada's communications to other

countries indicate that Canada does not really have a culture per se, since everyone can bring along their culture. Although done with the best of intentions, this creates some very serious problems. Indeed, once they arrive in Canada—and this is particularly true in Quebec—people realize that this has created significant delusions. It is not true that everyone can bring every element of their culture. Cultural elements must blend with the existing elements. We have our laws, our rules and other traditions.

The hon. member for Esquimalt—Juan de Fuca is urging us, as members of the Bloc Québécois, to have a look at our conscience. I would say we need to look more at past experience, since it shows that our reality is not as he describes it.

Will he admit that we need to inform immigrants that we do indeed have our own culture here and that, when they come with their own culture, we are happy to welcome them, but that their culture must also blend with ours?

[*English*]

**Hon. Keith Martin:** Mr. Speaker, I will deal with two issues raised by my hon. colleague. The first is the issue of equity. Does my hon. friend not acknowledge, and he has to acknowledge, the fact that Ottawa, the federal government, has poured money into Quebec for decades supporting Quebec culture and language.

More money has gone into the province of Quebec than the rest of the provinces summated. The whole western collection of provinces in our country receive year in and year out less money for culture and language than Quebec does. If anybody is dealing with an inequitous situation, I would suggest it is the rest of the country, not Quebec. Those are the facts.

On the issue of culture, does he not think that the people immigrating to Quebec and the linguistic and cultural milieu they bring to Quebec is something that would enrich all of us? Why on earth would we put barriers up and define ourselves in such a narrow way and expect the milieu of people who will come to the province will somehow be deleterious to that culture and language, deleterious to the lives that people live? Would the diversity not actually strengthen everybody?

I would ask the member to open the doors, open his language and culture, allow people to come in, and at the end of the day Quebec and Quebecers will be enriched by staying in Canada, not out of Canada.

● (1105)

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, I do share many of the views expressed by the member for Esquimalt—Juan de Fuca about multiculturalism that exists in Quebec, but the real fact of the matter today is that we were supposed to be discussing Bill C-2, the tackling violent crime bill, and putting it to bed finally on third reading.

*Routine Proceedings*

I was shocked to see that the Liberals, who say they are going to be tough on crime, wasted a full 20 minutes in their speech today when they could have just got up saying what their position is on the motion and then sat down so we could get back to business, and get back to discussing the tackling violent crime bill. He is cooperating with the Bloc in delaying this instead of being very serious about moving forward and dealing with all the issues that we have in this great bill that finally gives some rights to victims.

He stood here for 20 minutes and talked about a situation that will not change a single piece of legislation.

**Hon. Keith Martin:** Mr. Speaker, I would suggest that the issue that I am talking about, the centralization of media in the hands of a few, the inability of the public to be allowed to experience a diverse series of ideas, is much more fundamental than any bill.

In fact, whether we are talking about justice issues, environmental issues, or health care issues, the ability for us to open up the doors to allow diversity in the media to enable all of us to do our job would strengthen the issues that my hon. colleague is talking about and all the other issues that we want to and ought to be dealing with in the House.

The centralization of media in the hands of a few is a much more powerful and important issue because it affects the pillars of our democracy. This lack of diversity undermines our democracy because it undermines the ability of elected officials to do their jobs.

So, if the member is talking about judicial issues, which are critically important to Canadians, or the environment, economics, infrastructure, health care, education, foreign policy, or our military, the ability for us to put forward the best solutions to these important issues gets to the heart of our ability to engage the public through a free and open media. I ask the hon. member to put pressure on his minister to enable us to do that.

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, does my colleague not find it amazing, if not offensive, to hear members on the government side calling into question the veracity of the vote that took place last night?

The Parliamentary Secretary for Canadian Heritage was talking about violent crime and how the legislation was not moving ahead. In this place last night, everybody but one person voted in favour of the bill. I just find it obstructionist because we are sitting here today talking about the serious issue of the failure of the CRTC to control monopolies in this country and its failure to prevent the Americanization of our culture through our news media and other aspects.

Is it not ironic?

**Hon. Keith Martin:** Mr. Speaker, I know that the government is under orders to do certain things and so be it. I would hope that it would look beyond the narrow, gotcha type of environment that we have here. I would hope that all of us could look beyond criticizing one another on issues that people in the public really do not care about.

We need to put ourselves in the shoes of the most vulnerable people in our communities. We have to ask ourselves what they care about. What do they want? Let us ask ourselves how we can bring ideas forward to address their concerns. We have to ask ourselves how we can make this House work for the betterment of the public,

for the folks who struggle day to day, sometimes living lives of quiet desperation.

We can do it. Let us get on with it. Let us make this place work better.

• (1110)

**Hon. Joe Comuzzi (Thunder Bay—Superior North, CPC):** Mr. Speaker, there is one area of my colleague's comments that I must question him about, and for clarification purposes only. He expressed the thought that the national press had adopted editorial policies that prevent members of Parliament from disagreeing or making their thoughts known. I wonder if my colleague would expand on that. Does it only involve one of the national media or are there others with the same policy?

**Hon. Keith Martin:** Mr. Speaker, the *Globe and Mail* has informed me of that personally. All of us know that one editorial piece can be strewn around dozens of papers across the country. We also know there is cross control over different forms of the mainstream media between radio and television in particular.

The fact that there is such control does not serve the public well. One article by one journalist will be spread across the country which means fewer journalists are working, fewer ideas are out there, and fewer of our ideas are out there. That does not serve the public well at all.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I am very pleased this morning to rise and speak to this motion because it is very indicative in some ways of where we are standing right now as a Parliament.

We had a scenario just a few minutes ago where the Parliamentary Secretary for Canadian Heritage came in the House, stood up and accused everybody of being soft on crime because of the fact that we were actually talking about the role of telecom and broadcast deregulations. He added that by not sticking to an extremely narrow focus of what a national government is, we are somehow allowing the punks to run wild in the streets, grabbing old ladies' handbags, that we are supporting kids tossing litter out on the sidewalks, and that we are not getting serious about mandatory minimums for furniture theft and bicycle theft.

This is the line that the government has pushed consistently since it was elected. It is fascinating that it happens just in the shadow of the debacle that we had in Africa this week, where the government shamed Canada on the international stage and said to the world that Canada was no longer there as a leader.

We had a national government there basically acting as a front for big oil, saying to the rest of the world, "You can suffer with climate change but the Athabasca tar sands are going to be allowed to be developed by a bunch of ecological freebooters".

When our representatives return to Canada, we are supposed to maintain their narrow definition of government, a government that is not there for the national interests of Canadians, that is not there for the international interests. And if we dare speak out on the issues that are important to people in this country, the day to day business of Parliament, we are somehow soft on crime. That is a farcical position.

*Routine Proceedings*

The only problem with it is that there is nothing funny about what the government has been doing. It is becoming more and more incumbent upon the opposition to stand up and oppose it at every opportunity until we can flush this government from this House and begin with a vision that will actually deal with the substantive issues that are facing Canadians today.

It is for this reason that I am pleased to speak to this motion because the issue of the role of the CRTC and its undermining by the government needs to be debated in this House.

We know, for example, that soon after forming government, the Conservatives sent the instructions to their delegation in the GATS talks in Geneva to begin an international plurilateral request at the GATS to strip telecom of any kind of regulations on telecom internationally. Telecom of course is the poster child for deregulation, but let us for a minute just talk about what telecom has done in this country.

In a nation that is so far flung, where we have large pockets of isolated urban areas and then massive rural areas, a national plan for telecom has always been considered primary in our national interests.

Has our telecom industry failed? No, we have some of the highest penetrations of rural regions in the world, much better than our neighbours in the United States, where everything is based on a profit line. We have some of the highest use of broadband in the world, so with a national framework policy on telecom, we have been able to serve our country. Have we served it as well as we should? No, but it really speaks to the need to have a national plan.

Canada is the lead nation pushing for the stripping of all foreign ownership on telecom, but at the same time, Canada is on the receiving end of a GATS request and audio-visual services that would strip all the abilities of a national government to maintain domestic content quotas, to maintain cultural quotas, and to maintain even language standards.

This is a major issue that needs to be talked about and the government has done everything it can not to talk about it.

Right now at the GATS, negotiations are underway that could strip our nation's ability to maintain domestic language, domestic cultural content, and in exchange it will allow again this group of freebooters its long term vision, which is to completely strip telecom.

When we ask the Conservatives a question on where this stands right now in the House, they jump up and scream that we are being soft on criminals and letting the punks run wild in the streets. That answer does not wash. The Canadian people need to know what is happening because the negotiations that are underway and that have been ongoing with the GATS process run counter to Canadian law. They run counter to the Telecommunications Act. They run counter to the rules of the CRTC.

•(1115)

We would end up with a scenario where, for deals that were made at the GATS, Canada would have to come back and say that this is now international trade law, we had no choice, we had to sign off and we will now have to amend our domestic law. We would have to

change what is happening at the CRTC. That could happen without a proper debate in Parliament.

Therefore, certainly we have consistently pushed for these issues to be debated in Parliament before our trade negotiators are given any kind of mandate to sell out fundamental issues of national interest. One of the arguments we have heard from the government is that we should not worry, that we can put a firewall around our domestic content. We will allow the telecoms to be sold off willy-nilly to any large U.S. buyer, but we will somehow manage to protect ourselves and we will put in a firewall to protect our domestic content, says the government.

That is an absurd position and anybody who is in the industry knows it, because we have also at the same time been pushing for many years for convergence so that the people delivering our telephone service and cable service are now also the same people who are delivering our news.

The vertical integration in telecom and broadcast is so complete that it would be absurd to say that in any proposed takeover we would have a situation in which the buyers would agree to sever off the key aspects of some of their business portfolios, which are the news and the cultural elements. It is impossible to suggest that we could maintain Canadian content, a Canadian vision or a Canadian news service if we were bought up by a much larger U.S. partner. Even on the issue of telecom the question has to be asked: is there not a need to increase foreign capital? There has not been a single instance of any of our major telecoms even coming close to needing this.

We have a number of issues before us right now that need to be looked at in terms of the role of the CRTC. We have set up a situation that is good for industry. We have created a situation whereby industry has managed to survive and hold its own because we have had a proactive policy, a vision that comes out of the federal government and which we have maintained for a number of years.

For example, the broadcasters are in competition continuously, especially since most of our major urban centres are along the border. They are going head to head, night after night, with the major U.S. players, yet we have section 19.1 of the Income Tax Act, which allows our broadcasters protection in order for them to maintain a very profitable bottom line. Section 19.1 of the act gives our broadcasters about \$300 million a year, moneys that they might otherwise lose to U.S. competition. For the specialty channels, it is upwards of \$900 million a year.

The problem is that we have set up a system to encourage a domestic broadcast network, but we also rely on the CRTC to maintain a bit of a vision so that there is a quid pro quo. Right now, of course, we have a situation in which, after the 1999 changes to the CRTC Act, we have seen domestic Canadian content virtually disappear from the prime time airwaves.

More and more, what we are seeing now is simply simultaneous substitution, whereby U.S. programs are shown in Canada and our domestic broadcasters make money by showing Canadian chunky soup advertisements as opposed to American chunky soup advertisements.

*Routine Proceedings*

Canadians have asked again and again why it is that if the broadcasters are being given a protected market, there is no protected market or even a market to guarantee even a small slice for our Canadian content, because television is extremely expensive to make. In Canada we have a market that is split two-thirds English and one-third French. It is split across the country. There has to be a national will in order to maintain a domestic voice.

If people are asked why they read newspapers, why they listen to radio, or even why they watch local TV, I think it is very clear that it is because they want their voices heard. What we are seeing now is this push for the mega-mergers, whereby one or two newspaper chains will buy up an entire district or one or two radio chains will have the entire district. They say they need that because more people are tuning out, but people are tuning out when they do not hear their own voices.

They are tuning out when they have regional newspapers, which have always been a cash cow for the large giants, that again and again cut their staff and staff requirements. There are fewer and fewer local voices and more and more canned editorials, so people stop reading, of course, because they know what is going to be in the paper. They are not seeing their kids' photos in the newspapers. They are not seeing the events at the local Legion or Lions Club, because there is simply not enough staff.

• (1120)

We have to lay down some ground rules. We need competition in the marketplace. This has been an issue in regard to culture for the New Democratic Party forever: we believe we have to give access to smaller voices in the market so they can maintain themselves.

Over the last number of years, we have seen a number of challenges to the way the CRTC examines takeovers. Many takeovers have allowed one or two groups to consolidate further and further in regional markets without much fanfare. We have had a couple of big ones with the recent CTVglobemedia attempted takeover and, right now, the Goldman Sachs and CanWest Global takeover of Alliance Atlantis, which is very problematic.

We need to remind the CRTC that it has the obligation to maintain a national vision, because we are in a situation whereby a U.S. investment banker basically is being asked to come in as a partner to buy up not just a major partner in a Canadian network but also the entire library of the Alliance Atlantis chain, which has become the depository of the Canadian film library for the last 30 years.

The library was created through public input. The money was put forward through various federal initiatives to support a domestic film industry, yet we are seeing a situation whereby Alliance Atlantis could be in a position to pick this up.

I asked the former Minister of Heritage during a late debate where she stood on this and what steps the government would take proactively, because this falls beyond the mandate of the CRTC. She said to me that the Competition Bureau would look after it, but it was not the role of the Competition Bureau to look after the future of the biggest catalogue of Canadian film and in fact the entire history of Canadian film. That was not within the purview of the Competition Bureau and it also was not within the purview of the CRTC, but the

government was going to sit back and allow its so-called market forces to rule.

However, we do not have market forces in broadcasting and telecom. We have protected markets. We have allowed certain voices and certain players to consolidate and get bigger and bigger. If they are going to get bigger, then there has to be the obligation that they have to give back, that there has to be space within that market. Otherwise, we simply cannot function as a modern democracy.

The role of the media in a democracy is crucial. We only have to look at the United States to see how a war that was perpetrated on a lie was allowed to go through with the meek consent of the elected representatives of the United States because the media went in lockstep with the lie and never challenged it. Any voices that spoke out against the lie were basically sidelined or silenced.

We cannot allow that same situation to happen here. We need to maintain, first of all, a strong public broadcaster whose role is to define the terms of how we actually engage in public discourse. We need to support our domestic broadcasters so that they can compete but we also must say to them that we will work with them, that we will ensure they will not be simply rolled over by their larger U.S. counterparts, but that they have an obligation to put back into the system so the voices of the various regions of the country can be heard.

These are important issues. These are issues that need to be discussed in Parliament. The Conservatives can jump up on their desks and beat their chests all they want, but the fact is that the reality of our obligation as members of Parliament is to speak about these issues. The government has been notably silent about it and, more and more, we find that the decisions it is allowing to happen are happening behind the scenes.

There was the situation last year with the heritage minister holding a broadcast fundraiser put on by the broadcast industry two weeks before a major broadcast review. Average Canadians do not have that kind of access to policy changes. Parliamentarians were not given that access to potential changes in policy.

• (1125)

This is a government that is working very closely with a few key lobbyists and has a vision for stripping some of the basic infrastructure of arts and culture in this country. When one talks about arts, this is where it needs to be focused toward the end. For years we have undervalued the arts in Canada. We have not seen arts and culture as the important entertainment industry it is, but what we can do and have an obligation to do is maintain the infrastructure so that the arts can actually be heard and flourish.

As I said earlier, in order to do that we need a strong public broadcaster whose mandate is to encourage and ensure that voices from the regions are heard. We also need to have the CRTC play the role of balancing competing interests among the bottom line, competition from the United States, and also the obligation to ensure there is a diversity of voices.

*Routine Proceedings*

If we do not set some ground rules in Parliament and participate in these discussions, we will see them continually winnowed away, as in the 1999 CRTC decision, for example, which had profound effects on Canada's domestic television industry. In fact, the whole cultural industry, which was flourishing at that time, has never quite recovered.

We also have to deal with the fact that the government, not through Parliament but through its trade negotiations, is undermining the necessary infrastructure that is in place right now to ensure we have a diversity of voices and also undermining basic obligations to ensure language and cultural content. These are issues that Canadians have supported consistently and look to their government to support. They need a clear message from Parliament to say that at the end of the day the infrastructure for culture and the diversity of voices must be maintained.

At this time, given the numerous challenges to the CRTC, it is incumbent upon the members of Parliament in the House to speak to this motion. I am very pleased that this motion is coming before us today. In fact, I would look forward to a motion tomorrow and the next day if we need it, so that we could actually begin to debate some of the substantive business of this country rather than this wrong-headed, silly and pathetic Conservative Party attempt to focus the entire nation's business on the punks running up and down the streets. The government is not dealing with many of the other issues that we need to deal with in this House.

**Hon. Jim Abbott (Parliamentary Secretary for Canadian Heritage, CPC):** Mr. Speaker, the NDP member just made my point, the point being that he sees any action on tackling violent crime as silly, wasteful and frivolous. When he spoke earlier, he minimized the whole issue of crime and violence against individuals, and even went so far as to say too bad, so sad. That is his quote. I find that really deeply regrettable. I do not understand that at all.

He knows full well, or at least should know, that under the Broadcasting Act the governor in council—in other words, the cabinet and the minister—is not able to issue a directive amending the interpretation of the policy in the first place. This motion is totally useless. This motion is totally vacuous.

This motion has nothing to do with anything except stopping the debate on tackling violent crime. Because if a directive can never be laid by the cabinet before the House for the heritage committee's consideration, I respectfully submit that we are just on a wild goose chase in debating this motion. This is an abject failure, with the opposition deciding it is going to try to obfuscate and delay debate on tackling violent crime. If those members cannot do it one way, they will do it another.

I have a particular difficulty with this, in that it seems to me I recall that the member stood and voted last night in favour of the tackling violent crime act, yet he stands up today and tries to delay for absolutely no reason. This motion has no value. It is vacuous and useless. Other than the member, the Bloc and the Liberals, why are we wasting our time trying to stop debate on tackling violent crime?

•(1130)

**Mr. Charlie Angus:** Mr. Speaker, for at least 10% of that discussion, I was pleased the parliamentary secretary discussed the issue before us. As for the rest of it, he can kick sand at me all he

wants in this little sandbox of Parliament. The fact is the behaviour of the Conservative Party has been somewhat frivolous and silly on this issue.

If he is so serious about the government's agenda, then why did it delay Parliament for three weeks this fall? Members of the NDP were all set to get back to work, yet the government did not want to sit. Now that it is huffing and puffing, we are all supposed to meekly go along with it. That is not my role. The Conservatives can flood ten percenters in my riding until the cows come home, but the people of Timmins—James Bay sent me to stand up when issues need to be debated, and that is what I am doing.

I noticed, for example, the member said nothing about the role of the government at the GATS or what it is doing with its behind the scenes, lobbying. It does not want the Canadian people to discuss it. It does not want this in Parliament.

The Conservatives want us to run after the kids who steal handbags. They know what is happening now. They are making substantive changes in how the entire regulatory framework of the country is going to be set up. Therefore, at the end of the day, it will be too late to have cultural discussions because they will have turned it over to their few friends, the few lobbyists in industry, and that will be the end of the story.

This is a substantive issue. I will continue to speak up on substantive issues and he can call me whatever he wants. It does not really make any difference to me. At the end of the day the people of Timmins—James Bay sent me here to fight for the issues that count.

[*Translation*]

**Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, I listened to the speech my colleague from Timmins—James Bay just gave, and I agree completely with him that we must protect Canadian culture, but I feel even more strongly about protecting Quebec culture and francophone culture, especially in Quebec and the rest of Canada.

I would like to comment on something my colleague from Timmins—James Bay said and ask him whether I am right. In particular, I would like to respond to the parliamentary secretary, who, by the way, never addresses the Chair, but speaks directly to the members. I just wanted to point that out.

On October 29, 18 artist and cultural business groups called on the Minister of Canadian Heritage, Status of Women and Official Languages to use her power to refocus the CRTC on its primary mission. When the parliamentary secretary says that the heritage minister does not have the right to intervene, this is not entirely true, because if the organization in question is not complying with the legislation that created it or the policy directions issued to it by Parliament, it is Parliament's duty to act and bring the organization into line.

There is another reason this debate is essential today. I have here 10 recent CRTC decisions. The stated objective of the Canadian Radio-television and Telecommunications Commission is to reduce regulation to the essential minimum and rely on market forces wherever possible. I repeat: to reduce regulation to the essential minimum and rely on market forces wherever possible.

*Routine Proceedings*

This means that, from now on, the CRTC does not want any more regulation. As my colleague said, the CRTC wants to allow almost anything from anywhere on our airwaves, and not necessarily content produced in Quebec, Toronto or the rest of Canada. As a result, just about anything produced just about anywhere will increasingly be allowed on our airwaves. This will kill both Quebec culture and Canadian culture.

Am I right in saying that?

• (1135)

[*English*]

**Mr. Charlie Angus:** Mr. Speaker, the facts are clear. The present minister and the previous minister were caretakers for the government. They have done nothing to deal with the substantive issues before them, unlike the former minister of industry who was very bullish on intervening and laying down the rules for the CRTC, allowing full scale deregulation. Unfortunately, the government seems to believe that “culture” is spelled with a “k”. We see it here today.

Our job as an opposition is to speak up, point that out and remind Canadians that the only vision the government has for cultural policy in our country is to strip it and allow its friends in industry to get away with putting in the smallest amount and taking out the largest amount in profit.

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, the member for Timmins—James Bay has been attacked for wanting to speak about the CRTC and this issue. I find it very rich, coming from the parliamentary secretary and his government, a government that refused to bring the House of Commons back when it should have come back. I wrote to the Minister of Industry, pleading that the House resume because of the loss of manufacturing jobs in my sector.

First, the Conservatives have their own internal issues that they should probably clean up. They know the Prime Minister's special adviser in the Middle East, the member for Mississauga—Streetsville, is under investigation right now for electoral issues and improprieties. This is very important because their party has not addressed how they will that clean up. They took the member on and made him a special adviser and, at the same, time they allowed this to fester.

Second, a former Conservative prime minister, who was brought in to set up the government, has admitted to taking cold hard cash in envelopes from a German arms dealer to support his lifestyle.

These kinds of things are outrageous.

The CRTC issue is very important. Would the member for Timmins—James Bay talk about the way it can help and foster those in an industry, the arts and culture industry, that can be prosperous for Canada? Coming from a border community, we understand the necessary infrastructure to ensure that Canadian artists have a voice and use that voice in North America and abroad.

**Mr. Charlie Angus:** Mr. Speaker, yes, Canadians should ask themselves why the government did not want debate in the House for a good month this fall. Nobody else gets to take an extra month off. The government seemed to be out there trying to help the Conservative Party in Ontario. Perhaps if it had stayed out two

months earlier, it might have got him a little further than he got. However, it does raise the question of why we are here.

We are here to raise issues that are of substance to this nation. Every time we stand to speak in the House, we see this clown act from the Conservatives, where they run around screaming that we are not focused on being tough on crime.

This is the government that embarrassed us nationally at the Commonwealth talks. This is the government that comes from a party that says that Kyoto is some kind of socialist plot, that there is no such thing as global warming and that if we did anything about it, we would have to shut down all our planes, trains and automobiles and live like they did the Stone Age. The latest thing they are saying is that they are serious about it, but they are going to ensure it does not happen in their lifetime.

The failure of the government to deal with substantive issues has to be addressed. If one of those issues today is the attempt by the government, through surreptitious means and through trade deals, to strip our cultural infrastructure, then that is what we will debate. Tomorrow, I hope we have another substantive issue so we can continue to keep the government off its lowbrow agenda.

[*Translation*]

**Mr. Luc Malo (Verchères—Les Patriotes, BQ):** Mr. Speaker, I want to say just how sad it is for me today to rise and speak to this motion. When my colleague from Ahuntsic brought it before the Standing Committee on Canadian Heritage, the government members were fiercely opposed. That is what is so sad. Once again the government members, that is to say the Conservatives, want to control all that is said, muzzle the opposition parties, dictate what can be said and lead people to believe that there is only one way of thinking here in the House.

We had a good reason for deciding to introduce this motion before the House on this very day. In other areas as well, the government members want to preach only one way of thinking and push their own standpoints while trying to muzzle the opposition.

We learned recently that the Conservatives, with the Prime Minister and Minister of the Environment leading the way, have decided that no opposition members will go to Bali. Even though the opposition is in the majority in this House, they have decided to leave it behind, back here in Ottawa. We think that, both in the case of the motion being debated now and with respect to climate change, parliamentarians should be involved in developing all the policies put forward by the government.

When it comes to the environment, the Conservative government has simply proven itself incapable of proposing and implementing a plan for reducing greenhouse gases with absolute targets that would enable Canada to meet the objectives of the Kyoto protocol. However—need we remind the House—parliamentarians, especially the members of the Standing Committee on the Environment and Sustainable Development, have suggested several ways of doing that. The minority government has just brushed these suggestions aside.

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This is not the only issue where the government has decided to proceed unilaterally. I am thinking, for example, of the Standing Committee on Official Languages, where the government did not like what was being said very much and just decided to close it down. I am thinking as well of the elimination of the court challenges program. In the government's view, the laws it promulgates should not be questioned because they are sacrosanct. That is not how things should be in a democratic system, as the witnesses who came before the Standing Committee on Official Languages told us. It was the same with the Standing Committee on Justice and Human Rights.

Seeing my colleague from Laval reminds me of all of the changes made to the criteria for the women's program. The government is making it impossible for those who protect women's rights to do their jobs well. During a recent statement, my colleague from Laval had every reason to ask what good it does having 11 members from Quebec in government. My colleagues can find the clear answer in Hansard: it does no good at all.

A minority government cannot make all of its decisions unilaterally and force the opposition to keep quiet. That is why my colleague from Ahuntsic decided to table the following motion in the Standing Committee on Canadian Heritage:

That...any new directive to the CRTC from the Governor-in-Council amending the interpretation of the Broadcasting Policy for Canada or the Canadian Telecommunications Policy be first put before the House through the Standing Committee on Canadian Heritage for its consideration.

● (1140)

All we want is transparency. It is not complicated to submit new directives that would amend the interpretation of Canadian policy. It seems simple enough to me, but apparently it is not so simple for the member from Abbotsford.

I would like to read one of the objections to this motion that he raised at the Standing Committee on Canadian Heritage:

The problem is, virtually every decision or directive that the minister would make could be construed as affecting the interpretation of broadcast policy in Canada. So we haven't confined the scope of this in any way. In fact, this motion is so broad it would compel the minister to refer to this committee, or to the House, virtually every directive that he ever issues, whether it's to the CRTC, the CBC or whatever other crown corporation there may be.

Do members really think that, when public servants or the people in the minister's office draft a new policy directive or issue a new order, they do not realize—when drafting it—that it will substantially change the established order of things? Do they seriously think that, when the Minister of Industry announced on December 11, 2006, that telephone companies could set their own rates in areas where at least three phone companies were competing, he was not aware that he would be changing the role of the CRTC? It makes no sense. When a new guideline is issued, the author knows whether it will substantially change the way regulations are to be interpreted.

I will give just a few examples. Do members think that my colleagues from Gaspésie—Îles-de-la-Madeleine, Haute-Gaspésie—La Mitis—Matane—Matapédia and Abitibi—Témiscamingue did not feel the effect of this order in their communities? People awoke on the morning after with a new set of rules that would totally change telephone communications in their region. The order contains no provision for the relative size of the various

telecommunications companies. It provides simply that, when three companies are competing, the new rules provide that market forces prevail. The people in these regions of Quebec affected by the new order were hard hit by it. There was no doubt in their mind that new guidelines had been implemented.

In any case, in a press release dated June 13, 2006, the minister set out the new line that would be followed. He said, “Tabling this document signals the government's intention to direct the CRTC to rely on market forces—” Because of this, because of the precedent created, Quebec's entire cultural community is quite justifiably upset.

If we want the players in the cultural community—those working on cultural content, those who broadcast it and those who promote it—to have the means to express our identity culturally, we must be sure that the framework established for their protection is respected.

● (1145)

Thus, on the very evening of the ADISQ gala, these organizations were quite clear in reminding the Minister of Canadian Heritage, Status of Women and Official Languages of her duties.

I would like to share what some people from the cultural communities had to say—because they are the ones we should be listening to—simply to remind hon. members of the importance of regulation in culture. In fact, we must ensure that culture remains a vehicle for our identity and that we have strong cultural enterprises and stakeholders here who can deliver this message and explain who we are as a nation.

Paul Dupont-Hébert, ADISQ president, said:

This reorientation of CRTC priorities goes against the Act, the CRTC's mission, and the fragile reality of our cultural industries. The Act clearly obligates the CRTC to give primary consideration to the broadcasting system's social and cultural contribution to Canada's cultural identity. It does not ask the CRTC to become an agent of deregulation.

To that I would like to add the promotion of Quebec's cultural identity. Since this House had the pleasure of adopting a motion recognizing the nation of Quebec, it is clear that all of Canada's democratic institutions have recognized Quebec's new status.

Vincent Leduc, chairman of the Board of APFTQ, said:

Culture is not a commodity like any other. There is no such thing as a fair market for cultural works in an economy like Quebec's or Canada's. Without strongly applied cultural policies, our artists and our independent production companies are bound to be steamrollered by the foreign competition.

That is another reason why there needs to be strong regulation in our companies, so as not to lose sight of who we are and where we come from.

Raymond Legault, president of UDA, said:



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In Canada, cultural policies form a whole that is altogether necessary to developing the talent of our artists. By removing one stone you threaten the entire structure. When the CRTC no longer strongly supports the policies under its responsibility, it sends a message that all of our cultural support framework can be called into question.

This is what we must do today: we must ensure that all of the mechanisms for supporting culture will not be jeopardized. That is why, today, we are calling on the government, which did not want to offer assurances in committee.

Everyone who earns a living from culture must make that culture a message, a treasure chest or collection of all the values and tools we can use to promote what we are, not only within our borders, but also outside them.

To conclude on this point, I would simply point out a factor that the coalition considers to be paradoxical.

• (1150)

As I said, I find it paradoxical and disappointing that Canada, which was in the forefront of the cultural diversity movement and was the first country to ratify the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, would be in this position today, when the very purpose of that convention is to provide legal protection for the right of states to make their own cultural policies. Today the CRTC—a central regulating body—is abandoning its duties with respect to the adoption and implementation of those policies.

This is indeed quite curious. Unless, perhaps, the government is telling us that the ratification of a convention like the one on diversity of cultural expressions means nothing, that it is just words, and Canada's signature is worth nothing. In fact, we have seen this with the Kyoto protocol. The government had put its signature on the document and the current government decided to disregard that signature. They are not going to stop at one withdrawal, and that is distressing.

In closing, I would like reply to a few of the comments by the member for Esquimalt—Juan de Fuca, who spoke in the House a little earlier and was asking how Quebec's independence would strengthen the cultural identity of the nation to which I belong. Well, it is fairly simple. In the international bodies, when you have the right to speak, when you have a seat and you can vote, then you have a direct influence on what happens.

At UNESCO, if Quebec could rise and vote on its own, that would simply mean that the voice of Quebecers would be heard in that international institution. That would allow Quebec to lay out its views, its objectives and its priorities clearly, in the case now before us, on the question of culture.

If Canada, which would probably be sitting beside Quebec, were of the same view, that would mean two voices instead of one, and it would make the common message stronger. On the other hand, if Canada were not of the same opinion as Quebec, then the two entities, the two countries, could express their views freely and separately, as is not the case at present. This majority francophone culture in the Americas would then have its own voice and the resources to define itself as such and to state clearly to the world that it intends to protect its culture.

Quebec has always been in the forefront when it comes to promoting the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Pierre Curzi used every forum and was an ardent promoter of that convention. It might be time for the federal government to think about giving back to Quebec all the powers—in fact, giving all those powers to Quebec, because it never gave them in the first place—with respect to telecommunications and broadcasting, precisely because, under the Constitution, culture is a matter within the jurisdiction of Quebec and the provinces.

It is time for Quebec to be able to establish a counterpart of the CRTC, a Quebec telecommunications and broadcasting commission. This is not a brand new idea. I am thinking of Louis-Alexandre Taschereau, who was calling for it in 1929.

With that, I thank all hon. members for participating in this very important debate.

• (1155)

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, first, I want to congratulate the hon. member for Verchères—Les Patriotes, for presenting the Bloc's position on the motion so well. That motion is unusual in that it allows us, in this debate, to show what differentiates the Bloc Québécois from those who believe in this federalist option.

To illustrate my point, I am going to go back to the remarks made by the Parliamentary Secretary for Canadian Heritage, who pitted the Conservative government's repressive justice policies against our concern for culture, as if these two issues could be pitted one against the other. Everything relates to culture. For example, given their culture, the Conservatives have a profile showing that they care little about prevention and are primarily interested in repression. They care little about education, but a lot about prisons.

The hon. member for Timmins—James Bay mentioned it earlier. There are aspects of that culture that we do not share, such as, for example, a speech on repression that does not reflect the Conservatives' ethical practices when it comes to the government. We saw that under the Mulroney government. The Conservatives were ousted from office in 1993 and were left with only one member in Quebec, because their ethics were despicable, including for Quebecers.

The same thing is happening now, following what occurred during the last election. The Conservatives are going after the Chief Electoral Officer, because of his decision to enforce the law in a way that affects them. This is absurd to say the least, and they have made a mistake once again. The issue raised by the hon. member for Verchères—Les Patriotes is what distinguishes us as regards cultural practices, among others.

As for English Canadians, they too have their own cultural profile. It is no worse or better than that of Quebec. However, the culture that distinguishes Quebec and that shapes its personality is different. So, I would like to hear my colleague again on this issue. Is it not, indeed, a cause for concern when the government, based on the comments that we heard this morning, downplays the cultural issue in relation to its own preoccupation with justice?

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• (1200)

**Mr. Luc Malo:** Mr. Speaker, to paraphrase what our colleagues opposite say during oral question period, I would like to thank my hon. colleague for his excellent question.

He is on the right track. I think that the government has a specific agenda, and a clear one at that. The question we have to ask ourselves about that program is whether it fits us like a glove or not. Are the priorities set out by the government the ones our constituents would like to see us address in this House? My hon. colleague is right in the sense that each nation, be it the Canadian nation, the Quebec nation or any other nation in the world, has its own culture. That is what makes the world a beautiful place. Having each our own specificities, foods, writers, actors, singers, rites and customs, that is what makes the world a beautiful place, and what we wish to preserve.

In a world governed by market forces, where trade borders are wide open, we would not want everyone to be identical. It would be so sad to find ourselves among people from different nations, but all speaking the same language and discussing customs that are all the same. What a waste that would be for humanity.

History is full of examples supporting the idea that, whenever empires take control, entire cultural sectors disappear. We must not forget that and we must make sure that, in this day and age when world trade is opening wider, we maintain this essential ability to preserve our unique cultural identities.

We need to remind the government of that. My hon. colleague from Chambly—Borduas is right: the government would have us believe today that it is not important to address that issue in the House. The fact of the matter is that it is urgent to have a debate on this and ask ourselves how our institutions, these democratic institutions we have established, built and strengthened over the years, can ensure that the incredible advantage of having unique cultural identities is preserved.

• (1205)

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, I am pleased to rise in this House to take part in debate on this motion by the Bloc Québécois.

We are introducing this motion for adoption because we want to denounce the attitude of the government, which is refusing to invite representatives of the opposition parties to attend the United Nations conference on climate change that will take place in December in Bali.

It is our view that in a democracy all members of Parliament must be involved in developing government policy. It is really a denial of democracy. We have to insist that, in this House, all members, regardless of party, their riding or their office, have equal value. Each member has been elected by the public to represent them and to identify their needs. When they flout the right of members to speak about government policy on major issues, they are flouting democracy. For us, that is unacceptable.

In terms of the environment, the government has shown that it is incapable of proposing and implementing a plan that includes absolute targets for reduction of greenhouse gas emissions. We know that if there are no targets and no obligation to meet targets, it is

impossible for us to have carbon trading. Yet, carbon trading would have made a significant economic contribution, especially for Montreal, which is ready to play host to a carbon trading exchange.

Against the advice of the Standing Committee on the Environment and Sustainable Development, the government has rejected the Kyoto protocol. In our view, once again, that is a denial of democracy.

In the issue that concerns us today, the matter of broadcasting and telecommunications policy, it is our view once again that parliamentarians have an important contribution to make. In this motion, we state that “any new directive to the CRTC from the Governor-in-Council amending the interpretation of the Broadcasting Policy for Canada or the Canadian Telecommunications Policy be first put before the House through the Standing Committee on Canadian Heritage for its consideration,” which is how it should be done; how the rules should be applied in a democracy.

The Bloc Québécois considers that the Conservative minority government is making use of the instructions, directives and decisions of the CRTC to weaken the regulatory framework in both telecommunications and broadcasting.

Besides, the strategies are lacking in transparency and in courage. We want to see any changes to the telecommunications and broadcasting policies made through legislation. Let them table a bill and it will be debated and amended by a parliamentary committee. By proceeding in this way, the government appears to be afraid of being defeated in its attempts to pass bills. In our view, that is a perversion of democracy.

Let us have a bit of background. We saw that on December 11, 2006, the former Minister of Industry made an order in council, which allowed telephone companies to establish their own rates in geographic areas where at least three telephone companies were in competition.

This significant measure reduces the influence of the CRTC which, for years, controlled the rates of former telephone monopolies such as Bell and Telus. Once again, this is a denial of democracy and truly runs counter to the advice of parliamentarians and even of many witnesses who appeared before the Standing Committee on Industry, Science and Technology and were very critical of the minister in this regard.

Here are a few examples of what witnesses had to say.

On February 7, 2007, Yves Mayrand, a Vice-President at COGECO Inc., a very large company, stated:

First, let me voice our deep concern that political decision-making now appears to be the norm in Canadian telecommunications, taking precedence over quasi-judicial decision-making by the independent administrative body formally entrusted by Parliament with the job of ruling on telecommunications regulatory issues, including forbearance.

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●(1210)

What I find most important in this quote is the mention of the independent administrative body. We would never think of negating the role of an ombudsman. In many areas, there is an on-going need for an independent administrative body. The reasons for the existence of these organizations are evident: to protect consumers and to ensure that the government has an interface where someone can look at the rules and make decisions. Thus, the independence of an administrative body, in this case the CRTC, is truly important.

Mr. Mayrand also said:

Third, the proposed order would immediately eliminate the incumbent telephone companies 90-day win-back restrictions throughout Canada, even where alternative local access services are still not available.

Why establish this order in council, which hinders rather than helps business, and why negate the role of the CRTC, this important advisory body?

Another witness, Chris Peirce, of MTS Allstream Inc., stated:

— the mere presence test is fundamentally incompatible with competition law. Nowhere else in the world, save in the now re-monopolizing U.S., would regulators consider deregulating an incumbent without looking at the actual state of competition in the market.

That raises a lot of questions and could potentially lead to legal action based on the Competition Act.

Why deregulate when so many have said it is a bad idea? That same witness was concerned about the legality of the proposed order, which would replace the CRTC's obligations under law with the mere presence test.

It is clear that regulation is necessary. I find it astonishing that a government that believes in law and order is deregulating this kind of thing knowing that we need regulations and order in our society to determine what role each element should play and what has to be done.

The government knows it has to regulate on three fronts: it has to set the terms and conditions, define activities undertaken, define accountability, and establish restrictions and administrative structures to ensure that ethics, rules and standards are correctly applied in a market as vast as the telecommunications sector.

Issues relating to this sector should always go through the Standing Committee on Canadian Heritage. Furthermore, the House and its members deserve to be heard and respected because they are the ones who are in constant contact with the people and who have the ability to intervene.

All of this is making us very worried about the potential impact of deregulation on Quebec culture. We know how hard it is for Quebec to protect its culture and its language in this environment. We think that it would be best for Quebec to administer this important sector itself. Deregulation will certainly not solve the problem.

Therefore, we are asking the government to pay attention and respect the rights of parliamentarians to intervene in the best interest of the people. We think that Quebec culture is important, and we believe the government should protect it.

●(1215)

**Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ):** Mr. Speaker, my hon. colleague raises an interesting point today in this House regarding culture. Most members will agree that all policies and directives issued by the government should be studied in committee. It is our role, as parliamentarians, to monitor the actions of the government. It seems to me that the least we can do, as members who wish to do their share, is to support this motion and ask the government to ensure that all policies that could have an impact on culture are studied in committee.

I would like to add something in a broader context. I would like to ask my hon. colleague something about culture. Even if the directives given to the CRTC on this important matter, which is vital to Quebecers, are studied in committee, the fact remains that representatives from Quebec will always be in the minority within this committee. They will remain a minority in this Parliament and the minority will only grow smaller and smaller. We see this with the bill introduced by the Conservative government to weaken Quebec representation. Furthermore, the Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities bragged about this in a 10 percenter sent out in his riding.

Thus, in the medium term, by losing some control over its cultural policy, is Quebec not doomed to regress and to be left without all the tools it should have at its disposal, as a nation, to create a coherent cultural policy? Does my hon. colleague, who is a member of the same party and whom I know very well, have a solution so that, in the medium term, Quebecers can take control of their development tools and use every means at their disposal to develop a cultural policy that reflects their culture and their interests and that will allow them to be masters of their own destiny in this area?

**Ms. Paule Brunelle:** Mr. Speaker, I would like to thank my colleague for his question.

We know that ultimately, the only way to properly preserve our culture is to have a sovereign Quebec. We, the members of the Bloc Québécois, know the problems we have in this House. We constantly step in to preserve the French language, to preserve our culture, and to try to show how we are different. Not a week goes by that we do not see a bill that interferes in our areas of jurisdiction. It is obvious that there is a lack of understanding on both sides.

So, in the medium term, until we become a sovereign nation, we must do everything here to ensure that, at the very least, Canada does not undermine the efforts Quebec has made to preserve its language and culture. Furthermore, the speed at which means of communication are developing also poses a danger to Canadian culture. It is more and more evident that this is becoming very dangerous, with all these television shows coming from the United States. In this respect, the rest of Canada is more fragile, and I think that if Canada does not want to become another American state, it should pay attention and take action to safeguard its culture, as Quebec is doing with its own.

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•(1220)

**Mr. Thierry St-Cyr:** Mr. Speaker, I am glad to have the chance to ask a second question. That is surely due to the Conservatives' indifference to our culture. I would like my colleague to tell us her position on the possibility of creating a Quebec telecommunications and broadcasting commission.

As far back as 1929, the Premier of Quebec, Louis-Alexandre Taschereau, adopted a broadcasting act in that province. It was only in 1932 that the federal government responded by creating its own agency to supersede the Quebec law. Looking back again into the past, on February 25, 1968, Quebec premier Daniel Johnson said:

The assignment of broadcasting frequencies cannot and must not be the prerogative of the federal government. Quebec can no longer tolerate being excluded from a field where its vital interest is so obvious.

In 1990 or 1992, when the current Minister of Transport, Infrastructure and Communities was the Quebec minister of communications, there was a draft Quebec proposal that said Quebec could determine the operating rules for radio and television systems, and monitor plans for the development of telecommunications networks, the prohibition of services, as well as the regulation of new telecommunications services. That is very similar to what the CRTC is now doing. It was said that Quebec could not leave the control of programming by electronic media within its borders to others and that to have control, Quebec needed to have full jurisdiction and only one regulatory agency.

Since the Conservative government has recognized the Quebec nation, I believe it must properly recognize the importance for that nation of controlling its cultural regulations. Should it not be working with the Government of Quebec, while we are waiting for Quebec to achieve sovereignty? As a temporary solution until sovereignty, should it not at least be working to implement a typically Quebec regulatory agency over which the nation of Quebec, as recognized by this House, would have full control?

**Ms. Paule Brunelle:** Mr. Speaker, it is clear that the creation of a Quebec telecommunications and broadcasting commission with exactly the same powers as the current CRTC could easily be achieved through an administrative agreement, among other means. It would be important that the new Quebec commission, like the CRTC, operate through public consultations, but solely within Quebec. In that way, one could really focus on people's interests and concerns and adopt useful and fundamental measures for Quebec that reflect our uniqueness, the fact of the Quebec nation, of who we are and of what defines us.

I know that my colleague from Québec will speak at some length on that subject very soon; so I will stop here.

**Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ):** I would like to make a brief comment that also includes a supplementary question for the member for Trois-Rivières, who just spoke about the CRTC and culture in general. I would point out that my comment also follows on a speech made today.

Culture is extremely important not only to a people, but also to regions. I represent the region of Gaspésie—Îles-de-la-Madeleine. The prospect of deregulation is frightening, quite frankly, for various reasons. The minute emphasis is placed on the economy instead of on culture, on differences and on promoting what is happening in a

region, a community or a people, we fail in our mission on earth. One of the wonderful things about humankind is that we are all different. Around the world, great things come out of that difference. Every time we lose some of that cultural difference, we lose some of the cultural richness of our planet.

•(1225)

**Ms. Paule Brunelle:** Mr. Speaker, certainly, cultural difference must be expressed, and it greatly enriches our world. I do not have the pleasure of coming from my colleague's very beautiful region; I come from the Mauricie region, from Trois-Rivières, which is defined as a city of history and culture. This is an indication of how important culture is to us. We have an international poetry festival and many artists in all areas.

It is true that culture is important. It is significant. It defines us. I was telling my son, who is an artist, that he has the best job in the work, because he can create beauty and bring people together. There is nothing more basic than that.

That is why Quebec culture is so important to us: it reflects who we are.

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, today in this House we are holding a crucial debate for Quebec. We are talking about culture and protecting culture. We are invited today to deliver speeches on a Bloc Québécois motion. I would like to read the motion so that those watching us can understand what this debate is about. The motion reads:

That, in the opinion of the House, any government initiative having a direct impact on Canadian telecommunications policy or Canadian broadcasting policy must be put to the House through the Standing Committee on Canadian Heritage for consideration.

What prompted consideration of this motion today was an order imposed on the CRTC by the former industry minister, the current Minister of Foreign Affairs and hon. member for Beauce. He is also here to defend the interests of Quebec, but through this order, the CRTC's regulatory framework is being weakened regarding telecommunications control. This lacks transparency and courage and in fact relies on such orders to weaken the regulatory framework of the CRTC. Instead of taking a legislative route—which would be the right way to go for such an exercise, since this measure tarnishes the Broadcasting Act—the government is circumventing democracy yet again.

The Conservatives want to control everything. They are ignoring the interests of the general public. They are bending the rules of the House, they are bending the law. This order, issued by the former industry minister, violates proper procedure. When one wants to change legislation, new legislation is proposed and various people affected by that legislation are asked to come to a committee to debate the issue. Then parliamentarians debate the issue here in this House. Eventually, the bill is passed or defeated. Then, if it is passed, the Senate approves or not.

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So they do not want to take that approach. They have no use for all that. There are a lot of Conservatives here who were elected in the last election, especially in the Quebec City area. Where are they this morning? Where is the new Minister of Canadian Heritage, the Status of Women and Official Languages? She could be here debating with us and telling us how this new procedure will protect Quebec culture.

Parliament has recognized the Quebec nation, but there is a difference between recognizing it as a kind of folklore and recognizing its culture, how it expresses itself, the kinds of support that should be given to its culture, and the struggles it has endured over the years. I want to give the House a bit of the history. Today we are far from those struggles, with a highly federalist Conservative government that does not want to hear how these struggles relate to the debate at hand.

Why have regulations? Regulations provide a better framework for deregulation in the telecommunications sector. They are there to permit competition, but a healthy competition with some guidelines. What the Conservatives want now is to provide no guidelines for the unfettered deregulation of the marketplace. There has been a lot of criticism of this. Cultural circles in Quebec are very concerned. I do not know whether the minister is aware of all this criticism. I hope that she has met with these stakeholders and will correct her aim, but we do not hear her pouring forth her indignation over what the Minister of Industry is doing. I have been a member of Parliament now for 15 years and have worked on a lot of things. I even sat on the Standing Committee on Canadian Heritage for three or four years and remember the debates between the industry and the heritage sector.

●(1230)

In those days we stood up for ourselves. We did not want the industry to deregulate telecommunications because of the effect it would have on culture. The Conservatives, apparently, never heard this message or it is just not one of their priorities.

What they want to do with this new order is ensure that the CRTC no longer controls prices, which seems very contradictory to us. The act says that as soon as there is competition, the CRTC must get involved. What they are doing is contrary to the act, which says that there must be regulations when there is competition. They are doing the opposite by telling the CRTC that it should abstain from regulating if the market is not competitive enough. There are a number of ambiguous points here.

A certain political party—a certain government—is not even complying with the Broadcasting Act and does not even have the courage to debate this here in the House. Thus it has had to issue an order to force the CRTC not to comply with the act and especially not to take any more steps to regulate the telecommunications sector.

This very conservative tactic of the Conservatives is meant to circumvent this House and stick a spoke in the wheels for people who might want to challenge the Conservatives' intention of deregulating the telecommunications industry. That is the real face of the Conservatives when it comes to protecting culture.

Today, given how the new technologies are developing, we are well aware that a telephone is used for something besides talking or

communicating between two or more people. It is also the messaging route. Telephone technology does more than just telephone. This is precisely because of the multiple nature of the new information technologies.

Quebec has no way of responding to this; it is passive, because the CRTC is under federal authority. How could Quebec bring some order to this? Quebec has no CRTC. In fact, the question was raised earlier of a Quebec radio-television and telecommunications commission.

I note that a colleague from my region was nodding agreement, or seemed somewhat skeptical. When you want to defend your culture, when you want to defend the culture of Quebec, you can recognize the nation, but you have to see what that means. You cannot just put on a show in the House. All of the consequences have to be there. With this order they could at least have been consistent with recognition of the Quebec nation.

Quebec therefore has no way of pursuing that course, of regulating that entire industry, of making rules for the telecommunications industry to encourage competition. They say that they want to encourage competition, that this is the Conservatives' goal, but the route they are taking is dubious and is not agreed to by all of the stakeholders in Quebec, who are following this issue closely.

We would have liked to see a genuine debate between the industry and the broadcasting industry on this issue. However, we do not seem to have a minister who has the kind of courage it takes and who can impose his will.

I recall the debates we had in committee with the Liberal Party members on the issue of broadcasting and telecommunications. We certainly did not expect that the industry would fall into line and approve of deregulation with no rules, which could have a definite impact on the deregulation process.

●(1235)

I would like to draw the attention of this House to a few things said by Yves Mayrand, vice-president of Cogeco. He referred to a number of arguments that show that regulation is necessary and desirable in some cases. When you want to win the argument, it is easy to say that the Bloc does not want to have competition. On the contrary, we know very well that competition is in the public interest when it comes to setting prices for the consumer. Deregulation in the form that is desired, where competing companies would get a small market share or a single company would have a monopoly, would not represent the kind of balance that is desirable for the telecommunications industry.

Mr. Mayrand first expressed “deep concern that political decision-making now appears to be the norm in Canadian telecommunications, taking precedence over quasi-judicial decision-making by the independent administrative body formally entrusted by Parliament with the job of ruling on telecommunications regulatory issues, including forbearance”, as I explained earlier.

Mr. Mayrand went on to say:

As a result, independent fact-finding, proper evidentiary assessment, and due process have all taken a beating, in our view, with a resulting loss of trust in the due process.

*Routine Proceedings*

Second, the proposed order is also at odds with basic principles of competition law, as it completely ignores significant market power and market share of the incumbent telephone companies where SMP still prevails.

I will now read the third objection raised by Mr. Mayrand:

—the proposed order would immediately eliminate the incumbent telephone companies 90-day win-back restrictions throughout Canada, even where alternative local access services are still not available. In practice, this means that in local exchange areas where Cogoco Cable has not been able to launch an alternative service yet due to facilities or interconnection constraints—and there are still a number of those in our footprint—the incumbent telephone company could immediately target in those local markets each and every new customer signing up for our alternative service with special and confidential offers, thus making it uneconomical for us to launch there.

As we can see, the competition largely ignores what already exists. It also ignores the vulnerability of certain businesses when it comes to developing markets either because they have no interconnection facilities or because the businesses are not yet in operation. This could result in raiding activities by the new businesses focusing on the well established clientele on the existing businesses, as Mr. Mayrand pointed out.

Mr. Mayrand goes on to say:

Fourth, the proposed order is at odds, in our view, with several recommendations of the report of the government's own experts, the Telecommunications Policy Review Panel, published less than a year ago, on the way to manage the transition to deregulation of incumbent telephone companies.

But more importantly, when will the government focus on a new Telecommunications Act, instead of rewriting the decisions of its regulator?

This question was asked by Mr. Mayrand himself. This is what the government is doing, this is what the former industry minister, the member for Beauce, and now Minister of Foreign Affairs, is proposing.

In addition, “the mere presence test is unworkably vague”, according to Chris Peirce, from MTS Allstream. He went as far as to say that the order “supplants the statutory obligations of the CRTC with the mere presence test”, adding that it infringes upon the Broadcasting Act, and the related regulations, which is supposed to come under the CRTC.

The government has always been looking to deregulate. The Liberals, too, wanted to deregulate. But the battle was being fought at Canadian Heritage, where culture was at stake. The purpose of culture is to protect content, but we know full well that, in the absence of control over what the content is in, content will be affected.

I would also like to come back to Quebec's desire to established what could be called a Quebec CRTC.

●(1240)

Establishing such a CRTC would not require reopening the Constitution, since we know very well that several opposition parties in this House would not agree to that. Nonetheless, it would allow the powers in that field to be transferred through administrative regulations. In fact, the CRTC could transfer its powers to the Quebec CRTC. Powers have already been transferred in the field of transportation as well as in connection with human resources initiatives. The law was not changed; through an administrative arrangement, the responsibility was vested in the ministers of Human Resources and Transport.

The Quebec CRTC initiative is a simple one in and of itself. It is designed to protect the diversity of sources and ensure a plurality of voices. Above all, it would guarantee a francophone content within the various technologies of today. Quebec is asking for the jurisdiction over broadcasting based on the fact that the message conveyed is first and foremost a cultural one, which falls under provincial jurisdiction. If Quebec is asking for it and the other provinces do not, it is because we feel that our culture is threatened.

During my time on the Standing Committee on Canadian Heritage, we prepared a report of over 1,000 pages. I recall the member who presented it. She may now be named. It was Liza Frulla, who sat as a Liberal. She had entitled it “When Cultural Sovereignty is Threatened”. At the time, I found it somewhat hard to swallow, but then I said, why not? She felt that cultural sovereignty was threatened, as the title put it, and I wondered, why not us? Our cultural sovereignty is doubly at risk. I recall the complementary opinion we wrote in connection with this report of the House of Commons. We explained the fight of all Quebecers. It is not just sovereignist. People who consider themselves nationalist fight as well, a fight not just obtusely aimed at federalism which does not give Quebec culture the wherewithal to better, more carefully and quickly manage its various avenues.

The government says the Supreme Court deemed this jurisdiction federal. The areas go beyond the borders of the provinces. Since 1929, Quebec has called for jurisdiction over broadcasting, since the message transmitted is a cultural one. I recall certain political players. In Quebec, Taschereau voted for legislation on radio. In 1932, the federal government established its own broadcasting legislation, which it called the Canadian act.

I see a smile on the face of a Conservative member elected in my region. It is all very well to laugh, but the current Minister of Transport, Infrastructure and Communities had, at the time, prepared a bill in this regard. The funniest part is that this member is sitting in this House today, and what is he doing to protect communications? He did not call for a Quebec broadcasting commission. When he was minister of communications in Quebec, he called for—as did Liza Frulla-Hébert—the return of these powers to Quebec. Now, today, sitting in this House among the ultra federalists, he has forgotten what he said as minister in the National Assembly. The same can be said for Liza Frulla—

●(1245)

**The Acting Speaker (Mr. Andrew Scheer):** Order. We now move to questions and comments. The hon. member for Chambly—Borduas.

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, I will begin by congratulating my colleague from Québec for her speech, which provides us with clarification on one important element, concerning management of the information media as a political responsibility. She has raised the issue of content and their vital importance as far as culture is concerned.

*Routine Proceedings*

This morning, Conservative and Liberal members made the point that governments had invested in culture, including in Quebec. It was as if they were putting a price tag on culture. If we have managed to invest in culture, then we can feel we have a clear conscience, have done our duty. The real duty when it comes to culture, which I would describe as a nation's identity or political personality, is to ensure that we can determine its content. This means that the nation next door must not do that for us. We must be able to do this ourselves, and that is what our colleague from Québec has pointed out.

Our colleague is drowning in a sea of Conservative members, elected to power by claiming they were going to defend Quebec's interests. Since she is best placed to tell us, since she is in the front line and at the heart of Quebec, while surrounded by Conservative Quebec MPs, can she tell us what they have done for culture in the past year and a half?

**Ms. Christiane Gagnon:** Mr. Speaker, what have they done for culture? Just debating this question this morning shows what they have done about culture. What have they done, outside of providing funding for a number of festivals? They have an area of jurisdiction, they have the spending power and there is more money in Ottawa, so it is perfectly normal for there to be an impact in the various regions of Canada and Quebec. But it cannot stop there.

The question this morning has to do with the framework for regulation within the telecommunications sector. Regulation would weaken the desire of Quebec to defend its culture through the vehicle of communications. We would not be in charge of managing quotas or ensuring that messages were more closely monitored and more representative of Quebec culture.

There is an obvious paradox between recognition of the nation of Quebec and recognition of the culture of Quebec. When I sat on the Standing Committee on Canadian Heritage, reference was made to such things as the anglophone and francophone markets. A francophone market is not what it is. If Quebec is recognized as a nation, then reference must be to the Quebec market. The Conservatives on the committee have not, for example, acknowledged the existence of the Quebec film industry. They acknowledge a francophone cinema. That is why we say that recognition of the Quebec nation is nothing but an empty shell. When, in committee, we call for recognition of the Quebec film industry, this Bloc Québécois initiative is turned down.

I have delivered a number of messages to the MPs in my region, including the hon. member for Beauport—Limoilou and I hope she will be able to pass them on to her party, if she has properly grasped what is at stake. As the Parliamentary Secretary to the Prime Minister, she must have considerable power.

• (1250)

**Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, I would like to point out to my colleague from Quebec City that it is probably a waste of time sending messages to the member in question. We better just forget that.

I would like to return to two aspects of her remarks I consider very important. What the Conservatives are in fact doing is stripping the CRTC over time of pretty well all of its regulatory powers over

telecommunications. However, their aim, from what we hear, is to permit increased competition in the areas of culture and telecommunications.

In the area of culture, competition is already fierce. We have to understand what this competition means. Films compete with theatre, which in turn competes with television, and so on. All forms of culture are competitive at the moment. Any claim that there is no competition and that deregulation is essential, as for example in telecommunications, is totally crazy.

I would like my colleague to speak to this, as competition is absolutely fierce in the area of culture. In Quebec, for example, cultural output is prolific, and people have a choice, especially in the major centres. Things are somewhat different in the regions, and people may find it more difficult there. But cultural offerings are widely available and are bound to be increasingly so. That is the wish of the people who oversee cultural output.

I would like my colleague to return to, among other things, the matter of telephone service, because deregulation in this area has a major impact on the regions. This is being said everywhere, and she was present at our meeting in Rimouski where seniors told us that the telephone is vital for them and that deregulation could mean an increase in rates they might not necessarily be able to afford.

**Ms. Christiane Gagnon:** Mr. Speaker, as a matter of fact, with regulation, we see an increase. There are ceiling prices and floor prices. However, given the minister's order, deregulation will be uncontrolled. If competition becomes too fierce, there will be no one to cap prices, and they will be tempted to do that.

We may be sure that in the beginning perhaps the consumer will get fair value but we know very well that once an industry is established, the people in the industry agree among themselves and prices go up and up. There is then no longer any way to control price increases.

Before closing, I want to make a personal appeal to the new Minister of Canadian Heritage, the Status of Women and Official Languages, who is from the Quebec City area. She has received a very clear message from everyone. There is a coalition of all the stakeholders in Quebec. I will not name them all, but there at least ten groups and they are upset. A spokesperson for this coalition emphasized that the regulatory drift of the CRTC has increased in recent years but it dates back as far as 1999, and they are calling for it to stop. Moreover, we are being told that the rapid growth of technologies has left our cultural policies out of date.

We know very well that the spectre of new technologies is a false argument, because technologies are only a vehicle for a cultural message. That is where any new initiative for regulation of the telecommunications industry should be focused.

*Routine Proceedings*

Instead of abusing the democracy of this House, why do they not introduce a bill? We would then learn what all those stakeholders in Quebec and other people think. Indeed, if there is a Canadian culture to protect, we would also like to here that. In the Standing Committee on Canadian Heritage, we used exactly that approach on the subject of threatened cultures. If Canadian culture feels threatened, perhaps we should be asking questions about Quebec culture. Is it not legitimate to think that it is also threatened and doubly so because we want to keep that culture?

•(1255)

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, it is a pleasure for me to speak to this motion. I suppose that the debate on it will end soon.

I was a member of the Standing Committee on Canadian Heritage when it studied the role of television and especially CBC television in the 21st century, when it debated the Canadian Television and Cable Production Fund, and when we made changes to the name and orientation of the CRTC. I had the pleasure and honour, therefore, of touring around Canada for the hearings that the committee held. Today I would like to tell the House a bit about what happened at these hearings and say that we should show some respect for the committee members by taking their work into account. We should also show some respect by allowing them to present the results of all the consultations they conducted over nearly a year and a half.

I agree with the motion introduced today by my colleague from Ahuntsic. When it comes to the interpretation of Canadian policy on broadcasting and telecommunications, we should be able to submit changes to the House by way of the Standing Committee on Canadian Heritage. We cannot simply overlook or disregard all the expertise that the members of this committee accumulated in the course of all their deliberations over a year and a half.

The minister and parliamentary secretary cannot simply ignore everything that was said at these hearings and all the work that the committee did. I might say in passing that throughout the entire tour we made across Canada, there were two members who were always present for all the hearings. They were the hon. member for Timmins—James Bay and me.

The parliamentary secretary did not show up even once, whether in Yellowknife, British Columbia and Toronto. He was never there. So far as I know—and people can check—the Conservative members on the committee at the time seemed to change quite often. It was a crying shame to see their lack of interest in the hearings of the Standing Committee on Canadian Heritage.

In nearly all the major cities we visited where we had the opportunity to discuss cable television and telecommunications, we heard from communities seeking our protection, wanting the assurance of continued service and not wanting to be at the mercy of foreign interests. I would remind hon. members that, when we discussed the Canadian Television Fund, Shaw Communications came up. This is a Canadian company that wants to draw heavily on U.S. programming. In committee, Shaw told us that Canadian English programming was boring and that they were in business to make money. According to them, making money requires U.S. programming. The committee records will show this.

At the time of the discussions on the Canadian Television Fund, we knew there had been an agreement in place between Shaw Communications, the CRTC and the minister to the effect that Shaw Communications would continue to make these monthly payments, but there was an agreement that has never been totally revealed.

•(1300)

It is my suspicion, in fact, having sat on the Standing Committee on Canadian Heritage, that the act of deregulation, of opening the door wide to American culture through cable distribution companies such as Shaw Communications, is not totally dissociated from the agreement entered into with that company.

With the Standing Committee on Canadian Heritage we toured Canada in order to meet with members of francophone communities outside Quebec, in particular those in Yellowknife, Vancouver and Manitoba, as well as with aboriginal communities. They were all extremely surprised to learn that U.S. culture was coming into Canada freely, via radio and television stations, and that no effort whatsoever was being made to protect this Canadian culture. As a Bloc Québécois member, I called upon them to react, to do something, because they were getting stabbed in the back by their own government's desire for deregulation, which would lead to their losing jobs, though they did not realize this yet. It must not be lost sight of that Canadian culture creates thousands of jobs, especially in television program and dramatic series production, on top of all the others that depend on culture. Thousands of jobs are at stake.

Here in Quebec, we are relatively protected. We have Vidéotron, which findings show has helped us tremendously in disseminating our Quebec culture. However, for people living in the rest of Canada, their culture is based on the culture of the French Canadians. They have so little culture that they had to borrow our woollen sash, our national "Rocket", our Canadian horse, and even our maple syrup, to create their own culture. They have so little culture or ideas that they are now leaving the door wide open to American culture, with programming that is always shoving crime down our throats. And speaking of crime, to get back to Bill C-2, and I am speaking to the parliamentary secretary here, we might reduce crime if we paid attention to Canadian culture.

This is all just a big show today, for the simple reason that it is not something new. For a year and a half, the attitude of the ministers and members, the government members of the Standing Committee on Canadian Heritage, have demonstrated how little importance they place on culture. To them, culture can be bought and sold, and in any event there is no Canadian culture. As for Quebec culture, that is not important and we must not talk about it.

When I have travelled in other Canadian provinces, in other countries, I have told people that Quebec was a nation and that it had to protect its culture. I told them that in Quebec, we were lucky because we long ago joined forces.



•(1305)

I do not understand how Canadians in the other provinces can not have seen what this government is up to, buying American culture or being prepared to let it in. They have made an agreement, that is clear.

I would like to point out to all Canadian citizens that they can look this up in all the debates of the House of Commons and the committee. They will realize that they are being had.

[English]

**The Acting Speaker (Mr. Andrew Scheer):** It is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** On division.

**The Acting Speaker (Mr. Andrew Scheer):** I declare the motion carried.

(Motion agreed to)

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[Translation]

#### QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mrs. Sylvie Boucher (Parliamentary Secretary to the Prime Minister and for Status of Women, CPC):** Mr. Speaker, if Questions Nos. 18 and 76 could be made orders for returns, these returns would be tabled immediately.

**The Acting Speaker (Mr. Andrew Scheer):** Is that agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 18—**Ms. Denise Savoie:**

With respect to the Community Access Program and School Net programs: (a) what was the total planned and actual spending for each program in each fiscal year since their inception; (b) for each case in which spending was reduced from one fiscal year to the next, (i) how does the government account for the reduction, (ii) which organizations received reduced funding and how much less funding did each receive; (c) for the current fiscal year, (i) how many applications were received, (ii) how does that number of applications compare to the number of applications received in the past two fiscal years, (iii) how many applications were approved, (iv) how does that number compare with approved applications from the past two fiscal years, (v) listing all recipients, who was approved for funding in the current fiscal year, with approved funding amounts in dollars, (vi) listing all recipients, who received reduced funding this fiscal year compared to last fiscal year, what was the amount of the reduction and what was the rationale for the reduction, (vii) what impact has the reduced funding had on the recipient in each case; (d) does the government intend to renew funding for those programs beyond the current fiscal year; (e) when will the government make public its intentions regarding the future of these programs; and (f) what is the precise process for making a decision on the future of these programs and communicating that decision to the public, and which stage in that process has the government currently reached?

(Return tabled)

Question No. 76—**Mr. Tony Martin:**

With regard to the record low water levels of Lake Superior: (a) what is the lake's average water level by year, dating back to when records were first kept; (b) how does the government scientifically account for water levels being the lowest since 1926; (c) what studies and evaluations into Lake Superior's water levels have been

#### Government Orders

undertaken, requested or commissioned by the government and (i) what individuals, department, or organization undertook these studies, (ii) what is the cost of these studies, (iii) what are the findings and recommendations of these studies; (d) how is climate change affecting the water levels of the Great Lakes, including Lake Superior, and are there studies completed or now underway in this regard and, if so, what are they and what are their findings; (e) what strategies has the government developed to deal with dropping water levels; and (f) have any agreements been struck in the export of bulk water from the Great Lakes and are any negotiations underway?

(Return tabled)

[Translation]

**Mrs. Sylvie Boucher:** Mr. Speaker, I ask that all remaining questions be allowed to stand.

**The Acting Speaker (Mr. Andrew Scheer):** Is that agreed?

**Some hon. members:** Agreed.

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## GOVERNMENT ORDERS

[English]

### TACKLING VIOLENT CRIME ACT

**Hon. Loyola Hearn (for the Minister of Justice)** moved that Bill C-2, An Act to amend the Criminal Code and to make consequential amendments to other Acts, be read the third time and passed.

**Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I will be keeping my remarks shorter than my allotted time for the simple reason that Canadians have already witnessed what took place in the preceding time.

The bill we are debating passed last night by a vote of over 200 to 1 and yet today the Bloc is delaying passage at third reading. I implore all members of the House to ensure a speedy passage of our government's tackling violent crime act.

There is no greater responsibility for us as parliamentarians and for the Canadian government than to protect the most vulnerable in society. Canadians from coast to coast and probably in all of our ridings have demanded changes to the criminal justice system to better protect victims, to better protect innocent Canadians and to better protect all of us from criminals, those who prey on other individuals, which is why we introduced Bill C-2, the tackling violent crime act.

This bill has been thoroughly reviewed by a committee. It is made up of five different components, most of which were thoroughly considered in the last Parliament and, in this Parliament, the bill was thoroughly considered by a committee and voted on by this House.

The bill tackles the dangerous offender provisions in that it would make our streets safer from those who are the most serious offenders, those who have shown an appetite for repeat violent offences, for recidivism, the very worst of the worst offenders of a violent or a sexual nature.

*Government Orders*

The bill also addresses gun crimes, bringing in mandatory minimum sentences for those who, in the most serious of cases, use a firearm to commit an offence. I think we should all agree that we need to send a clear message and take seriously gun crimes. Canadians are telling us to do this.

Another component of the bill that we have been hearing from coast to coast in cities across Canada is reverse onus on bail for those who are charged with a gun crime. Too often a serious crime is committed with a firearm and the person is out on the street in a very short period of time awaiting trial. In many cases, the person finds a victim at the local convenience store. Obviously, that shocks the victim and it should shock all of us. We need a reverse onus on bail for gun crimes.

We need to give our police the tools they need to tackle impaired driving, drug impaired driving and to use new technologies to the greatest benefit possible to make our streets safer.

It is also important that we raise the age of protection. It is unbelievable that this was not done over a decade ago. The previous Liberal government always refused to raise the age of protection even though victims' groups and child advocacy groups implored the Liberals to do so in order to protect children. This bill takes action. This bill does so.

Our constituents are asking us to take these measures without delay to make Canadian streets safer. I am asking all parliamentarians to look at the record of what has been done and look at the work that has gone into this bill, the tackling violent crime act. I ask each member to consider the safety of our streets, our communities and our children and to pass this bill as quickly as possible from this place. I also ask the senators to not allow, as we saw in the last Parliament, our criminal justice legislation to be bogged down in the Senate but to allow for a quick study and quick passage of what is a very important bill that is long overdue.

• (1310)

**Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.):** Mr. Speaker, my colleague from the other side said that the bill was bogged down in the Senate. I just want to set the record straight. Of the six bills that were not passed by the summer break, four reached the Senate but only in May, and two reached the Senate in June. It was impossible for the Senate to pass the bills in a matter of a couple of weeks at the most.

Therefore, it is really not correct to say that these bills were held up in the Senate. The member's government prorogued Parliament and the Senate did not have any time to deal with these bills.

Would the hon. member agree that the record shows that of the six bills the government had on justice in the last Parliament, four went to the Senate but only at the end of the session and that his government prorogued Parliament?

**Mr. Rob Moore:** Mr. Speaker, what I will confirm for the hon. member is what we all saw, even in this House, where our Prime Minister and our justice minister called on the leader of his party, the leader of the Liberal Party, to encourage senators to stop delaying our criminal justice legislation.

It is a matter for the public to see. The public can see the *Debates* of the Senate just as they can our *Debates*. They know that these

various bills and previous criminal justice bills were delayed in the Senate for literally hundreds of days, away from the eyes of Canadians and away from the debate that takes place in this House which is the most accessible to everyday Canadians.

Canadians are sometimes under the misconception that when a bill passes the House of Commons then it becomes law but in fact it does not. It goes to the Senate, which is where the leader of the Liberal Party refused to, or was unable to, encourage Liberal senators to give swift consideration and passage of the criminal justice legislation.

It brings into question a broader issue. It is not only acting swiftly now but why now? Why is it that over the last decade action was not taken to get tough on people who commit gun crimes? Why was action not taken in the face of pleas from city mayors and from provinces to introduce a reverse onus on bail? Why was there no action taken on raising the age of protection where Canada had a lower age of protection than other jurisdictions?

We do not know why the Liberal government that preceded us was so ineffective in addressing criminal justice issues. What we do know is that our government has been very aggressive. It has taken its clear direction and marching orders from the Canadian people who have said that they want to have a criminal justice system that works, that they want to get tougher on individuals who are recidivists and who are increasingly becoming the problem, that they want to provide opportunities for those who want to get out of a life of crime, and that they want to provide opportunities for those who are addicted to drugs or to alcohol. We are doing all those things. We are bringing in measures to the Criminal Code to update the code to better protect Canadians. I do not know who could possibly be against that.

The one thing Canadians are telling us to do is to get on with the work that we need to do, which is what I am hoping all members will do with the tackling violent crime act.

• (1315)

[*Translation*]

**Mr. Marc Lemay (Abitibi—Témiscamingue, BQ):** Mr. Speaker, I listened very carefully to the speech of the Parliamentary Secretary to the Minister of Justice. I hope he will listen to me very carefully as well.

I have a problem with the bill. Yes, the Bloc Québécois will vote in favour of this bill. Nonetheless, two things bother me about it. Will the government address them?

My first point is this. Does the government realize that it is not by passing tougher laws with minimum sentences that we are going to reduce crime? Does the government realize that getting out of prison, not going to prison, is the problem? Convicts do not serve their entire sentence. That is the problem. Does this government realize that? Is this heading anywhere?

*Government Orders*

Since I do not have enough time to ask another question, I will go on to my second point, on former Bill C-32. The parliamentary secretary knows that I sat on the Standing Committee on Justice and Human Rights. As a criminal lawyer, I have one question: do we have the tools? In fact, does the department have the tools? Do the police have the tools to detect whether drivers are impaired by drugs? That is the problem with former bill C-32. Now, it is being lumped into Bill C-2. What is going to be done? Is there anything planned? Has anything been implemented or do we have to adopt the bill to see what happens?

I will close by saying that my primary concern is whether this government understands that getting out of prison, not going to prison, is the problem. Criminals are released too quickly. That is what people are complaining about.

• (1320)

[*English*]

**Mr. Rob Moore:** Mr. Speaker, I listened with interest to the hon. member's question. This has always struck me. In the last election campaign, the New Democratic Party, the Liberal Party and the Conservative Party called for an increase in mandatory minimum penalties for gun crimes. The parties said to the voters that if they elected them, they would bring in mandatory minimum penalties for those who committed a crime with a firearm.

In fact, the Liberal platform called for a doubling of the mandatory minimum penalties, which in some cases would have resulted in an eight year mandatory minimum penalty. However, Canadians have learned not to believe what they hear from the Liberals.

After the election, when we brought in a bill to bring in mandatory minimum penalties for gun crimes, all we received was obstruction and opposition from Liberals on what we had proposed. It was in effect an incremental change, moving from a four year minimum to a five year minimum on a repeat offence. Someone commits a crime with a firearm is caught by the police, is convicted in a court, is sentenced, serves some time, then gets out and commits another crime with a firearm. Who could argue that this individual should not receive a tougher sentence?

I will address the hon. member's other question dealing with drug recognizance experts. We have put it in place what is necessary for police officers to have the tools they require. Police asked us for the legislative measures contained in the bill.

**Mr. Ron Cannan (Kelowna—Lake Country, CPC):** Mr. Speaker, I thank my hon. colleague for bringing forth Bill C-2, the tackling violent crime act. My constituents of Kelowna—Lake Country have specifically supported our position with regard to the age of consent to look after the youth in our community.

As a member of city council for nine years prior to being elected in January 2006 to the House, I know our mayor and council had sent several letters to the previous Liberal government, but it did not get the job done.

Why did the opposition not support it in the past and why is it stalled in the Liberal dominated Senate? The fact is the bill has been debated and we need to get it passed. Canadians have asked for it and the time has come.

**Mr. Rob Moore:** Mr. Speaker, I thank the member for his work on behalf of his constituents on justice issues.

On the issue of the age of protection, I cannot answer for the negligence of the members opposite over their 13 years in government for not passing legislation that would raise the age of protection so our most vulnerable, our children, would be protected from adult sexual predators.

We know that groups such as Beyond Borders and child exploitation groups are advocating for the protection of children. For years they have been calling on us to raise the age of protection. This bill does that. Let us get on with passing it.

**Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.):** Mr. Speaker, before I begin to speak to Bill C-2, I have to address my hon. colleague's contradictory comments about the lack of mandatory minimums. On the one hand, he lambasted the Liberal Party for not wanting mandatory minimums. On the other hand, he said very clearly that we had them and we called for a strengthening of them.

When the member for Mount Royal was the justice minister, he introduced mandatory minimums for weapons offences. That was a good thing. That is why we support Bill C-2. We have been trying to drive forward much of what is in the legislation. Ironically, we have been obstructed by the government.

I will go through the facts. Unfortunately, in the House one could look at the old adage that “in war, truth is the first casualty”. What we have here is war by another name. Sometimes truth is the first casualty in the House of Commons, and that is sad for the public.

Let me talk about the facts for a minute and give viewers a bit of history on the bill.

Bill C-2 is an omnibus bill involving a combination of five bills, including mandatory minimum penalties. We support mandatory minimum penalties. I caution the government, however, to ensure that the mandatory minimum penalties for weapons offences, violent offences and sexual offences cannot be plea bargained away and that they run consecutively and not concurrently. Too many times people who have committed serious offences receive penalties that get plea bargained away, so there is no effective penalty.

We also support an increase in mandatory minimums for weapons trafficking. My colleague from Mount Royal introduced many mandatory minimums for these offences in the last Parliament.

The Liberal Party supports the provisions for dangerous offenders, impaired driving and reverse onus in firearms offences. Many years ago there really was no penalty for a person using a weapon in the commission of an offence. That was changed by the last government. The Liberal Party supports the changes in Bill C-2.

*Government Orders*

Let me talk for a few moments about a few facts around the passage of the bill.

On October 26, 2006, our Liberal leader made a first offer to fast track a package of justice bills in the House, including Bill C-9, as it had been amended, Bill C-18, the DNA identification legislation, Bill C-19, the street racing legislation, Bill C-22, the age of consent legislation, Bill C-23, the animal cruelty legislation and Bill C-26, respecting payday loans. We also added Bill C-35, on March 14 of this year, a bill for bail reform, and we support that.

On March 21, we attempted to use our opposition day to pass the government's four justice bills: Bill C-18, Bill C-22, Bill C-23 and Bill C-35. The Conservative House leader raised a procedural point of order to block the motion. Those four government bills would have been fast tracked through this place in the same day, yet the government House leader, for reasons unknown to us and the public, blocked this. Those are facts.

What has been the path of government justice bills through the Senate? Of the six justice bills that had been passed before the summer break, only four went to the Senate. How on earth could the Senate pass bills that it just received prior to the government proroguing Parliament? It could not do that. It is disingenuous for government members to stand and suggest that the Senate was trying to block their bills. By the time the Senate received the bills, the government closed Parliament. Those are the facts. Anybody can check them out if they wish.

We support Bill C-2. However, I want to bore down on a few dangerous issues that the government is pursuing. One deals with the issue of drug trafficking. The government has said that it will increase the penalties for those who traffic in drugs.

• (1325)

There are two populations of traffickers.

There are those parasites in society who are involved in commercial grow operations, frequently attached to organized crime. We should throw the book at them. Those people are a cancer in our society and they deserve to be in jail.

There is another population that will be swept up in the government's anti-trafficking bill. It is the low level dealers who sell small amounts of illegal drugs to people, but they themselves are addicts. In essence, they are selling drugs to pay for their addictions.

If we criminalize people who have addiction problems and throw them in jail, they come out being hardened criminals. We also do not deal with the underlying problem, which we will have at the end of the day when they come out. In effect, we increase public insecurity and costs to the taxpayer. We do not address the underlying problem and we make our streets less safe. That is stupid, not to put too fine a point on it.

If the government goes through with the bill to criminalize people who are addicts, the low level people buying and selling drugs, it will end up with the situation we see south of the border, which has used a war on drugs approach. It has proven to be an abysmal failure.

What we see south of the border is a view of the future for us if the government pursues its course of action. There have been increased

rates of both soft and hard drugs use, increased numbers of people have been incarcerated, increased costs to the taxpayer and more violent crime. Society loses.

The government ought to work with the provinces to implement solutions that address some of the underlying problems.

I will get to the organized crime aspects in a moment.

For the drug problems, I cannot overemphasize what a disaster this will be. The government has been warned of this by people across the country.

Let us take two projects, in particular, that have been extremely effective in dealing with people who have intravenous drug use problems. Both of them are found in Vancouver and championed by Dr. Julio Montaner and Dr. Thomas Kerr, superb physicians and research scientists, who have underneath them the Insite supervised injection program and the NAOMI project.

The supervised injection program is a place where addicts can go to a supervised setting and take the drugs they are given. What has that done? It has reduced harm, put more people into treatment, reduced crime and saved the taxpayer money. Fewer people have gone to emergency and there has been less dependence on our health care system. It works.

The other project I would recommend we pursue is the NAOMI project. Before I get to it, I point out that in the eleventh hour the government extended Insite's ability to engage in its program up until June 2008.

All the evidence published from *The Lancet* to *The New England Journal of Medicine* shows, without a shadow of a doubt, that the Insite supervised injection program saves lives, reduces crime and gets people into treatment. It is good for public security and it saves the taxpayer money. Why extend it to only eight months?

If the government gets a majority, it will kill the program. That, in short, will be murder. The government knows full well the program saves lives. To remove that program, would result in, essentially, the killing of people.

A program that works better, which the government does not support but ought to expand, is the NAOMI project. The NAOMI project deals with hard-core narcotics abusers. These people are over the age of 26. They have had five years of drug addictions and two failed attempts at treatment. They are the hard nuts of intravenous drug use.

• (1330)

The NAOMI project took 243 addicts and randomized them into three populations. One population received intravenous heroine, the other one received intravenous dilaudid, which is a prescription narcotic that is legal, and the third was to take oral methadone, which is a weak narcotic.

*Government Orders*

What happened to those populations? Of the population on IV drugs, more than 85% of people were still taking those drugs, receiving treatment and counselling, getting their lives together, obtaining skills training and being able to live while not being on the street and not engaging in criminal behaviour to feed their addictions. Of the third population, the ones in the methadone program, 50% of people were still in treatment after a year. It works.

What the government should be doing for both Insite as well as NAOMI, is expanding those programs across our country. Our urban centres need it.

In Victoria there are 1,243 people living on the street, 60% of which have what we call dual diagnoses, which means some of them have both a drug problem and a psychiatric problem. I would also add that some people within that population have had brain injuries in the past and have fallen into the terrible spiral of drug use by being on the street. Those people could be you or I, Mr. Speaker, who one day fall off a ladder or get into a car accident, sustain a significant closed head injury, have major cerebral trauma and as a result their lives are affected forever.

Some of those people are on the street and take drugs. Do we throw those people in jail? Do we throw the psychiatric patient, who is dealing to pay for his or her addiction, in jail? That is what would happen with the bill that the government has introduced. Those people need medical treatment. They do not need to be in jail.

My plea to the government, to the Minister of Health, the Minister of Justice and the Prime Minister is to bury their ideology, follow the facts and implement the solutions that will help people with addictions, keep our streets safe, and reduce costs to the taxpayers. It is a win-win situation for all concerned.

The interesting thing about the NAOMI project is that because NAOMI actually gave the drug to an individual who was proven to be an addict, that person did not have to go on the street to get the drugs. If that were done in a broader sense, it would be horrific to organized crime that benefits from this situation because the NAOMI project severs the tie between the addict and organized crime. That is what we need to do.

Organized crime would be horrified if a forward thinking government one day were to enable drug addicts to receive their drugs. Doing that enables addicts to get into the treatment programs that they need. It enables them to detoxify, obtain addiction counselling, skills training and the psychiatric therapy they need. If we do not do that, we will not make a dent in what we see on the ground. There will not be any affect on addictions and it will actually increase the criminal population in our country.

The other side of this coin, of course, deals with organized crime gangs, as I mentioned, the parasites and cancer in our society. These parasites are essentially people in \$3,000 suits who benefit from a substance that is nearly worthless but has a value well beyond what it ought to have because it is illegal.

I have a bill on the order paper that would decriminalize the simple possession of marijuana. No one condones anybody using marijuana, everybody wants to prevent people from using it, and everyone certainly encourages children not to use this or any other illegal drug. The fact of the matter is that people do use it and a

significant percentage of Canadians have used it at one time in their lives, particularly when they were very young.

Do we throw those people in jail? Do we throw an 18-year-old who has a joint in his or her back pocket in jail? Do we throw an 18-year-old in jail who exchanges or sells or gives a couple of marijuana cigarettes to a friend? That would be trafficking under the government's bill. Do we throw that 18-year-old in jail? Do we give an 18-year-old a criminal record, which is what we have today, affecting his or her ability to work or gain employment and have access to professional facilities for the rest of his or her life? Is that a humane way to deal with our population? It is not.

● (1335)

The worst news for organized crime, in my personal view, would be that marijuana is legal and regulated. It is not to say that marijuana is safe. It is not. It is dangerous, but so are alcohol and cigarettes.

If we can imagine today that cigarettes were going to come onto the market and were proposed as being something that ought to be sold today, do we think for a moment that they would be allowed, with all the cancer, respiratory and cardiac problems that cigarettes cause? No, they would not be, and neither in fact would alcohol. Alcohol would not be allowed today either, for all of the damage it does, but the fact of the matter is that cigarettes and alcohol are legal today.

The groups that benefit the most from the status quo, from marijuana being illegal, and it is just a weed with its value elevated well beyond what it ought to be because it is illegal, are the organized crime gangs. They are making billions of dollars off the status quo, and those billions are used to do any number of things including: trafficking of weapons and people, prostitution, embezzlement, fraud and murder. That is what organized crime is involved with.

What the government should be doing is coming up with a more comprehensive plan to deal with the biker gangs and organized criminal gangs who are—

● (1340)

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for Selkirk—Interlake on a point of order.

**Mr. James Bezan:** Mr. Speaker, we are debating Bill C-2. This is third reading where we should be specifically discussing the points of the bill. The member has just proven that he is filibustering and helping out the opposition parties in trying to delay the passage of Bill C-2. I ask that he gets back on topic and discusses the bill that is before us right now.

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for Selkirk—Interlake brings up a good point. I just requested a copy of Bill C-2. The member's remarks are dealing specifically with issues around illegal narcotics. I believe that is a different government bill that has been introduced, so I will just remind the hon. member for Esquimalt—Juan de Fuca to keep his remarks confined to Bill C-2 which is before us.

*Government Orders*

**Hon. Keith Martin:** Thank you, Mr. Speaker. For my friend's information, if I were going to be filibustering, I would be using more than 20 minutes, but I have 20 minutes and he can certainly ask questions after that.

However, these issues are extremely important because this bill has to do with tackling violent crime. The relevance to what I am saying is that organized crime is actually a purveyor of an awful lot of violent crime in our country. What the member should do, with his government, is to work with us in developing a comprehensive plan to deal with organized crime. It is the real parasite in our society that we have to address.

In dealing with this, I also want to talk about a drug policy that works because it is attached to organized crime and putting up posters, as the government wants to do, is not going to affect change.

I can tell members, from working in many clinics where violence and drug use is endemic, that simply putting up posters on clinic walls or in communities is not going to stop people from taking drugs.

What works? I have said probably 100 times in the House that if the government wanted to prevent drug use and reduce youth crime, as an example, it would support the headstart program for children.

The headstart program for children is something the police have asked for. It is essentially a program where children and parents come together in a classroom once every week for a couple of hours to talk about the harm of drugs, the harm of alcohol, and to talk about literacy, and about proper eating and proper parenting. All of that can be done and should be done. The headstart program for children would save the taxpayers \$7 for every dollar invested and reduce youth crime by 60%.

I implore the government to adopt the headstart program, have a rational drug policy, listen to the scientists, follow the facts and bury its ideology, and we will have a safer country for all.

**Mr. Ron Cannan (Kelowna—Lake Country, CPC):** Mr. Speaker, I want to clarify a question that I asked my colleague earlier. As I mentioned, when I was spending nine years at city council pushing for the age of protection legislation, our mayor and council wrote several letters to the previous government. The member had commented about us being disingenuous.

I am wondering as the member had said he supported and always wanted to get this legislation changed. He had 13 years to get it done. Could the hon. member answer why he did not change the legislation, if he was so passionate about this in his government?

**Hon. Keith Martin:** Mr. Speaker, I was only in the previous government. I cannot answer for governments before that, but I can certainly speak about the evidence. The evidence shows that, in the bills that we have and I will go back to my previous comments, on the age of consent, on October 26, 2006, we pushed the existing government and offered to fast-track the age of consent legislation. At that time it was Bill C-22 but the government refused to do that. The government can answer that question as to why it did not push that forward over a year ago and allow it to go at that time.

• (1345)

[*Translation*]

**Mr. Réal Ménard (Hochelaga, BQ):** Mr. Speaker, I am glad to take part in this third reading stage of Bill C-2. I would like, perhaps, to correct a number of perceptions that the government has done nothing to discourage in recent days concerning the work of the opposition.

First, we know that the Bloc Québécois supports Bill C-2. In fact, if my information is correct, I believe that our support is unanimous. I do not imagine that any of our colleagues will be defecting. However, we know that friendship is a fragile thing that we must always work to preserve.

I said that the Bloc Québécois supported Bill C-2. Any kind of offence could make even a man over 40 wish for young offender status.

In a more serious vein, we were presented with a number of bills. Of 12 bills that the government introduced since coming into office, six received royal assent, four made their way to the Senate and the remaining two were to be examined in committee. Naturally we had reservations about the dangerous offenders' bill, which is a serious bill and I will come back to it. We still have those reservations. There was also Bill C-32 on impaired driving.

When the government suggests that the opposition did not work diligently, some explanation is in order. When a party has been in government for two years—not quite two years even—and you have succeeded in obtaining royal assent for six bills, when half of your legislative agenda has been adopted, I think the government's criticism is not well founded. The Bloc Québécois has worked very hard in the Committee on Justice and Human Rights and the Committee on Public Safety and National Security. We will continue to work hard in the future.

I know that the member for Abitibi—Témiscamingue will be speaking about this in a few minutes, but there is a problem of philosophy. For a democrat—let me put it the way René Lévesque did—the end cannot justify the means. Even if we know that judicial practice in our courts should be changed, my colleague for Abitibi—Témiscamingue will agree with me that when a person is held in detention before trial, for example, and they want to subtract two days from any sentence for each day in detention, there is perhaps something that we need to look at.

If the member for Marc-Aurèle-Fortin were with us today, he would join with me in recognizing that the government should have made tackling the parole system a priority. This is an area where the support of the member for Abitibi—Témiscamingue is very firm, very strong, and not negotiable. You can be sure that I take comfort in this.

So I was talking about the question of sentencing, about release after one-sixth of the sentence. If a judge in a court of law, with defence counsel, Crown counsel and a jury as provided under the Criminal Code, has imposed a sentence, it seems that allowing the accused to be released after one-sixth of the sentence is very soon. There are philosophical questions that concern us, that cry out for answers. We are not prepared to accept everything in Bill C-2.

*Government Orders*

Generally speaking, I think we must remember that crime is dropping. There was an increase in crime in the 1960s and 1970s, both property crime and crimes against the person. This continued until the 1990s, with small variations. After that, crime has fallen. There have been peaks, for example in 1994, 1995 and 1996, when we had the whole phenomenon of organized crime. Some of my colleagues may recall this.

● (1350)

In fact, I owe this to history. To be truthful, I must point out that the Bloc Québécois was the first to call for anti-gang legislation. I recall very clearly having discussions with senior officials who wanted to dismantle the organized crime rings. At that point, there were 38 criminal biker gangs known to law enforcement agencies. The main one was the Hell's Angels. The obvious face of organized crime in our communities was the Hell's Angels.

Some senior officials wanted to dismantle the organized crime rings using the conspiracy provisions. The member for Abitibi—Témiscamingue will recall that this was section 476 of the Criminal Code, if memory serves me.

Obviously, in the Bloc Québécois, we were convinced that this was not possible. Why? Take the example of Maurice “Mom” Boucher. While he gave the orders, he was not the one who carried them out. There was a gap in the chain of command that meant that it was extremely difficult to lay charges against the organized crime kingpins, even though the people responsible for surveillance techniques, even though the law enforcement agencies, the Montreal police service, the Criminal Intelligence Service Canada and the RCMP, were able to identify who the kingpins of those criminal organizations were.

It was the Bloc Québécois, through the wisdom it has always had—wisdom that is perhaps not innate, because it took a lot of work to gain it—speaking in the voice you are listening to now, that took action to deal with this. The member for Charlesbourg—Haute-Saint-Charles also worked very hard on it, as did the member for Berthier—Montcalm. I think I can bring back fond memories in this House if I mention the name of Michel Bellehumeur. He was appointed to the bench because of his personal talent and his intellectual breadth. The member for Berthier—Montcalm had all the qualifications needed to be appointed to the bench, and today he is a judge of the Court of Québec, Criminal Division.

**An hon. member:** Youth Division.

**Mr. Réal Ménard:** Youth court. I should have remembered him because of his baby face.

When Justice Bellehumeur was a member of the Bloc Québécois, he was particularly enterprising with regard to the provisions of the anti-gang legislation. He had support in caucus and we convinced the government. We started this battle in 1995 following a very sad incident that I will not forget as long as I live—the car bomb attack that led to the death of young Daniel Desrochers in the Hochelaga—Maisonneuve area.

It was at that point that the public took notice that the existing legislation did not have the teeth to attack organized crime. We were presented with a bill that created the new offence of gangsterism. It was too general. In fact, at the time, it required five individuals who,

in the previous five years, had committed an offence carrying a sentence of more than five years. It was the three fives rule. It was too general and the police asked us to review the anti-gang law.

The first Bill C-95 was introduced in 1997 as a result of the Bloc Québécois' hard work. The provisions of the anti-gang law were revisited by Bill C-24 and Bill C-36. It was also the Bloc Québécois that worked on taking \$1,000 bills out of circulation, thanks to the efforts of my colleague for Charlesbourg—Haute-Saint-Charles, Richard Marceau. This man has been a great inspiration in justice matters. He stands out in other areas as well, but in justice he has been a true inspiration.

Once again, it was the Bloc Québécois that introduced and ensured the adoption, on the last day of the 2004 parliamentary session, of a bill on reverse onus. The member for Abitibi—Témiscamingue likes bills that address specific issues and distrusts those that are generic.

● (1355)

The bill was very specific because it reversed the onus of proof for proceeds of crime acquired by criminal organizations.

When I hear the Minister of Justice showing a lack of respect by saying that the Bloc Québécois used stalling tactics, I do not see how that applies to me, and I am sure the other Bloc members feel the same way. It is the role of the opposition to keep pushing the government to be better. Obviously, every member of the Bloc leaves Parliament at the end of the day feeling exhausted, since there is so much work to do.

That said, crime is not on the rise; in general, it is going down. I think it would be ill-advised to hold a debate that does not take that fact into account. The Bloc Québécois has always been very concerned about mandatory minimum penalties.

Sure, they have always existed in the Criminal Code. But when we passed the bill to establish the firearms registry, back when Allan Rock was minister, we also decided to add 40 or so mandatory minimum penalties for offences involving firearms.

The hon. member for Berthier—Montcalm, with his characteristic insight, already had very serious reservations at the time. He relied on studies by criminologists, particularly at the University of Toronto, who concluded that there is no link between the availability of mandatory minimum sentences in the Criminal Code and the crime rate in a society, any more than there is a link between the incarceration rate and the crime rate in a society.

Consider, for example, the United States. The incarceration rate there is three times higher than Canada's, but the crime rate is seven times higher. Thus, it is not through reliance on incarceration that we will have a safer society.

*Statements by members*

Of course, the Bloc Québécois recognizes that incarceration must be used in certain situations. This is why we do not question the need to have certain provisions in the Criminal Code, such as section 753, which talks about dangerous offenders. A very serious offence must be involved in order for an individual to be a dangerous offender. An offender must be convicted of personal injury offences. An offender must present such a high a risk of recidivism that the court must be convinced that the person cannot control himself or herself or has difficulty controlling his or her impulses.

Regarding dangerous offenders, the older people among us—including some members of my caucus—will recall that, in the 1950s, they were referred to as “habitual criminals”. Perhaps some members remember this? Even my mother used this expression, although never about her own children.

I think I am out of time, but I would like to be able to start over again after question period.

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for Hochelaga will have six minutes left at the end of oral question period to finish his speech.

We will now proceed to statements by members.

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## STATEMENTS BY MEMBERS

[English]

### “BUY LOCAL” CAMPAIGN

**Mr. Dean Del Mastro (Peterborough, CPC):** Mr. Speaker, I rise today in support of the Greater Peterborough Chamber of Commerce and its “Buy Local” campaign.

The Greater Peterborough Chamber of Commerce urges all Canadians to keep your town in business by keeping your business in town”, and I could not agree more.

Local Peterborough area businesses do more than simply provide places to work. They also contribute and sponsor the many worthy charitable causes that make our communities better places to live.

In Peterborough this means a new regional hospital can be built and that the local United Way can reach its goals. It also means that sports teams have sponsors to help keep kids sports affordable for parents.

By buying local, Canadians are being economically smart and environmentally green, and they do not need to worry about lineups at the border or paying duties on their purchases.

No matter how we look at it, everybody wins when “you keep your town in business by keeping your business in town”. I urge all Canadians from east to west and north to south to buy Canadian first and to buy local.

● (1400)

[Translation]

### ANTONIO LAMER

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, last weekend we were saddened to hear of the passing of the former Chief Justice of the Supreme Court of Canada, Antonio Lamer, at the age of 74.

Antonio Lamer was a pleasant man with a well-known sense of humour. Despite occupying one of the most prestigious positions in the country, he never looked askance at the lower courts, where he practised law for many years.

During his 10-year tenure as Chief Justice of the Supreme Court of Canada, Antonio Lamer had a remarkable impact on our country's justice system.

Thanks to Justice Lamer, who had tremendous respect for individual freedoms and was a staunch defender of human dignity, the fundamental rights and liberties set down in the Canadian Charter of Rights and Freedoms were enshrined in the Constitution.

He also played a role in many historic decisions that changed Canadian society.

My colleagues and I wish to offer our sincere condolences to the family, friends and colleagues of Antonio Lamer.

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### QUEBEC NATION

**Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ):** Mr. Speaker, one year ago today, the House of Commons listened to the arguments put forward by the Bloc Québécois and finally recognized the existence of the Quebec nation. One year later, it must be said that this motion was meaningless to the Conservatives. In fact, by introducing Bill C-22, which seeks to change electoral representation, the Conservatives are trying to reduce the weight of Quebec and the Quebec nation in federal political institutions.

The government cannot recognize the Quebec nation one year and reduce its political weight in the House the next. If recognizing the Quebec nation means something, the government must ensure that any reform of electoral representation and the distribution of seats maintains the relative representation of the members from Quebec, so that this nation can be heard within federal institutions.

If the government sincerely wants to recognize the Quebec nation, it must grant the unanimous wish of the National Assembly of Quebec, which is calling on the government to withdraw its bill.

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[English]

### POVERTY

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, in my community of Hamilton, almost 100,000 people live in poverty. That is almost as many as the number of constituents in my riding of Hamilton East—Stoney Creek. That is shameful.



*Statements by members*

Successive Liberal and now Conservative governments have failed to make a dent in poverty and have failed to even define a marker for poverty, making it easier to push off the responsibility for tackling the root causes.

News this week has been full of reports calling Toronto the poverty capital of Canada and of our failure to eliminate child poverty right across Canada.

Poverty activists and agencies such as the United Way, as well as organizations like Campaign 2000 know what needs to be done. There are examples of strategies that focus on poverty reduction, like Hamilton's Roundtable on the Elimination of Poverty, and in the work of groups like Vibrant Communities that know what to do, and so does the NDP.

Fix employment insurance. Restore the minimum wage at \$10 per hour. Set up national child care, home care and pharmacare programs. Confront homelessness. Make education affordable. Seek fairness for groups such as women and aboriginals who disproportionately face poverty.

It is time to fight poverty with real initiatives for real results.

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**EVAN'S GAME**

**Mr. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, last Sunday I had the honour to participate in an event that converted the pain of a senseless tragedy into something positive.

Evan's Game was held in honour of Evan Grykuliak who was brutally murdered while celebrating his 17th birthday with family and friends, leaving the whole community in a state of shock.

A soccer game was held between the Edmonton Police Service and the under 18 team that Evan used to captain. The event commemorated Evan's short life, raised public awareness of youth violence and raised funds to support school based violence prevention programs.

EVAN is not just the young man's name. It also stands for End Violence Act Now.

We are acting now, with the new Youth Criminal Justice Act. This is the number one issue for a great many Edmontonians and other Canadians.

We owe it to Evan. We owe it to his family and friends. We owe it to our communities.

I want to pay tribute to a fine young man whom I will never meet, his family and all of his friends and members of a community with the fortitude to take positive action in the face of a tragedy. Their efforts raised over \$25,000 and youth and exuberance triumphed over old age and cunning as the under 18s topped the police team by a score of 5 to 2. That one was for Evan.

\* \* \*

● (1405)

**CORRECTIONAL SERVICE CANADA**

**Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.):** Mr. Speaker, Ashley Smith was supposed to be released from prison today.

She was sentenced as a young offender at the age of 15 in New Brunswick. She took her own life on October 19 in an isolated jail cell at the Grand Valley federal institution in Kitchener following an extensive period of solitary confinement.

Four correctional staff at Grand Valley and one correctional staff member at the Saskatoon Regional Psychiatric Centre have been charged.

Ashley's tragic death raises a number of troubling questions that must be answered.

How did a young girl struggling with mental illness and incarcerated as a young offender end up, through excessive institutional charges, in federal correctional facilities thousands of kilometres from home?

What can be done to improve the way we deal with offenders so that we minimize the recurrence of such tragedies?

When will we learn as a society that it is more feasible to invest in community safety and crime prevention programs than to pursue draconian laws that incarcerate more and more people at the expense of public safety?

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**TOURISM DAY**

**Mr. Bruce Stanton (Simcoe North, CPC):** Mr. Speaker, I am pleased to recognize Tourism Day on Parliament Hill today, an event that will surely raise the awareness of important tourism issues across Canada.

We know tourism is important to all regions of the country, and our government is committed to this sector, investing over \$400 million annually in tourism related initiatives. "What initiatives?", one might ask.

We have just approved an additional \$26 million for the Canadian Tourism Commission to maximize opportunities for the 2010 winter games.

We are providing \$110 million for the 400th anniversary of Quebec City in 2008.

We have created the foreign convention and tour incentive program to better promote Canada for group travel.

We announced further reductions in the GST that will make travel in Canada more affordable for residents and visitors alike.

We look forward to working with tourism stakeholders because it is a great industry and, working together, it is only going to get better.

*Statements by members*

[Translation]

**QUEBEC NATION**

**Mr. Marcel Lussier (Brossard—La Prairie, BQ):** Mr. Speaker, the government has been trying to convince us for a year that it has recognized Quebec as a nation. Yet, it has done nothing to make this a reality.

This situation is strangely reminiscent of the late acknowledgement of the existence of global warming by the Prime Minister. This acknowledgement has not prevented him from sabotaging efforts by Quebec and the international community to reduce greenhouse gas emissions.

He is all talk and no action on these two major issues.

Quebeckers are not fools. It will take more than mere words to convince them that the Conservatives are serious when they speak of the Quebec nation or of climate change. This Prime Minister must respect the decision of the Quebec nation, a nation that supports the Kyoto protocol, and implement a real plan to reduce greenhouse gas emissions.

Because, to date, this government has not proven that it can walk the talk.

\* \* \*

[English]

**THE ENVIRONMENT**

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, the government has taken action on the environment to protect lands, clean up our lakes and keep our planet green, but governments alone cannot protect the environment. The protection of the environment is the responsibility of our entire society.

In my riding of Bruce—Grey—Owen Sound, Fay Harshman, a progressive businesswoman, is leading the corporate charge to help protect the environment. Mrs. Harshman owns seven Tim Hortons stores in the area and just recently announced a four-stream sort, which sets a recycling standard second to none in Ontario.

Mrs. Harshman's decision came about as a result of her desire to fully comply with the city of Owen Sound's tough new mandatory recycling bylaw. Owen Sound environmental superintendent Chris Hughes said that this Tim Hortons “really made an effort to do it right”.

Mrs. Harshman has set what is to become the Tim Hortons recycling standard across the country.

Saskatchewan may have the Roughriders, but my riding has Fay Harshman. We are proud of her efforts to help keep our country green.

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**MANUFACTURING INDUSTRY**

**Ms. Ruby Dhalla (Brampton—Springdale, Lib.):** Mr. Speaker, in my riding of Brampton—Springdale, the manufacturing industry is in a state of crisis. The high dollar, border issues and one-way imports have made for a perfect storm of challenges, resulting in the

recent elimination of the third shift at the Brampton Chrysler plant and a loss of over 1,100 jobs.

Many Bramptonians who depend on the manufacturing sector are now facing unemployment. They are hard-working Canadians whose families are left struggling to make ends meet, yet the Conservative government has done nothing.

There is no comprehensive strategy and there are no solutions to address the manufacturing crisis and stop the job losses. Nor is there an action plan to help those who have lost their jobs. The government is also ignoring calls to end the Canada-Korea trade talks, which will further devastate the industry.

I urge the government to stop wasting time and to help the struggling auto industry and those people who have lost their jobs.

\* \* \*

● (1410)

[Translation]

**QUEBEC NATION**

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, I am extremely proud to commemorate the first anniversary of the adoption in the House of Commons of the motion introduced by the Prime Minister of Canada recognizing “that the Québécois form a nation within a united Canada”.

I would remind the House, however, that the Bloc Québécois took three different positions in three days. On Wednesday, it was against the motion, on Thursday, it proposed amendments, and on Friday, it finally saw the light.

Quebeckers have always played an historic role in Canada's progress, through their public spirit, courage and vision, by building a confident, autonomous and proud Quebec showing its solidarity within a strong, united, independent and free Canada.

The Bloc can continue to criticize, to reflect and to pump ideas out of its lab, but it will never have anything to offer and will never be capable of implementing any of its proposals. Fortunately for the Quebec nation, our government's words are matched by our deeds: UNESCO, fiscal balance, open federalism, the child care benefit, cuts to the GST and other taxes, and federal funding for Quebec's green plan.

\* \* \*

[English]

**NORTHERN REGULATORY IMPROVEMENT INITIATIVE**

**Mr. Dennis Bevington (Western Arctic, NDP):** Mr. Speaker, the appointment of Neil McCrank, the former chair of the Alberta Energy and Utilities Board, as the minister's special representative for northern regulatory reform is causing concern across Canada's north.

During his time there, that agency moved from working for the public's interest to working for the interests of the big oil and gas companies. The agency ignored the concerns of Fort McMurray, approving one oil sands project after another. The result was homelessness, overstressed municipal services and increased crime.

The regulatory system in the north was created to ensure that northerners' concerns were addressed. Northerners do not want to see the small amount of control they have over development reduced in favour of the interests of big business.

If the minister wants to improve the regulatory process in the north, he can begin by completing the implementation of the Mackenzie Valley Resource Management Act, especially parts 5 and 6, which deal with land use planning and cumulative environmental monitoring.

\* \* \*

#### WORLD AIDS DAY

**Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.):** Mr. Speaker, this Saturday is World AIDS Day. Last year, nearly 3 million people died from HIV-AIDS, with 2.1 million of those victims in sub-Saharan Africa.

This is a disease that is preventable and manageable and yet it ravages Africa. Its numbers are escalating in Eastern Europe, China and India also. Worldwide, 33 million people are infected and a shocking 5,700 people die every day from this disease, leaving a staggering 14 million orphans.

However, despite the sheer magnitude of this crisis, the government has shown no sense of urgency. The previous Liberal government committed \$619 million in 2005-06 for health initiatives to combat HIV-AIDS in the developing world. Alas, yesterday's government announcement on international health would have been fine except that those moneys were earmarked at last year's G-8 summit.

Here at home, the government is putting people's lives at risk by undermining the life-saving Insite program in Vancouver and not allowing the NAOMI project and other Insite supervised injection projects to be more widely available.

I say to the government, bury that ideology—

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

\* \* \*

[Translation]

#### QUEBEC NATION

**Ms. Pauline Picard (Drummond, BQ):** Mr. Speaker, one year after this House recognized us as a nation, we are still waiting to see some action.

As we speak, thousands of Quebecers have no assurance of being able to work in French, because the Canada Labour Code does not recognize French as the common language of Quebecers.

The Quebec government, my national government, cannot enter into any international agreement, even in areas that fall under its jurisdiction. The Conservative government lets it speak only if it is repeating the same thing that Canada has already said. Even worse,

#### Statements by members

the Conservatives are now trying to place limits on Quebec by decreasing its political weight in this House.

One year later, Quebecers can legitimately wonder whether the Conservative government was mocking them last year, when it recognized Quebec as a nation.

\* \* \*

[English]

#### UNITED NATIONS

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, once again in the annual ritual of UN General Assembly resolutions, one member state, Israel, is being singled out for differential and discriminatory treatment.

[Translation]

There are currently some twenty resolutions condemning Israel, more than all the resolutions adopted against all other states, while the major violators enjoy exculpatory immunity.

● (1415)

[English]

Tragically, this is not only prejudicial to one member state, but it undermines the integrity of the UN, under whose protective cover it occurs, and erodes the authority of international law in whose name these resolutions are adopted.

The time has come for the Canadian government to say no to discrimination and the denial of international due process, and yes to a principled and fair-minded UN process that holds all states equally accountable before the law.

\* \* \*

#### INITIATIVE TO SAVE A MILLION LIVES

**Mr. Lee Richardson (Calgary Centre, CPC):** Mr. Speaker, while attending the recent 38th annual world lung health conference, I witnessed the growing tuberculosis epidemic in the developing world and travelled to South Africa to see at first hand the magnitude of the devastation inflicted by AIDS, tuberculosis and other preventable diseases.

I was also able to witness the efforts of Results Canada, a national network of volunteers committed to creating the political will to end hunger and poverty in Canada and around the world.

*Oral Questions*

With this experience in mind, I am delighted by the Prime Minister's announcement that Canada, in partnership with others, is leading an ambitious initiative to improve health care for impoverished mothers and children in Africa and Asia. The Initiative to Save a Million Lives will strengthen health systems by training front line health workers and delivering affordable health care services directly to local communities. Once fully implemented, the initiative will save the lives of over 500 children every day.

I praise these efforts that are getting real results, including lower rates of tuberculosis, HIV-AIDS and malaria, increased peace and security, stronger economic growth, and better governance.

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## ORAL QUESTIONS

[*English*]

### AIRBUS

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker, yesterday, a committee of the House issued a summons to call Karlheinz Schreiber to appear before it this Thursday.

Today, the justice minister told the committee that he would not take any steps to enforce the summons, even though Mr. Schreiber is in federal custody, but the justice minister has the power to enforce the summons.

Why is the justice minister obstructing the committee's ability to hear from this vital witness?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I received a request on Thursday of last week indicating that the committee wanted to invite an individual to testify this Thursday. I indicated that I would not stand in the way of that. The committee can proceed to issue a summons or a warrant.

I should point out that the individual is being held in a provincial correctional institution.

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

**An hon. member:** Everybody knows that is a sham, Rob.

[*Translation*]

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker—

[*English*]

**The Speaker:** Order, please. I would urge hon. members who want to carry on a discourse with others to do it outside. We need to proceed with question period. The Leader of the Opposition has the floor and we will have a little order.

[*Translation*]

**Hon. Stéphane Dion:** Mr. Speaker, according to the Law Clerk and Parliamentary counsel, the minister has all the authority required to enforce the summons. I will therefore repeat the question.

Will the Minister of Justice stop obstructing the committee and the House? Will he enforce the summons?

[*English*]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, nothing could be further from the truth. Under the Extradition Act there is authority to delay the surrender of an individual who has been convicted and is serving a sentence in Canada. However, that is not the case here. The individual is being held in a provincial correctional institute.

I do not make suggestions to committees as they are the masters of their own business, but if they have a summons or a warrant, they can present it to the facility and the facility will deal with it accordingly.

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker, the time has come for the justice minister to stop hiding behind excuses. His refusal to allow a committee to do its duty shows contempt for this House. He is putting the Conservative Party's interests ahead of his duties as Minister of Justice.

Will the minister not wait to be ruled in contempt of Parliament and do the right thing now?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, the Leader of the Opposition can yell all he wants but the fact is that the committee has issued a summons for an individual. It is considering a warrant. When that is presented to a provincial correctional institute, that institute will deal with it accordingly. I do not see what the problem is.

● (1420)

**Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, the justice minister is defying the will of Parliament. He refuses to produce a witness and he refuses to delay extradition claiming that he has no such authority. However, he is wrong. The minister has the power to choose the date Canada surrenders Schreiber to Germany. It is section 42 of the Extradition Act if he needs a little help.

Will the minister guarantee to this House that Karlheinz Schreiber will be able to testify at committee in person, or will he continue to hold the institutions of this country in contempt?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, that is not just insulting but the individual is wrong about this.

The Extradition Act is clear. When an individual has been convicted and is being held in a Canadian prison there can be a delay of an extradition order.

I indicated to the committee that I would not stand in the way of this individual or any individual testifying before a committee of the House of Commons. If the committee is issuing a summons and a warrant, it should present it to a provincial correctional institute and it will deal with it accordingly.

[*Translation*]

**Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, will the Minister of Justice respect the institutions of Parliament and produce the witness being called for by a committee of Parliament? Or will he continue to show disdain for our democracy and our parliamentary system?

*Oral Questions*

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, this is not an academic exercise. This is the application of federal statutes and the interaction between the committee of the House of Commons and an officer of Parliament.

If there is a warrant or a summons presented to a provincial correctional institute, the institute will deal with it accordingly. What is the big problem?

[Translation]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, in a letter addressed to the House of Commons ethics committee, the Minister of Justice writes that he does not have the necessary authority to delay extradition of businessman Karlheinz Schreiber, which is scheduled for December 1. Nothing could be further from the truth. According to the House of Commons legal counsel, section 42 of the Extradition Act stipulates that the Minister of Justice has discretionary power to delay such an extradition.

Will the Minister of Justice admit that his government is doing everything it can to rid itself of an embarrassing witness in a case that might end up discrediting his party?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, as I indicated to the committee, I will not stand in the way of anything that it wants to do to get someone here before committee on Thursday of this week.

As I have pointed out to members, the Extradition Act does not say that. It applies to an individual convicted of an offence. We have an individual here who was not convicted of an offence. He is being held pursuant to a court order in a provincial correctional institute.

[Translation]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Minister of Justice is dodging the question. I am telling him that he has the power, under section 42, to delay an extradition, to defer it until a later date. He claims, in a letter, that he does not have that power. The committee legal counsel says that he does.

Will he admit, in this House, that he does indeed have that power? We want a straight answer to this very simple question. Will he tell us that he has that power, or will he continue to deny that fact?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, in general, under the Extradition Act the Minister of Justice has the authority to delay the surrender of an individual beyond the 45 day period if the person has been convicted and is serving a sentence in Canada.

What is so impossible for him to understand about that?

[Translation]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, I am telling him that he does have the power to delay the extradition. We want Karlheinz Schreiber to appear now. Will he understand that he does have the power to delay this extradition so that this man can appear?

Will he do this, or will he not? I want to know what he plans to do. Let him tell us in plain words.

• (1425)

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I know the hon. member and his party have a hard time understanding federal powers, federal jurisdiction and federal legislation but again, the committee is the master of its own business and it should proceed accordingly.

[Translation]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, I have been here quite long enough to understand how federalism works and I understand particularly well just how some federalist parties operate.

I also understand how this minister operates. When a problem crops up, he puts a process in place, and when he cannot answer a question, he sidesteps the question. He has the power. If he does not exercise that power, it is because he is protecting someone who might do some harm to him, and to some of his colleagues.

Is that not the reason?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, nothing could be further from the truth. It was this government that set in place a procedure with respect to Dr. Johnston. He will be advising the government with respect to a public inquiry.

With respect to the extradition matter, that matter will be before the courts on Friday so it would be inappropriate to comment further on that.

\* \* \*

[Translation]

## THE ENVIRONMENT

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, floods, droughts and other weather disasters are becoming increasingly common around the world. Today's UN report indicates that even if all countries took action now to reduce their greenhouse gas emissions, global temperatures would continue to rise until 2050.

In response, our Prime Minister has adopted a laissez-faire attitude and abandoned our commitments. Why has he made such a bad choice for Canada and the world?

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, there is no question that the world must take action. Here in Canada, we are showing true leadership with our plan for absolute targets to reduce greenhouse gas emissions by 20% by 2020.

Perhaps the NDP leader should read today's *La Presse*. André Pratte wrote that the Prime Minister's attitude is "perfectly reasonable". He said that the Prime Minister "is right: everyone, including the United States, has to sign on to the post-Kyoto strategy". We are taking action.

[English]

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, in the UN report, Desmond Tutu wrote:

### Oral Questions

...the problems of the poor will arrive at the doorstep of the wealthy, as the climate crisis gives way to despair, anger and collective security threats....

Our planet is dying and the direction that the Prime Minister is taking is taking us further and further into a pollution-driven, fuelled economy.

When will the Prime Minister understand that it is time to change direction to put Canada on track to the 21st century green economy? When will he do the right thing for our children, our planet and our future?

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, we are committed to real action. We are acting today. We have programs in the transportation domain and energy efficiency conservation. We are regulating the big enterprises to reduce pollution.

The leader of the NDP should have listened to the prime minister when he said:

I have made absolutely clear that we would need to see clear-cut commitments from the major emitters from the developing world for us to become party to that agreement.

Does the member know which prime minister said that? The prime minister of Australia, Kevin Rudd.

\* \* \*

### AIRBUS

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, Karlheinz Schreiber is in a provincial institution under federal custody at the request of the minister. Section 42 of the Extradition Act states, "The Minister may amend a surrender order at any time before its execution".

Why will the government not guarantee that Mr. Schreiber's extradition will be delayed long enough for him to appear and tell the truth at the House committee and at the public inquiry? What are the Conservatives trying to hide?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** I guess the Liberals are halfway there now, Mr. Speaker. They have figured out that it is a provincial correctional institute. I congratulate them for that. It took a bit of time but I am sure they will get there and get this thing figured out.

I should indicate to the House that, with respect to this matter, a stay application has been filed in court and is scheduled to be heard Friday. Therefore, I think it would inappropriate to comment any further on that.

●(1430)

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, the minister has already acted in conflict. Surely he should have known that stepping aside from this file upon entering cabinet was the prudent and wise thing to do.

Yes or no, will the minister do everything in his power to ensure that Mr. Schreiber is present before the ethics committee on Thursday and the public inquiry to follow, or will the minister's loyalty to Mr. Mulroney cause him to be in contempt of Parliament?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I have already indicated

that I would not stand in the way of that individual either testifying today, as I indicated last week, or testifying this Thursday.

[Translation]

**Mr. Pablo Rodriguez (Honoré-Mercier, Lib.):** Mr. Speaker, Conservative members have said that they do not feel comfortable sitting on the Standing Committee on Access to Information, Privacy and Ethics while it examines the Mulroney-Schreiber affair.

These members say that the Minister of Justice does not have the power to amend his own extradition order. Experts, on the other hand, say that he is the only one who has that power.

It is official. The Minister of Justice is handcuffing the Conservative members of the committee. He is cracking the whip to make them say what he wants to hear. Why? Because he wants to sweep this whole affair under the carpet.

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, just because the member says that it is official does not mean it is official.

I must say that with respect to the members on the Conservative side of the ethics committee, they are completely devoted to their country and to doing the right thing on behalf of Canada, and we all owe them a ton of thanks.

[Translation]

**Mr. Pablo Rodriguez (Honoré-Mercier, Lib.):** Mr. Speaker, by attempting to paralyze the Standing Committee on Access to Information, Privacy and Ethics, the Minister of Justice is playing with fire. He is on the verge of being in contempt of Parliament.

By signing Conservative members of the committee up for the crusade to save Brian Mulroney's skin, is he also asking his own colleagues to be in contempt of Parliament?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, what is contemptuous is to be throwing around inflammatory accusations in a case such as this.

The committee has instituted a process and it is welcome to proceed with that. I indicated I will not stand in the way. I will live up to my responsibilities as Attorney General and Minister of Justice, and I resent any suggestion that I would not live up to my oath of allegiance to the Queen.

\* \* \*

[Translation]

### MANUFACTURING INDUSTRY

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, when they met yesterday, Premiers Charest and McGuinty again called on the federal government to do its part and help the manufacturing sector. Elected representatives, employer associations, the various manufacturing sectors and unions are joining together to cry out for immediate federal action, given the urgency of the situation.

*Oral Questions*

Will the Minister of Industry listen to them and put as much energy into helping the manufacturing sector as his government is putting into padding the coffers of the oil companies?

**Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, once again, I would like to review what the government has done. We brought out an economic statement that contains very specific measures to help the industry. But what did the opposition do? Once again, the opposition let its own interests dominate, meaning that it left on the table \$12 billion over five years earmarked to help Quebecers and companies. That is what it did.

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, we wonder what the minister will tell the people who worked at the six plants that have closed in his riding.

The minister would have us believe that he has acted on the unanimous recommendations of the Standing Committee on Industry, Science and Technology concerning the manufacturing sector. Yet nothing could be further from the truth, because only one recommendation has been implemented, and only halfway at that. All the federal government has done is reduce taxes, a measure that benefits rich oil companies, but does nothing to help manufacturers that are making no profit.

Will the minister stop playing with words and introduce a real plan to help the manufacturing sector?

•(1435)

**Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, if my hon. friends in the Bloc Québécois had bothered to read the economic statement and the throne speech, they would have seen that, yes, the government will be taking action. And that action has begun. But what is the Bloc Québécois doing? The Bloc members are not really working for Quebecers. They have a unique opportunity to take action that will help Quebecers, by lowering personal taxes, reducing corporate taxes or decreasing the tax on capital. They are not there for Quebecers; we are there.

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**OLDER WORKERS**

**Mr. Christian Ouellet (Brome—Missisquoi, BQ):** Mr. Speaker, hundreds of workers at Collins & Aikman plants in Farnham and Lacolle find themselves without any prospects after many years of service. Many of the laid-off workers, experts in their trade, are over 55 and do not have a high school diploma. One of them said that he had worked for 36 years and will have very little in the way of employment insurance.

When will the government implement a real income support program for older workers?

[*English*]

**Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC):** Mr. Speaker, this is a serious issue. We see workers being laid off in many parts of the country. That is why we have moved to put in place initiatives like the targeted initiative for older workers.

Twenty of the 40 projects in the country are operating in Quebec today to ensure older workers have some options. This is important.

The government sees the tremendous potential in these workers. Overwhelmingly they are being hired today. Many of them are going on to great new opportunities in Quebec and outside of Quebec.

We see the potential. I do not understand why the Bloc does not see the potential in Quebec workers.

[*Translation*]

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, it is all fine and well to empathize with workers but that does not put food on the table.

It is obvious that this minister from Alberta has a great deal more empathy for his province's oil companies, which have benefited from hundreds of millions of dollars in tax cuts, than he does for workers who lose their jobs. That is the truth.

When will the government make available its surpluses and billions of dollars to workers who lose their jobs rather than to fat oil companies that make indecent profits? When will it do that?

[*English*]

**Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC):** Mr. Speaker, the fact is the economy today is creating tremendous numbers of jobs all around the country. In fact, in Quebec 90,000 new jobs were created this year alone. That is tremendous news.

However, I need to point out to my friend that the tax revenues coming in from all taxpayers today allow the government to invest more in training than any government in the history of our country. I am proud of that. We think the path from poverty is employment, and this is a tremendous initiative to make that happen.

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**THE ENVIRONMENT**

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, what we saw from the Prime Minister at the Commonwealth Summit gives all Canadians great concern. His my way or the highway approach to international relations is not what Canadians expect from their Prime Minister.

We can no longer afford to make aspirational statements. We need binding international commitments. We should be doing everything we can to get all countries on board, including China, including India, by aiming higher by reaching for the top, not racing to the bottom.

What can we expect from the Prime Minister in Bali? The same shameful and disreputable tactics used in Uganda?

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, nothing could be further from the truth. My way or the highway, it could be the way of the *National Post*, which stated:

Once again, [Prime Minister] has taken a sensible stance on global warming—this time at the Commonwealth Heads of Government Meeting in Uganda....The Prime Minister should be proud of his performance....

We could do it Kevin Rudd's way, the prime minister of Australia. We could do it André Pratte's way. However, we will not do it the way the Liberal Party did, the way that caused greenhouse gases to go up by 33%, the way the Liberals gave a free pass to the big polluters. We will not do it.

*Oral Questions*

**Mr. David McGuinty (Ottawa South, Lib.):** Here is the problem, Mr. Speaker. Nobody believes him.

[*Translation*]

Because of the Prime Minister's shameful behaviour at the Commonwealth conference, Canada is being shunned by the rest of the world. The Australians kicked out John Howard for refusing to support the Kyoto protocol. Only the White House is still in the Prime Minister's camp. He would like us to stay in this two-member club against 190 countries.

Why is the Prime Minister always the only one who is right?

● (1440)

[*English*]

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, I will agree with the member for Ottawa South. It is unbelievable that the Liberals allowed greenhouse gas emissions to go up by 33%.

I have another quote from a colleague of the leader of the Liberal Party, who said this. "The current Leader of the Opposition did absolutely nothing to fight global warming when he was the minister of the environment and the band of misfits who surround him were even worse".

Who said that? The current member for Ottawa West—Nepean.

**Hon. Karen Redman (Kitchener Centre, Lib.):** Mr. Speaker, aspirations will not stop climate change. The world agrees that in order to fight climate change, we need firm targets and binding commitments, but the Prime Minister refuses both. He says one thing in Canada and another on the world stage. Is this why he wants to sabotage the Bali conference, to hide the fact that the government is a fraud?

The Prime Minister keeps repeating his empty phrase, "Canada is back". Back to the back of the line? Back to the dark ages? When will he come back to his senses?

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, what we on this side of the House believe is to successfully fight global warming and climate change, we need everyone on board. We need Canada. We need the United States. We need China and India.

Here is what the leader of the Liberal Party said just last week. He said:

To reduce green house gas emissions and improve air quality, the Canadian government must first negotiate with its American neighbours, and then take stronger action on the home front.

Maybe his own party needs to listen more to its leader.

**Hon. Karen Redman (Kitchener Centre, Lib.):** Mr. Speaker, unlike the Prime Minister, the chair of the Lloyds of London, Peter Levene wants the world to take urgent action on climate change. Yesterday in Montreal he said that we needed to act on climate change strictly for economical and commercial reasons.

If we act now, greenhouse gas emissions could be stabilized at the cost of 1% of GNP. If we do not act, 20% of the world's GNP will absolutely vanish. It will be wiped out.

Does the Prime Minister understand this simple math? Will he start thinking ahead and preserve our economic future by pushing for firm targets and—

**The Speaker:** The hon. Minister of the Environment.

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, we are taking real action now to fight global warming in Canada.

Look back to 1997, when Liberal MP Gar Knutson said:

I think if 12 years from now we look back and we've failed it'll be because we didn't take any kind of urgent action in the first two to four years.

This is a stunning indictment to the previous Liberal administration.

\* \* \*

**ABORIGINAL AFFAIRS**

**Mr. James Lunney (Nanaimo—Alberni, CPC):** Mr. Speaker, for years first nations in our country have been asking for action on issues that matter to them. One of the most egregious issues is a backlog of unsettled land claims, some of which go back 60 years. During the 13 years the Liberals had to address this issue, they sat on their hands and did nothing.

Our government has said that we would take action to resolve this problem. Could the Minister of Indian Affairs advise the House as to what we are doing to break through this backlog of unresolved specific claims and to deliver justice at last?

**Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC):** Mr. Speaker, this morning I was joined by the National Chief of the Assembly of First Nations in tabling legislation resolving the backlog of specific claims. By setting up an independent tribunal of impartial judges, we are ensuring that there is greater fairness in the way specific claims are handled and in speeding up claim resolutions. For 60 years, first nations have asked for this.

The Assembly of First Nations and the government worked very hard on this legislation and the result is something of which the National Chief and all Canadians can be very proud.

Finally, I thank the Prime Minister and the current Minister of Industry for setting up this process.

\* \* \*

● (1445)

**AIRBUS**

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, if Karlheinz Schreiber is deported before he tells his story to Canadians, the blame will be squarely on the Minister of Justice and on the Liberal chair of the ethics committee, who wasted eight days chasing his tail when he knew full well that only a Speaker's warrant would bring Karlheinz Schreiber to testify.

Why did the chair of the ethics committee choose the course of action least likely to bring Mr. Schreiber to testify? Why did he squander eight days, knowing full well the deadline for deportation was looming?



*Oral Questions*

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, as chair of the committee, I am the master of that committee, in terms of the order of decorum, but I serve the committee. I was ordered last Thursday to arrange to have Mr. Schreiber. I did so, in full accordance with the instructions of the committee.

[Translation]

**Mr. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, after eight days of Conservative obstruction and Liberal dithering we are finally on the eve of having Mr. Schreiber appear before the parliamentary committee. Whether the Minister of Justice likes it or not, it is absolutely irrelevant that Mr. Schreiber is in a provincial institution.

The only question we have for him, now that we have dried our tears from being so moved when he quoted the Queen earlier, is whether he and the Minister of Justice will respect the will of Parliament or whether he will find more excuses to block it?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, again, I indicated twice now to the chair of the ethics committee that I would not stand in the way of this witness or any other witness.

\* \* \*

**DEMOCRATIC REFORM**

**Hon. Diane Marleau (Sudbury, Lib.):** Mr. Speaker, if the government were serious about the principles of representation by population, it would apply this principle to Ontario as it rejigs the electoral map. However, it is not serious. When the Ontario premier calls the government to account, it insults him.

What invectives will the government House leader throw at the Premiers of Quebec and Manitoba now that they also publicly oppose his projects? Are they small-minded too?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, sometimes I am stunned at who the Liberals choose to ask their questions.

The member in question has a private member's bill before the House to wipe out the principle of equal representation within the province of Ontario in the House of Commons. She wants the ridings of one part of the province to be 44% better represented than the ridings in the rest of the province.

That is not what we want to do. We want to see fairness for everybody. That is why we brought in a bill to bring better representation for Ontario, Alberta and British Columbia. I want to know what they propose to do other than what she proposes to do.

[Translation]

**Hon. Diane Marleau (Sudbury, Lib.):** Mr. Speaker, this government is not applying the principle of representation by population, as it would have us believe.

The Premier of Manitoba has also expressed concern over the bill and Mr. Charest said that he fully understands Mr. McGuinty's dissatisfaction at being called the small man of Confederation.

What name will Mr. Charest be called for supporting Mr. McGuinty? What name will the Leader of the Government in the House of Commons give Mr. Doer?

[English]

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, Alberta, British Columbia and Ontario are seriously underrepresented under existing law. We are trying to change that. The Liberal Party is critical of that.

I would like to know what the Liberals would propose. Would they propose to go with the Liberal premier's option of rendering meaningless the current guarantees in the Constitution to Quebec? That is what he wants to do. Do they want to wipe out the guarantees to all the smaller provinces, or is their position really that they just do not want more seats for Alberta, British Columbia and Ontario? I think it is the last one, and now we see that that is the case.

[Translation]

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, where is the Minister of Intergovernmental Affairs in all of this? Add democratic reform to the long list of subjects which Premier Charest says urgently require a first ministers meeting.

In two years, the minister has never thought to invite the premiers to a discussion with her boss. She seems to want Steven Guilbault to be right at all costs.

What does the minister do? Has she done anything since her appointment?

● (1450)

[English]

**Hon. Rona Ambrose (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Western Economic Diversification, CPC):** Mr. Speaker, I am right here, and on the issue of the first ministers meeting, the Prime Minister has been trying to convene a first ministers meeting since early in June, but unfortunately, the premiers' schedules did not allow for it. We are working right now with the premiers and we hope to convene a meeting in early January.

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, since that government took office, it has found no topic, zero, none, important enough to convene first ministers in Ottawa for a discussion with the Prime Minister. Not surprisingly, the premiers beg to differ and have been urgently asking for a meeting for some time now.

What is the intergovernmental affairs minister so busy doing that she has not found time to convene first ministers to a meeting? Is she afraid of what the government House leader may say to insult them?

**Hon. Rona Ambrose (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Western Economic Diversification, CPC):** Mr. Speaker, what I have been doing is working on relationships with the provinces, because this government treats the provinces with respect, as partners in Confederation.

*Oral Questions*

In fact, this country is more united than ever and that is good news for all of us. In fact, the only referendum this country will be facing is a referendum on his failed leadership in the next election.

\* \* \*

[Translation]

**INDUSTRY**

**Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Mr. Speaker, ever since the acquisition of Alcan by Rio Tinto was announced, the Bloc Québécois has repeatedly expressed concerns about aluminum transformation. Yesterday, Rio Tinto announced plans to divest itself of its Alcan manufactured products division. Three Quebec companies will be affected by that decision, two of which are located in the Saguenay—Lac-Saint-Jean region. Such an announcement confirms our fears.

I would like the Minister of Industry, who was foolish enough not to demand any transformation guarantees from Rio Tinto, to tell us how he intends to make sure that we do not end up with aluminum plants exporting their entire production of aluminum to be transformed abroad.

[English]

**Hon. Jim Prentice (Minister of Industry, CPC):** Mr. Speaker, the acquisition of Alcan by Rio Tinto was approved on the basis that it was a net benefit to Canada.

A considerable amount of work was put into that transaction. The acquisition will involve significant jobs in Canada, and increased capital investment both in Quebec and in British Columbia. All indications are that Rio Tinto will continue to observe and honour all of the undertakings which it has given both to the Government of Canada and to the Government of Quebec.

[Translation]

**Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ):** Mr. Speaker, it is rather ironic that Rio Tinto is looking to divest itself of its Saint-Maurice cable plant, in Shawinigan, the birthplace of Alcan. Taking advantage of the inaction of the minister, who did not impose any conditions on the company, Rio Tinto has decided to sell that plant established in Shawinigan.

What does the Minister of Industry plan to do this time, to prevent Shawinigan from becoming another city where plants export their entire production of aluminum without any transformation being carried out locally, which results in hundreds of jobs also being exported?

[English]

**Hon. Jim Prentice (Minister of Industry, CPC):** Mr. Speaker, quite the contrary, the Rio Tinto acquisition of Alcan has produced one of the most competitive mining companies in the world.

It is a company that has given assurances that it will be headquartered in Montreal. There will be very significant capital investment made in Canada, both in Quebec and in British Columbia, in excess of \$2 billion of commitments in capital investment.

In addition, there are assurances relative to Canadians on the board of directors, Canadians in management, and we expect that

there will continue to be increased Canadian employment in the economy.

\* \* \*

**CORRECTIONAL SERVICE CANADA**

**Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.):** Mr. Speaker, today is the day that Ashley Smith, formerly of Moncton, would have been released from prison. Tragically, she suffocated to death just a few weeks ago while in the Grand Valley Institution for Women.

Last year the Correctional Investigator raised issues about the treatment of federally sentenced women and the discrimination of prisoners with disabling mental health issues. Yet the government continues to claim that there are no discrimination issues in the criminal justice system.

When will the government take action and implement a mental health strategy for Canada's prisons, so that an Ashley Smith incident will not occur again?

● (1455)

**Hon. Stockwell Day (Minister of Public Safety, CPC):** Mr. Speaker, this incident indeed was most tragic. I have been in touch with the Correctional Investigator, who is looking into this. There is also, as members are aware, a criminal investigation going on.

I also have given instructions to the corrections commissioner and his people to implement a number of key initiatives which would limit the chance that an incident like that could happen again. We are taking this very seriously.

\* \* \*

**ZAHRA KAZEMI**

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Mr. Speaker, in 2003 Zahra Kazemi, who as we all remember was a Canadian citizen and a Montreal resident, was arrested while taking photos outside a Tehran prison. A few days later she died while in police custody.

In Iran, internal investigations have reached contradictory conclusions regarding the cause of her death. Since this tragedy happened, the Canadian government has been demanding justice.

Could the Secretary of State for Foreign Affairs and International Trade update the House on the Kazemi case?

**Hon. Helena Guergis (Secretary of State (Foreign Affairs and International Trade) (Sport), CPC):** Mr. Speaker, Canada has long called for a new and credible investigation into the death of Ms. Kazemi.

Iran has an obligation to the Kazemi family to ensure that the perpetrators of this terrible crime are brought to justice and the rights of the family are upheld.

Today the media reports suggest that the Iranian supreme court has made a decision to reopen the case. Our government would welcome any decision to reopen this case and hope that it offers justice to Ms. Kazemi's family and to her memory.

*Oral Questions***GOVERNMENT CONTRACTS**

**Ms. Denise Savoie (Victoria, NDP):** Mr. Speaker, shipyard workers in Victoria and Halifax are facing an uncertain future today because of the Conservatives' botched submarine maintenance contract. Canada's submarines cannot do their jobs patrolling our coastal waters.

The contract in question is in front of the courts, so why the government's interference? Is it because the name of Mulroney's confidant, Fred Doucet, is on the lobby register?

Will the minister confirm that this is the real reason the contract will be re-tendered?

**Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, there are a lot of different allegations here. The reality is that the Government of Canada is very anxious to see the submarines fully operational. We want to see that happen.

There are different aspects to the contract itself with respect to the Victoria-class submarines, including the in-service support, but also with respect to periscopes and torpedos.

With respect to the other allegation, it is my understanding that the individual she mentioned is not in the employ of Irving. It has nothing to do with the contract.

The reality is there is a matter before the courts. It would be improper for this government to interfere in that process.

**Ms. Denise Savoie (Victoria, NDP):** Mr. Speaker, I am not talking about the court case. I am talking about a well placed Conservative lobbyist interfering in a non-political procurement process reversing a decision that was won fair and square and deciding which region of the country gets federal contracts.

In the interests of coming clean, will the minister table in the House the dates, times, locations and subject of any meetings that national defence officials have had with Mr. Doucet?

Shipyard workers and their families deserve an answer.

**Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, plain and simple, there is no interference.

If the hon. member has any allegations whatsoever, perhaps she could make them public. She could perhaps explain what it is she is accusing the government or that individual of.

We very much want to see the submarines fully operational. They are an important strategic asset when it comes to the protection of both our coasts as well as the Arctic waters. There is nothing this government and the defence department would like to see more than to have those submarines fully operational.

I have no idea what she is talking about.

\* \* \*

**CANADA BORDER SERVICES AGENCY**

**Mr. Sukh Dhaliwal (Newton—North Delta, Lib.):** Mr. Speaker, this past Saturday, hundreds of people were demonstrating in Vancouver about the use of tasers. Canadians want answers about the death of Mr. Dziekanski.

Yesterday the CBSA released its report which only raised more questions without any explanation. The report shows that Mr. Dziekanski came into contact with several border service officers.

How is it possible that he was left alone for at least 10 hours with no one to help him?

• (1500)

**Hon. Stockwell Day (Minister of Public Safety, CPC):** Mr. Speaker, immediately following this very tragic incident I asked for reviews in a number of areas. One was that the CBSA do a full review of what had happened. In fact, I believe it is the first to come out with an analysis of what took place in that very tragic incident.

I also have directed that the recommendations the CBSA is suggesting it will implement be put in place as soon as possible. The CBSA is also working very closely with the Vancouver Airport Authority to make sure that the recommendations the Vancouver authority is putting in place will also happen.

We do not want to see something like this happen again. We are on the way to making sure that is the case.

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**NATURAL AREAS CONSERVATION**

**Mr. Jeff Watson (Essex, CPC):** Mr. Speaker, this past Sunday the Minister of the Environment came to Essex and announced the protection of sensitive lands on Pelee Island, proving again that this government is taking action to protect Canada's natural treasures.

For years, constituents in my riding asked for these lands to be protected and for years their calls fell on the deaf ears of Liberals who sat on their hands and did nothing. I know the Liberals are environmentally green with envy at this government's action.

Could the Minister of the Environment tell the House how this great announcement will benefit Pelee Island and Canadians?

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, I am surprised at the member. I am surprised he did not mention that we are protecting 5% of Pelee Island in addition to the great conservation work that is already taking place there. I am surprised he did not talk about the species at risk that we are helping to protect. I am surprised he did not talk about all of the great work that is going on around the country.

We are protecting some sensitive ecosystems in southern Canada. Pelee Island is only one example. This government is acting. We are getting the job done.

\* \* \*

**POVERTY**

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, in 1989 the House of Commons unanimously supported Ed Broadbent's motion to eradicate child poverty by the year 2000.

Eighteen years later, far from eradicating poverty, we have not even made progress. In Hamilton, one in four children is living in poverty. That is enough to fill Copps Coliseum one and a half times over.

*Routine Proceedings*

Yesterday's Campaign 2000 report indicates that the poverty rate is essentially unchanged. UNICEF Canada concluded last week that Canada is failing to meet its obligations under the UN Convention on the Rights of the Child.

We had a budget surplus of over \$14 billion. When is the government going to—

**The Speaker:** The hon. Minister of Human Resources and Social Development.

**Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC):** Mr. Speaker, this is a serious issue, and obviously all parliamentarians are concerned about it.

I would point out that Statistics Canada shows that as jobs have increased in this country, the poverty levels have gone down for all sorts of groups. That is tremendous news. We need to take advantage of it by making sure that we provide people with the necessary training so they can get skills that will ultimately lead to a good job. That is the best social program in the world. We are making progress on that, and that is tremendous news.

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**MANUFACTURING INDUSTRY**

**Hon. Garth Turner (Halton, Lib.):** Mr. Speaker, many Canadian workers are wondering when the Minister of Finance will clearly understand how it feels when scores of people in a community see their jobs disappear through no fault of their own.

Right now, hundreds of thousands of manufacturing jobs are gone and scores of them are in the minister's own riding.

What does the minister have to say to those workers and his constituents who are working at PDQ Yachts and have just seen their jobs sink? Will he help them and all the other workers looking for his help?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Unlike the member opposite, Mr. Speaker, we are taking action. We are not just using a bunch of words.

In the March budget we brought in the accelerated capital cost allowance. That is \$1.3 billion of aid for Canadian manufacturers. We eliminated the capital tax federally. I wish the provinces of Quebec and Ontario would eliminate their capital tax. This is a tax on corporations, whether or not they have a profit. We have reduced corporate taxes and business taxes across the board down to 15% by 2012. Those are actions for Canadian manufacturers.

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**PRESENCE IN GALLERY**

**The Speaker:** Order. I would like to draw to the attention of hon. members the presence in the gallery of His Excellency Wolfgang Erlitz, MP, President of the Federal Council of the Republic of Austria.

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

● (1505)

**Mr. Paul Szabo:** Mr. Speaker, I have in my hands the first report of the ethics committee that asks the Speaker to issue any necessary warrants for the appearance of Karlheinz Schreiber before the

committee as soon as possible and to be available until discharged by the committee.

Accordingly, I seek the unanimous consent of the House to revert to presenting reports from committees.

**The Speaker:** Does the hon. member for Mississauga South have the unanimous consent of the House to revert to presenting reports from committees?

**Hon. Peter Van Loan:** Mr. Speaker, we are prepared to consent to reverting to presenting reports from committees for the purpose of this limited statement, as indicated by the Chair.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

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**ROUTINE PROCEEDINGS**

[English]

**COMMITTEES OF THE HOUSE**

## ACCESS TO INFORMATION, PRIVACY AND ETHICS

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I am pleased to present the first report of the Standing Committee on Access to Information, Privacy and Ethics. It states, very briefly:

The Committee met on Tuesday, November 27, 2007 and agreed to the following recommendation:

That the Speaker issue any necessary warrants for the appearance of Karlheinz Schreiber before the Standing Committee on Access to Information, Privacy and Ethics, as soon as possible and that he be available until discharged by the Committee.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I rise to ask that the House of Commons be allowed to consider the first report of the ethics committee without otherwise due notice.

**The Speaker:** I am not sure what the hon. member for Winnipeg Centre means by "consider". Is he seeking unanimous consent to move a motion for concurrence? Is that the suggestion? I am at a loss to understand what he means by "consider" in the absence of some kind of motion. We have to have a motion.

**Mr. Pat Martin:** Mr. Speaker, thank you for your guidance in this matter. I would like to move the necessary motions that we may in fact move concurrence in the first report at this time without having served notice as per the normal routine.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, could we simply have unanimous consent that the first report of the committee just referred to and presented in the House be concurred in?

**The Speaker:** Is there unanimous consent that the committee report just presented be concurred in?

**Some hon. members:** Agreed.

**The Speaker:** I declare the motion for concurrence carried.

(Motion agreed to)

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## GOVERNMENT ORDERS

• (1510)

[*Translation*]

### TACKLING VIOLENT CRIME ACT

The House resumed consideration of the motion that Bill C-2, An Act to amend the Criminal Code and to make consequential amendments to other Acts, be read the third time and passed.

**The Speaker:** Order, please.

Before question period, the hon. member for Hochelaga had the floor, and he has six minutes left to wrap up his statement.

The hon. member for Hochelaga.

**Mr. Réal Ménard (Hochelaga, BQ):** Thank you, Mr. Speaker. I was sure you would remember.

I am pleased to have this opportunity to finish my speech. I was about to explain that the government lumped together the five justice bills it had introduced previously to produce the new Bill C-2, which the parliamentary committee studied very thoroughly.

As I said, even though the Bloc supports Bill C-2, we wanted to make a few changes. Before I was interrupted by question period, I told the House that the Bloc Québécois has, in the past, expressed significant reservations about imposing mandatory minimum sentences.

Bloc Québécois members have long argued that this is not an effective way to fight poverty. We are convinced that we must instead provide police with the means to conclude investigations. The issue here is more the effectiveness of legislation and the fear it inspires. We believe that some offenders, some people who might find themselves on the wrong side of the law, will be deterred more by the possibility of going to court than by the mandatory minimum sentences they could receive. In fact, the witnesses we heard in committee explained that people do not necessarily read the Criminal Code before they commit an offence. That is why, historically, we have been extremely wary of mandatory minimum sentences.

We also analyzed the whole issue of the age of consent, which has now become the age of protection. My colleague from Châteauguay—Saint-Constant was responsible for this issue. Very early in this debate, the leader of the Bloc Québécois and member for Laurier—Sainte-Marie, in cooperation with his caucus, wanted to include a close in age clause to make sure school-aged children engaging in non-exploitative sexual activity would not be liable to be arrested.

We also looked at the whole issue of reverse onus, not at the trial stage, but at the judicial interim release stage, as provided for in section 515 of the Criminal Code. The government was proposing reverse onus, which we were told was already common practice. In fact, according to the experts who came to talk to us in committee, people who committed offences involving firearms were not subject to release at the hearing stage.

### *Government orders*

Naturally, when we studied Bill C-2 in committee, we examined the whole issue of impaired driving. I am not talking about a particular departmental policy here, but about Bill C-2, which introduces three main innovations.

The bill will make it mandatory to stop and submit to tests. Previously, this was optional under the Criminal Code. There will be two main types of tests. An individual may first undergo standard field sobriety tests at the roadside. Then, he or she may be examined at the police station by a drug recognition expert. We were told that this practice existed in some American states and that some people in Quebec had even received this training.

Of course, we are not minimizing the seriousness of impaired driving. Just this morning, the Bloc Québécois lent its support—enlightened support, I might add—to a motion introduced by the parliamentary secretary to study a number of important issues, because we know our fellow citizens are worried about them.

Indeed, the bill that raised the most questions for us, even though we support Bill C-2, was the bill dealing with reverse onus for dangerous offenders.

• (1515)

As we all know, the Criminal Code has had provisions concerning dangerous offenders since 1947. Our seniors, for instance, sometimes used the expression “habitual criminal”. My mother said that, although never in reference to any of her own children, of course. But she talked about habitual criminals in general terms. I was able to make a link between that expression, which has passed on to the vocabulary of another generation, and a provision in the Criminal Code.

We had some questions. Of course, in matters of law, a reverse onus of proof is always very serious. The main offences are: weapons trafficking, possession of a firearm, unauthorized import and export, discharging a firearm, attempted murder, sexual assault with a weapon, aggravated sexual assault with a weapon, kidnapping, hostage taking, robbery committed with violence and a weapon and extortion.

It seems I am out of time. Mr. Speaker, I would like to ask for the consent of the House to continue speaking for another five minutes. I would then be able to deliver my conclusion.

**The Speaker:** Do we have unanimous consent to allow the hon. member to continue his comments for another five minutes?

**Some hon. members:** Agreed.

**The Speaker:** The hon. member for another five minutes.

**Mr. Réal Ménard:** Thank you, Mr. Speaker. You are too kind. I get the impression that there are some people who like me. That is very kind. I want to thank my colleagues.

*Government orders*

In the Bloc Québécois, we have looked closely at the primary offences and assessed their gravity. We are not taking this lightly and we have asked ourselves questions about the reverse onus of proof. This means that when someone commits two offences on this list and then commits a third offence—which is cause for concern—they will have to explain why they should not be designated a dangerous offender.

The Crown is never required in court to present a dangerous offender designation. It must inform the prosecutor—because this requires the prosecutor's consent—and the court whether or not it intends to present a designation in dangerous cases or not.

The committee was informed that this could require a great deal of work in terms of the evidence and physically assembling the file. We were even given the figure of 300 hours for the Crown and 300 hours for the defence, for a grand total of 600 hours.

I would like to add as well that there are already some provisions in the Criminal Code that involve reverse onus of proof. For example, if someone is sitting in the driver's seat and an offence is committed, that person is deemed to be the driver and owner of the vehicle, even if it is stopped.

There is also an onus of proof regarding prostitution in the Criminal Code. If one associates with persons involved in offences against sections 210, 211, 212, or 213 of the Criminal Code, one is deemed to be living off the avails of prostitution. There are six or seven examples of reverse onus that have given rise to decisions, such as Downey in regard to prostitution, Smith in regard to firearms and White in regard to the possession and trafficking of narcotics. We obviously do not want reverse onus to become a common practice.

Both the Council of Criminal Defence Lawyers and the Bar were concerned that reverse onus could potentially be prejudicial to one of the rights guaranteed in the Charter, that is, the right to remain silent.

It is only logical. If someone is in a situation where he has committed two offences and then commits a third, there is a declaration to designate him as a dangerous offender. That person necessarily has to defend himself. His lawyer can conduct his defence without having him testify, by having other people testify or calling expert witnesses. However, the people on the committee were concerned that this could be prejudicial to the right to remain silent and the presumption of innocence. There were even some witnesses who worried that it could be contrary to section 7 on liberty and cruel and unusual punishment. Other witnesses said that it could infringe on section 10 of the Charter on arbitrary detention.

It is obvious, therefore, why the Bloc Québécois took Bill C-2 very seriously. We had an excellent discussion in caucus and our colleagues argued their points of view, but we ultimately came to the conclusion that, on the balance of the advantages and disadvantages, it was best to support Bill C-2. However, I want to warn the government against any more attempts to introduce bills with reverse onus of proof.

I would like to congratulate all my colleagues who worked so hard on Bill C-2 in committee.

● (1520)

[English]

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, I have a quick comment. I did not object to the member having the extra five minutes, but I did want to put a condition on it that he continue as he had through most of his speech with his back to the rest of the chamber in speaking just to his caucus, because, of course, his back is the best side of him.

I would like to ask the member a question about the delay we see from the government, first in prorogation and then in bringing all of this bill together. In particular, could the member mention the information we received at committee that there are parts of this bill, in particular driving while impaired by drugs, that the provinces are not ready for?

Therefore, even when this bill goes through the whole process in the Senate and is ready for royal assent, parts of this omnibus bill will in fact not be ready to be administered by the provinces and will be sitting on the shelves for a while. The danger is that other parts of the bill may sit on the shelf for an extended period of time for the same reason.

[Translation]

**Mr. Réal Ménard:** Mr. Réal Ménard: Mr. Speaker, I want to thank my colleague for his comments. It is rather bold of him, though, to assume that my back is the best feature of my anatomy. I suppose that this could well be a case of faith without works because the hon. member has a less than complete knowledge of my anatomy.

Our colleague is quite right to say that 6 of the 12 bills received royal assent before Parliament was prorogued. Parliamentarians took their work very seriously and the government's criticism is totally unfounded.

It is true that, in committee, some provinces were concerned about the entire issue of driving under the influence, taking samples, the handling of this evidence and the acquisition of the equipment needed for these new technologies. They were concerned about the possible related costs. In addition, the working out of this part of the act must obviously not invalidate the principle that it is desirable from a public safety point of view to have the means to ensure that people under the influence of drugs are kept off public roads.

Our colleague is quite right, though, to point out that there may be something premature about it or that there are just not enough resources to enable the provinces to carry out their new responsibilities.

[English]

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, I rise to speak to Bill C-2, the omnibus crime bill.

*Government orders*

I would like to start by expressing our grave concern over the delay in getting these parts of this bill passed through the whole process. The government has been blatantly partisan in its agenda with regard to this bill and its parts, using it not in the best interests of the country in advancing some of these bills as rapidly as possible, but actually slowing down the process so that the government could be critical, particularly of the Liberal Party, both in the House and Senate, and so it could attempt to portray the Liberals and I guess all opposition parties and anybody who does not adopt its right-wing radical agenda on crime as being soft on crime.

More than 60% of the bill was in the Senate. There were three different bills in the Senate when we broke for the summer recess. Based on past practice, I would argue that at least one and probably two of those bills would now have cleared the Senate or certainly would have by the time we break at year-end. Probably all three of them would have cleared.

The government's decision both to prorogue and to then bring back all these five bills into the omnibus bill has now delayed the passage of at least those three bills by several months. Also, of course, with a minority government we always sit on that edge as to whether we will have a snap election because of lack of confidence in the government, and there are good reasons to have lack of confidence in the Conservatives.

That could happen at any time. If that happens, we have to start the whole process all over again after the next election when we get back. We could be looking at delays of another year or two years. The government purposely caused that delay in order to play partisan politics with these bills.

Let us look at the bills we had before the Senate. We had the mandatory minimums bill there, which is a big part of the government's agenda. I should say in regard to mandatory minimums that the opposition parties, led by mine, were able to get the mandatory minimum sentences reduced to bring them generally in line with the sentencing policies of our courts across the country, our superior courts in particular, and with the Charter of Rights and Freedoms, so that this would not be struck down at some point in the future.

That bill is still sitting there. Of the five bills that make up the omnibus bill, it was the first one to get to the Senate. It is still sitting here and again it is going to be literally months before it gets through.

Again, there is absolutely no reason for that other than partisan politics on the part of the Conservative Party and the Conservative government. It is shameful, quite frankly.

In that case, the reason we supported this bill is that we need specific guidelines given to our judiciary with regard to specific violent crimes. That bill did so. Quite frankly, the bill was one we had championed in the last election. Once we brought the bill into line with the charter, we were quite pleased to support it.

Let us look at the other bill that was in the Senate, the age of consent bill. We have fought for a large number of years over the issue of raising the age of consent from 14 to 16. I would say the issue has been before the House at least a half a dozen times over the last 10 years in the form of private members' bills. We attempted to

get the issue before the House in a government bill during the Liberal administration in 2005 and were unsuccessful, but there is strong support in the country to raise the age of consent from 14 to 16.

• (1525)

As we see in the opinion polls and as a number of experts tell us, it is running at 70% to 75% support for this to be brought into law, to be brought into the modern age, really, and to bring us into line with a number of other jurisdictions. I will not deny that a number of people are opposed to this, but in fact the vast majority of Canadians want it. Again, we are at serious risk of not seeing this happen should we have a snap election because of the conduct of the government.

Similarly, there was a fairly small bill that dealt with alleged violent crime and people seeking bail who were accused of violent crimes where handguns or guns were used. It got broad support from all of the opposition parties, as well as the government, obviously. It was sitting in the Senate. Now it is at risk of perhaps never becoming law until after the next election.

I want the Canadian public to understand the kinds of politics that the government is prepared to play with on what are very crucial issues. In some cases, they are life and death issues.

In order for the Conservatives to make their agenda work for them, to be tough on crime and to beat their chests, the whole macho thing, they need to be able to attack the Liberals in particular for being soft on crime and for delaying. That is not accurate. None of the opposition parties has delayed these bills at all.

The omnibus bill is made up of five former bills, as I have already mentioned. The three I have mentioned involve mandatory minimums for serious violent crime, the age of consent, and the provision with regard to bail. The other two components deal with impaired driving as the result of drug consumption, for both licit and illicit drugs, as well as a provision in that particular part of the bill for doing away, reasonably and I expect effectively, with what is more commonly known as the two-beer defence.

Quite frankly, in my opinion, it is somewhat of a scandal that this was ever allowed to develop as a defence. Basically, it significantly undermines the use of the breathalyzer and that technology. I believe we have the right wording now to do away with that defence when it is inappropriate and still allow, in those extreme cases where for whatever reason the breathalyzer technology has broken down or has not been applied properly, that people would be able to defend under those circumstances and prove that in fact they were not impaired by the consumption of alcohol.

*Government orders*

The final bill and the one, quite frankly, that gave us the greatest problem is the bill that dealt with the dangerous offender provisions. Before I go to that, I want to raise the whole issue. As we saw yesterday in the vote at report stage, the NDP in fact, with one exception, supported the bill. We believe that in spite of the dangerous offender provisions, and I am going to come back to that in a minute, the balance of the bill had provisions in it that either we had ourselves brought forward in the last election in our political platform or were prepared to support the government on because we felt that it was in the best interests of Canada. It actually either protected people or met the requirement of having to make amendments to the Criminal Code where it was long past needing those amendments.

It is interesting that just yesterday in the *Ottawa Citizen* there was a summary of a report that came out of the United States. It is called, in part, "Unlocking America". The report was done by a number of well-known criminologists and sociologists. It is a very extensive report. It is consistent with a large number of other bodies of evidence in the United States on the imbalance that has been created by successive governments in the United States, primarily at the state level, in terms of the states' incarceration and criminal law practices.

Always the issue when we are looking at the criminal justice system, at civil liberties and human rights in light of the criminal justice system, and at protecting society, which of course is the absolute first criteria, is that there is this balance. How do we best protect society?

● (1530)

To do so, obviously, we use the criminal justice system. We have crimes and we have punishments, but equally important, and one perhaps could argue much more important, is the whole question of how society prevents crimes from ever happening. It is generally accepted, I think, that there are two ways of doing that.

One is to have preventative programs particularly directed at youth so they never enter into a lifestyle that leads them to committing crimes, both petty and serious, and, second, it is also to have a society that has reasonably strong enforcement to guarantee that the laws are in fact there and are enforced to protect society.

Every time there is a conviction, I like to think that it is in effect is a failure on the part of society for not having proper prevention and enforcement infrastructure in our society. Maybe it is not utopian to believe that we will ever get to that point, but it is utopian to believe that at this time we would be able to prevent all crime, so ultimately we need that system in place whereby incarceration or other penalties can be invoked.

Obviously the ideal to strive for, the perfection that we should all strive for as legislators, is to prevent a crime from ever occurring in the first place so that we do not have victims and also so we fulfill our responsibility of protecting all of our citizens, all of our residents of Canada, to the absolute maximum.

The "Unlocking America" report shows what the Americans have done in a large number of states, although not all of them by any means, because they did some comparisons. They have struck the role for government to play, a role very much on the incarceration and punitive side. The report, which is consistent with any number of

other reports that have come out of the U.S., shows the ineffectiveness of that. It is ineffective and very expensive.

It is interesting to see the comparison between some of the states that have followed more closely the Canadian model up to this point over the last 20 or 30 years. The model showed that those states had lower incarceration rates, but with a couple of exceptions the states with the lower incarceration rates also had lower crime rates, and vice versa, so that those states that had particularly high incarceration rates had the highest crime rates.

A good comparison is that between the state of New York and the state of California. The state of California, as we all know, did the three strikes and out policy and all sorts of other very heavy-handed incarceration and sentencing policies. Its crime rate was consistently higher over the last two decades than that of the state of New York, which took many more steps with regard to prevention and enforcement and was much more effective at bringing its crime rates down.

There are a couple of statistics I want to mention. One is that the report looked back more than 30 years ago to what the crime rate was in the United States, to what it went to and to where it is now, and also at what the incarceration rate was at that point and what it is now. The incarceration rate increased eightfold over that period in the United States. Obviously the population during that period would have increased by probably about 30%. The incarceration rate went up 800% and the population growth was perhaps about 35%.

The crime rate is almost identical in the United States today to what it was in 1973. That was the year of comparison used. It is almost identical. It went up and it went down, dramatically in some states, New York state being a good example, but the incarceration rate had absolutely no impact on the crime rate in the United States even though it went up 800%.

● (1535)

The other thing that stood out through that whole period of time, so it had no effect on the crime rate, is that it is now costing the United States \$60 billion a year for all the people it has incarcerated. The United States has an incarceration rate that is highest in the world. It is even higher than China's. China has roughly three to four times the population of the United States. The United States has 2.2 million people incarcerated at the present time and China has 1.5 million.

The incarceration rate in the United States compared to Canada is about 7:1. Our crime rate is about one-quarter of what it is in the United States.

The point I am trying to make by bringing forth these facts is that we need to be very careful in Canada as to how we deal with crime. As I have said, the greater majority of this bill is a bill that we looked at and said that, yes, these are good provisions, these are provisions that make sense in terms of building a fair, equitable justice system that protects our society.

We need to be very careful that we do not go down the route of the United States in terms of this excessive use of incarceration and punitive process that produces no effective reduction in the crime rate and, at the same time, is hugely expensive for the taxpayer.



That brings me to the final part of Bill C-2 that gave us the greatest concern. We believe that the part in this bill that deals with the dangerous offender section of the Criminal Code is already in the code and the amendments that the government was making, in particular, the reverse onus that it was bringing in, was offensive to the charter. We had crossed the line. We had not struck that proper balance. We were going the U.S. side. We were going to incarcerate, for the rest of their lives in the vast majority of cases, everybody who was designated a dangerous offender, which would increase our prison population to some significant degree.

The ultimate conclusion is whether we support the entire bill when we have this provision that is so offensive to the charter or, quite frankly, is so offensive to just common sense that it will not work. It is a useless tool because it will be struck down by the courts at some point in the future.

At the same time, if we oppose that, we give up the rest of the bill that has the age of consent. Even the mandatory minimums that are in there and some of the provisions around impaired driving are badly needed in our society.

Faced with that decision, and after much debate in our caucus, we ultimately had to support it and, unfortunately, abdicate our responsibility as legislators to pass proper legislation and expect that at some point down the road the courts will strike down that part of the dangerous offender/reverse onus part that is so offensive. We are not comfortable, quite frankly, with that but we are here to make decisions and that is the decision that our caucus has made.

I want to make one final point with respect to a question I raised with the Bloc. It is a question of how the government has approached this. Some parts of the bill will be delayed even after it gets through the Senate because the provinces, which need to administer parts of this, the impaired driving in particular, are not ready for it. I think that is a mistake on the part of the government. It should have been ready with the provinces to implement that. It is a section of the code that needs to be amended and needs to be implemented as rapidly as possible and we have had no explanation as to why it delayed on that.

● (1540)

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, it is a pleasure to make some comments about the bill that is before us and to thank the hon. member for Windsor—Tecumseh who, as we know, was recently voted the most knowledgeable member of Parliament. Therefore, I take his comments on the bill very seriously and I want to congratulate him on that distinct honour.

I notice that the Minister of the Environment is applauding the member and I really appreciate that.

I know the member for Windsor—Tecumseh is one of the hardest working members. If we look at the number of crime bills that have gone through the House since the last election, the number is absolutely phenomenal. It is because of the member's diligence that we have been able to make some of the amendments that have made some of the crime bills palatable to those of us in the NDP caucus.

When I think about the kinds of issues that are raised with me by my constituents, yes, they are concerned about crime but they are not really looking for a law and order response to those. What they are

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looking for is a response that is based on some fundamental principles of justice.

As the member for Windsor—Tecumseh just said, four out of the five bills that are part of the omnibus bill, after his tremendous work and the amendments that he has brought forward, I was comfortable supporting on behalf of the constituents of Hamilton Mountain.

However, the reverse onus provision is really troubling for me. I think it offends the fundamental sense of justice. It is a law and order approach. It does not really speak to the way that my constituents of Hamilton Mountain would want us to deal with these very serious crime bills.

I am wondering if the member for Windsor—Tecumseh could tell me whether my concerns are right. I am hoping that the reverse onus provision will be struck down by the courts and that it will actually not meet a charter challenge and therefore I can feel just a little better about having supported Bill C-2 yesterday at second reading. I did that because I agreed with four out of the five bills, but the fifth bill is troubling to me. I would like the member's assurances, as the most knowledgeable member, that that provision will be struck down.

● (1545)

**Mr. Joe Comartin:** Mr. Speaker, I am, quite frankly, embarrassed about that award, in part because I think I am now expected to live up to it for the rest of the year until we have another one next year and someone else will take over responsibility for that.

I have two answers for my colleague from Hamilton. I practised law for 27 years and I practised a fair amount of criminal law at the start of my career, a lot of matrimonial law in the middle part and then personal injury law. Throughout my career I had clients who were charged and convicted so they were criminals. I had a lot of clients as well who were victims of crime, many clients who were victims of spousal and parental abuse. In my personal injury practice I had a number of clients who were assaulted or in other ways and suffered as victims of criminal conduct.

Throughout my entire career I can honestly say that I never had anyone say to me, "I am really happy this person is going to get 10 or 20 years in jail, if the alternative was that I wasn't a victim at all". I never had a victim say to me, "I'm really more concerned about the penalty this person is going to suffer than I am about the impact it's had on me and my desire never to have been victimized".

That thinking by victims of crime should give us some guidance.

With regard to the specific provisions of the reverse onus, there is another part of the bill that has a very good part. It is actually about 95% of the bill that we support. There are provisions for recognizance changes. We have needed those since I was practising criminal law back in the mid-seventies. We finally got around to doing it. It gives judges greater authority to control people when they are not incarcerated in an institution and it provides for significant additional protection to society. Therefore, that part of it is good and I think the member should feel comfortable in supporting the bill for that.

*Government orders*

Ultimately, yes, on the reverse onus we will need to rely on the courts to strike it down.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened closely to my hon. colleague explain the delays and the interference from the government on its crime agenda. We know that the government members are sitting in the backroom cranking out their Gestetner machines to say how all members in this House are soft on crime unless they wear blue Conservative and how their 10 percenters will be rolling across our ridings saying that the members of the House are delaying action on crime.

However, what we have seen is that they were the ones who prorogued the House. They held up the business of Parliament for a month and when the bill on age of sexual consent came back, they did not revive it. It would have been law now. It is the same with the gun crime bill. It would be law now. We will most likely be in a situation where we could go to an election and nothing will be settled.

Most of us come here to Parliament in order to create good policy, to create a stronger fabric for our country, but we are seeing the petty partisanship of the government. Do the government members really want to have this solved or would they rather have the gaping wounds so that they can continually beat their chests, point to their base and say that no one else is tough enough on crime? I think there is actually a desire on their part not to have these issues dealt with so they can tell Canadians that nothing is being done. They can then tell Canadians to elect more Conservatives so that they can go back and obfuscate issues of crime even more.

**Mr. Joe Comartin:** Mr. Speaker, at some point the Conservatives will run out of sections of the Criminal Code to amend. Maybe they thought they were getting close to that and in order to slow the process down they thought they would bundle these all together. They probably thought there would be an election before the bill would pass and then they could go out and tell Canadians that they needed more seats because they need to get a majority government in order to get the bill through. Obviously, if it had gotten through before that, they would not have that argument.

I think there is some logic behind that. However, it is quite cynical logic and it does not bode well for the moral compass of the Conservative Party. Unfortunately, I think it is very close to reality.

• (1550)

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, I may, from time to time, not agree with the hon. member but I certainly have respect for his experience in this regard. He is a member who passionately believes what he says and I have nothing but respect for that.

I would like to underline for the member that the government would be more than thrilled to see the tackling violent crime act become law so we can protect vulnerable people. I represent the constituency of Ottawa West—Nepean where there are a lot of seniors who are concerned about this issue. I have friends who have been the victim of home invasions and whose families have been victimized. What they sent me here to do is to be their voice on this issue.

My comment for the member opposite is that the government would like nothing more than for the tackling violent crime act to become part of the Criminal Code.

**Mr. Joe Comartin:** Mr. Speaker, I appreciate the minister's comment but the facts do not back him up. I appreciate the position he has taken. My house has been broken into three times. The last time, my daughter, who was in university at the time, was at home.

People do want their government to protect them. It is always an issue as to whether this does it. I have problems with some of the approaches the Conservatives have taken as to whether they would be effective. I would have been much happier, quite frankly, if the government had spent more time on making sure those 2,500 police officers that were promised in the last election were out on the street. Not one of them has been delivered up to this point.

The government says that it wants to go ahead with the bill but when it prorogued Parliament that legislation died in the Senate. We had to start all over again. Rather than bringing it back at the stage it was, the government brought it back and started all over again in this House. I think, to some degree, that puts into doubt the credibility of how serious the government is in wanting to get these bills passed and the laws into place soon.

**Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.):** Mr. Speaker, I would like to commend the previous speaker for his speech and his understanding when it comes to dealing with crime and how to actually lower the crime rates.

I dare say that the scope of the bill is problematic. It troubles me, because instead of dealing with legislation one piece at a time, it puts a number of them together, some of which are good, but some of which are very offensive. Certainly that is not the way a minority Parliament should function, nor is it the way the Prime Minister when he was the leader of the official opposition said that a minority Parliament should function.

The member mentioned the study "Unlocking America". I used to be involved with an organization called, Youth In Conflict With The Law. It was named after the proposed youth in conflict with the law act which ended up being the Young Offenders Act. I started working with that organization in 1976 after I left university. One of the focuses we had was to try to deal with offenders within the context of the community and to do as much as we could at the community level to create a safe and secure community. One of our mottos was that crime and justice is a community responsibility.

For all the reasons mentioned by the previous speaker and documented in “Unlocking America”, getting tough on crime does not work. In “Unlocking America” nine leading U.S. criminologists and sociologists who have spent their careers studying crime and punishment did an exhaustive study. They pointed out that the approach of getting tough on crime, building more jails and incarcerating more people, just does not work. It might make great television and it might make great news in the tabloids, but it is an approach that just does not work. It ends up being very expensive. Beyond being very expensive, it ends up being very destructive.

Bill C-2 is one bill, but another one which will be coming forward is Bill C-25 which deals with young offender legislation. I find it very frightening that under this particular bill, unfortunately, people who go into the system as young offenders can end up in the penitentiary system, not for committing a great deal of crime in the community, but for reasons such as committing a crime within the institution itself.

Numerous people came forward at the committee hearings on this bill. One of them was Dr. Anthony Doob, a criminologist from the University of Toronto, who very clearly showed that the perception of crime in many ways is driven by the media and by politicians who want to exploit the fear of crime and does not truly have that great a basis in reality.

● (1555)

In his studies, Dr. Doob asked the people in one control group for their reaction to headlines from tabloids. Dr. Doob gave another control group transcripts of the trial. Dr. Doob found that in cases where people had the information, they had read the transcripts and understood the judge's reasoning, they either agreed with the judicial sentence, or thought that the judicial sentence was too harsh. This was in total contrast to those in the group that received their reports on crime from the media, from the tabloids, or from television programs.

The media love to tell about the goriest crimes that have occurred in the local community, or in the country. But if there is nothing in Canada, then they will look to the United States, and if there is nothing there, then they will look to any continent on the planet for their special diet of criminal activity. These reports frighten people. Usually they hear these reports just before they go to bed at night.

It has often occurred to me that those folks and politicians who engage in that kind of fearmongering are victimizing a large number of people. People begin to believe that the relatively safe community they live in is much more dangerous than it is. That is not right. Parliamentarians and political parties should not be engaged in that kind of fearmongering.

Another individual who made a presentation was Kim Pate, who is with the Canadian Association of Elizabeth Fry Societies. Unfortunately, Kim did not have enough time to talk at committee, but she did talk at length about the challenges faced by inmates who suffer from mental health problems in the federal institutions. She also talked about the over-representation of particular minority groups that are incarcerated. In Canada there is a disproportionate number of aboriginal people incarcerated. This raises some very troubling questions. Miss Pate also talked about the number of institutional charges that will be put on somebody entering the

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system, to the point that the individual, for whatever he or she has done in the institution, could be declared a dangerous offender.

Today I talked about Ashley Smith, a young woman who was due to be released from prison today. She was sentenced in New Brunswick as a young offender at the age of 15. She took her life on October 19 in an isolated jail cell at the Grand Valley federal institution in Kitchener following an extensive period of solitary confinement. Four correctional staff at Grand Valley were charged with criminal negligence causing death. One correctional staff member at the Saskatoon Regional Psychiatric Centre has also been charged with assault.

Ashley's tragic death has raised a number of troubling questions that must be answered. How did a young girl struggling with mental illness, incarcerated as a young offender, end up, through excessive institutional charges, in federal correctional facilities thousands of kilometres away from home? What can be done to improve the way we deal with offenders so that we minimize the recurrence of such tragedies? When will we learn as a society that it is more feasible to invest in community safety and crime prevention programs than to pursue draconian laws that incarcerate more and more people at the expense of public safety? I underline at the expense of public safety.

The “Unlocking America” report makes the point that over-charging, which has occurred in the United States, has done absolutely nothing to bring down the crime rate. It has done everything to destroy families and communities and to perpetuate discrimination. This has been going on much too long.

● (1600)

In talking about crime prevention, I will come back to my community, the Waterloo region. We have been working on community based crime prevention since 1978. Next year we will be hosting the 30th annual justice dinner. We will bring in speakers on how to improve public safety through social development in our community.

We are not the only community that says this is the way it should be done. The Canadian Association of Chiefs of Police talks about creating public safety and reducing crime, not through the hiring of more police officers, not through building more jails and not through hiring more jail guards, but through social development that addresses the root causes of crime.

In 1993, following on the excellent work of a Progressive Conservative government, the justice committee, with Mr. Horner as chair, produced what is known as the Horner report. The Horner report called upon the government to fight crime through social development.

My community took up that challenge at that time and we created the Waterloo region's Community Safety and Crime Prevention Council. The very first chair of that council was Larry Gravill, the chief of police.

The membership of the council includes all the social service organizations, local governments, non-governmental organizations involving criminal justice, the crown attorney's office and the police force. We worked collaboratively on how the community could address the root causes of crime.

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Over the years many other folks have come forward to chair the council, be they from the school board, local government or the Children's Aid. The last chair we had for the committee was Matt Torigian, and he has been appointed and designated as the new police chief in Baden.

Surely that approach is much more preferable to the approach that is put forward in the bill, particularly on the mandatory minimums and the designation for dangerous offenders.

An interesting thing I did in my questionnaire was to ask whether we should have the traditional Conservative neo-con approach to fighting crime, or whether we should do it through social development. I am happy to say that two to one, the citizens in my community want to fight crime through social development.

I mentioned that the neo-cons like to put out wrong information and try to tell untruths. I will give an example. The member for Kitchener—Conestoga put out a householder where he said, and I will be quite willing to table it—

● (1605)

**Mr. Ken Epp:** Mr. Speaker, on a point of order, it has been a long tradition and part of the rules of this House that members do not speak in a derogatory fashion about other members, and the use of the individual's language with respect to our party is, because of the context in which it is used, derogatory.

Mr. Speaker, I would ask that you demand that he not use those offensive terms when speaking of our party.

**The Acting Speaker (Mr. Royal Galipeau):** I thank the hon. member for Edmonton—Sherwood Park and I am sure that the hon. member for Kitchener—Waterloo will get back to the essence of the debate, and he will do it in a parliamentary fashion, as he is experienced to do.

**Hon. Andrew Telegdi:** Mr. Speaker, I am at the very essence of the debate. My point is people are putting out wrong information to serve political purposes that have no basis in fact.

I will table in the House a mailout by the hon. member for Kitchener—Conestoga. In it he says that the 2005 rate of violent youth crime increased by 22%, but in essence, youth crime in 2005 fell by 2%. This is the kind of fearmongering about which I am talking.

I said we end up victimizing a lot of people when untruths are spoken, when facts are misrepresented and when a community is portrayed as being more dangerous than it is. Waterloo region is a relatively safe community and its crime rates are relatively low. It is unconscionable that somebody would try to scare members of that community by putting out false information.

In wrapping up, if we want to create a more peaceful and secure community, the best way to do it is through prevention. Yes, there are some people who have to be locked up, and some for a long period of time, to protect the community. Make no mistake, the government is trying to make us as safe as people are in the United States, the most violent society in the western world. It has the highest incarceration rate in the world.

In putting this together as an omnibus bill, it is unfortunate that the government would put in parts of it that should not pass the House.

Over time the Conservatives will be known for the neo-cons that they are and for exploiting people's fear of crime while doing nothing to address public safety.

● (1610)

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, I listened with great interest to the member's speech.

Could the member tell the House why he voted in favour of the bill if he thinks it is so terrible?

**Hon. Andrew Telegdi:** Mr. Speaker, I am happy to tell the member that I did not vote in favour of the bill. If the member had watched, he would have seen that.

The member opposite was a member of the Mike Harris hatchet job to social programs in the province of Ontario. Many of the crimes and gangs we see in the city of Toronto now exist because of his government in Ontario. When it was in office, it slashed the social programs, victimized communities and eliminated crime prevention programs.

If those members were really interested in public safety, they would heed the call of the police chiefs to keep the gun registry instead of trying to destroy it. The member has no lectures to give to anybody on crime prevention. The member, with Mike Harris, did more than anybody else to destroy it.

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, my colleague from Windsor—Tecumseh referred to a study called "Unlocking America". The study shows that the net result in the United States is an expensive system that relies much too heavily on imprisonment, is increasingly ineffective and diverts large sums of taxpayer money from more effective crime control strategies.

According to the study, much of the burden has fallen on disadvantaged minorities. Blacks and Latinos make up 60% of the U.S. prison population. According to the report, 8% of American black men of working age are now behind bars. In effect, the report says, "The imprisonment binge created our own American apartheid".

In Canada, although the first nations population makes up 3% of the population, 20% are incarcerated under the dangerous offender category.

If the bill goes through as it is, specifically the dangerous offender provision, in the opinion of the member will this increase incarceration rates for first nations people?

**Hon. Andrew Telegdi:** Mr. Speaker, everything the member says about who is in jail in the United States is exactly correct, and it is in that report. It is really unfortunate the "Unlocking America" report was just released yesterday. I think the members of the justice committee would have really benefited from studying it.

He spoke about what would happen to the first nations. Ultimately, they will be the ones who will carry the brunt of the changes. I can only hope the Supreme Court, in its wisdom, will strike down the bill as unconstitutional.

*Government orders*

Let me point out something else the neo-cons tried to do. They tried to disenfranchise inmates from the right to vote. Given the high prison population in the United States of America, what happens has a real bearing on the outcome of an election because many people are disenfranchised and unable to vote. Those are exactly the people who the neo-cons would have not go to the polls.

**Mr. Ken Epp (Edmonton—Sherwood Park, CPC):** Mr. Speaker, I have a very curious question. The member proudly announced that he did not vote for the bill. That means he either voted against it or he abstained. He sat in his chair or he was not in the House at the time of the vote.

It is my understanding that most of the Liberals, including their leader, voted for it. Could the member please explain to us why the leader would lead his party to vote for a bill that according to him is unconstitutional and one which he could not support? He must be saying that his leader and his colleagues are all wrong.

Is that what the member is saying?

• (1615)

**Hon. Andrew Telegdi:** Mr. Speaker, first, I will answer for myself. I wanted to ensure that I could give the speech today in the House. The member will have to watch to see how I vote when the bill comes concludes at third reading and how I will vote on Bill C-25 as well.

I have spent too many years of my life working to try to create safer communities than to be in agreement with a bill that does so much to hurt communities, destroy young and older people and not make our communities safer.

Once again, if the Conservatives want to fight crime and really reduce it, listen to the chiefs of police and do it through social development. It comes from that.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, we spend day after day in the House playing a farcical little drama, where we have the Conservative members saying that everyone else is obstructing their crime agenda, that their crime agenda is being purposely held back and that all the little old ladies are somehow unsafe because of members of Parliament trying to do their duty.

Yet, we have the example with this bill. We passed a bill on raising the age of consent, and the government did nothing to move that forward. We had the bill to deal with gun crimes, and the government sat on it. It went to the extraordinarily length of bringing it back as a new bill. Then it stood and said, after proroguing Parliament for an extra month, that the other parties did not take their jobs seriously. We certainly take our jobs seriously in the House.

I have watched this farcical drama where we finish a bill, get it to third reading, then it goes all the way back so the government can run this little drama through again.

Does the hon. member feel that by going through the motions again and again, the government has absolutely no real interest at the end of the day of getting the crime agenda off? As a Parliament, we could have dealt with the crime bills and then gone on to deal with more substantive issues to people. It is something that works in the Conservatives' little ten percenters that they mail into people's neighbourhoods and it is something that works on their attack ads on television?

**Hon. Andrew Telegdi:** Mr. Speaker, I very much agree with the member. We could have passed most of these bills as they came through the House. Then we could have had the choice to vote for those that did some good and to vote against those that did not.

There is no question that the neo-conservative agenda is not to deal with the reality of crime but to create the fear of crime unrealistically. We see it in the United States on FOX television, which the Conservative members, the neo-cons, would love to have play in Canada on all the channels to scare the public. Then they could offer a pseudo-solution. They way they approach this is they exploit the crime bills and crime victims, because they are being exploited as well.

Moneys spent on useless incarceration could be better spent on assisting victims of crime and deterring crime. However, the neo-conservative government has taken on the agenda that it is better to keep mental health patients in jail rather than in hospitals. Their agenda is to try to drive the fear of crime for political gain. That does not work in the Waterloo region.

• (1620)

[*Translation*]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Mr. Speaker, I am pleased to speak on Bill C-2 which we are examining today.

It is a pleasure for me to have the opportunity to help those listening to us by casting some light on what an omnibus bill is. An omnibus bill is a bill which combines several bills that could not be enacted in the previous session because the government decided to prorogue the House and terminate them at whatever stage they had reached. That was the choice of the Conservative Party and the reason behind Bill C-2, the bill before us now. If the government had not decided to prorogue the House, a goodly number of those bills would have already been passed.

Before getting into the heart of Bill C-2, I would offer a reminder to those listening. When a bill amending the Criminal Code is being passed, we need to keep the crime situation in mind. That is something easily done by people who follow the television news. We all know how the print and electronic media try to attract readers and viewers by focusing on certain situations, trying to sell papers or attract viewers by interviewing victims or their relatives.

Ours is, of course, a media-driven society. The media make the situation more difficult when they neglect to show the other side of the coin. It is all very well to focus on crimes, to opine that certain sentences are too soft, and so on, and to try to find evidence that the justice system is not working, but when it comes to the other side of the coin, discussing the crime situation in general, the media is not pulling its weight there.

*Government orders*

This is what I wish to draw to your attention, as well as to the attention of those listening. Things must be balanced. That is our objective as legislators, to begin with. And it is my colleagues here in this House, such as the hon. members for Trois-Rivières, Shefford and Manicouagan, and all the members of the Bloc Québécois, who have the onerous task of balancing things out.

The Conservatives have but one thing in mind: to do everything they can to hold on to power. I often say jokingly—though I sometimes believe it seriously—that power drives one mad. One only needs to look at how the Prime Minister and some of his ministers are behaving to see what it is like to be in power after having been in opposition. A person might well say that power does have that effect on certain people and their sanity.

I am providing this background because crime has been declining steadily in Quebec as well as in Canada over the past 15 years or so. That is not an invention of the Bloc Québécois or the sovereignists that we are. Statistics Canada recently confirmed that the national crime rate reached its lowest point in over 25 years in 2006. Moreover, the homicide rate in Quebec was the lowest in that province since 1962.

So, we are doing fine. I am bringing this up, because the hon. members may have heard of people being surveyed. The Conservative Party, through the government, conducted a large survey of more than 2,000 people across Canada to determine how it might win its election by listening to what the people had to say about crimes and punishments. Interestingly enough, however, there was no mention of the current state of crime in any of the questions; I know this because, by chance, one of my assistants was among those surveyed. The press and electronic media give the impression that crime is rampant, but when we check the statistics and see that crime is down, with a crime rate at its lowest level in 25 years, we put things in perspective.

That is, of course, what the Bloc Québécois is trying to do. We have always been very aware and have always endeavoured to find a balance.

•(1625)

It is not easy to find a balance between the Conservatives, the Liberals and the NDP. I can say candidly that they are pretty much all the same. In light of all the surveys published all over the place, it is clearly important to have a party representing a majority of Quebecers and trying to bring some balance to this House.

The Bloc Québécois has tried to bring such balance throughout the debate on Bill C-2 while at the same time bearing in mind the statistics. As I indicated, the national crime rate reached its lowest point in over 25 years in 2006. In Quebec, the homicide rate was the lowest since 1962.

Does this mean that all is well? No, all is not well. We know that crime has not been eradicated. It is sad to say, but in our industrialized countries where the rich and the poor coexist alongside one another, there will always be crime. Our objective is to try to lower the crime rate as much as possible, and that is something the members of the Bloc Québécois work on every day.

However, we must also put all this crime into perspective. I will provide another statistic. In terms of violent crime, Quebec has the

second lowest rate and is just behind Prince Edward Island. Quebec even recorded a 4% decrease in youth crime in 2006, surpassing all the other provinces.

It is important for members from other provinces to understand that it was quite some time ago that Quebec opted for social reintegration rather than repression and increased sentences, the establishment of minimum sentences or other measures. That is a choice made by Quebec.

I do not wish to repeat the statistics mentioned by other colleagues in this House, but when we look at U.S. states that also opted for reintegration rather than repression—the state of New York among others—we see that crime rates in those states, compared to others, are decreasing. That is the kind of statistic that is of interest to us.

As parliamentarians, we must mitigate the very harmful influence of media sensationalism. It is understandable because they have to sell newspapers or the best television news reports. They will try to capture the sensational aspect of an incident rather than portraying the balance that can be inherent in a society.

It is important to us that the rest of Canada understand that Quebec has done things differently. In addition, the effects on crime rates are very important and hence the position of the Bloc Québécois in the committee that discussed Bill C-2. Our position was different than that of the other parties in this House. We do not hold that against them. It is just that Quebec and the rest of Canada are very different. We do not think in the same way.

One day, Quebecers will make the rest of Canada understand. We will decide to have our own country with our own laws and so forth. In the meantime, we participate and try to bring Canadian society up to speed with Quebec society. And that is not easy. It is not easy.

I will give some examples of the Bloc Québécois proposals made in committee that were rejected.

We proposed amendments to Bill C-2, to eliminate the practice of granting parole almost automatically after one-sixth of a sentence has been served. Since in Quebec we have reintegration, this causes a problem. Automatic parole after one-sixth of a sentence has been served means that when we want to create programs and force criminals to attend therapy, we find that they participate less when they know that they are automatically eligible for parole after serving one-sixth of their sentence.

Again, everyone will say that it does not make sense that criminals are eligible for parole after serving one-sixth of their sentence. This has been going on across Quebec. We wanted to change this in a House committee, but our proposal was rejected by the Conservative Party and the other parties.

Once again, Quebec society is much more advanced than Canadian society.

We also suggested putting an end to statutory release once two-thirds of a sentence has been served, by having a professional formally assess inmates regarding the overall risk of reoffending that they represent to the community.

*Government orders*

●(1630)

As for social reintegration, we believe that statutory release once two-thirds of a sentence has been served is no longer acceptable in Quebec society. Before criminals are almost automatically released, we want them to be assessed by professionals. We made that suggestion in committee, but, once again, the other parties did not agree.

We suggested that the onus of proof should be reversed in the case of criminals found guilty of the offences of loan-sharking, procuring, robbery, fraud over \$5,000 and counterfeiting in order to facilitate the seizure of assets that are the product of crime.

It was the Bloc Québécois that proposed reversing the burden of proof with respect to the proceeds of crime in cases involving organized groups. As some may remember, the Bloc Québécois led that crusade against organized crime by proposing that the burden of proof be reversed so that it would no longer be up to the Crown to prove where the money came from to acquire the goods. The opposite is now true. The burden of proof automatically falls on members of criminal organizations, who must prove that they paid for their goods with legitimate earnings. Since that is difficult to do, goods can be seized automatically.

That bill concerning criminal organizations was supported by the other parties in this House. We proposed to do the same for the issue under consideration today. Why not reverse the onus for criminals who have been found guilty of offences involving usury, procuring, robbery or fraud? That would cover not criminal organizations, but organized criminals. In cases of fraud exceeding \$5,000, these criminals would be required to prove that the goods they acquired were paid for using legitimately earned funds. Failing that, the goods would be seized.

Believe it or not, the other parties rejected the amendments the Bloc Québécois proposed for Bill C-2.

We proposed attacking the street gang problem by giving the police better tools to work with, such as longer warrants for investigations using GPS tracking. As I said earlier, Quebec society is a little farther ahead than the rest of Canada. GPS technology is an integral part of fighting crime in Quebec. Unfortunately, the proposed amendments do not include this suggestion made by the Bloc Québécois.

We proposed a ban on wearing signs, symbols or other indications that identify individuals as belonging to groups recognized by court as criminal organizations.

Once again, we struck at organized criminal groups. Quebec fought a battle. It went very well. We are lucky to have with us in the House the former minister responsible for public security in Quebec, the hon. Marc-Aurèle-Fortin, who did an excellent job in that position. He went after organized criminal groups directly, with the support of the Bloc Québécois, by amending the Criminal Code to provide for reverse onus of proof. We did well. We wanted to ban the wearing of insignia by criminal groups, organized gangs of bikers and others, but this amendment to Bill C-2 was rejected.

We wanted to put an end to the rule whereby time spent in detention prior to trial was doubled for sentencing purposes. A

sentence would begin at the moment of detention rather than at the time of sentencing, in order to put an end to an abusive practice which did no credit to the administration of justice.

We discovered that, when the rule is applied, that is, when an individual is taken into custody prior to trial, the time involved is doubled in the sentence. This is standard, and criminals have obviously understood it. So they put off their trial as long as possible since, when they are in custody prior to trial, they get a bonus of double time and a reduced sentence.

Quebec society understood it well because of the fight against organized crime and all that. We put these amendments forward, but, unfortunately, none of the ones we put forward was passed, even though some have the unanimous approval of the ministers of public security in Quebec and other provinces.

This exemplifies the Conservative government, which has its blinkers on tight, which conducts polls with very specific focus, and which tells us that no changes will be allowed to a bill and that it will be made a vote of confidence.

●(1635)

So, the Bloc Québécois will support the conclusions of Bill C-2, except we would have liked to improve it. However, once again, the sway of power over these Conservative men and women is such that they are self absorbed. They show no desire to improve bills. They think that they are right, that truth and life are within their power and are in the end opposed to any idea of improvement.

This is what power has done to them. We will see what happens in the next election. As I am the Bloc's chief organizer, I want to reiterate that we will support the bill, not because we are frightened by the possibility of a vote of confidence, but because we think it will further the fight against organized crime, even though this is not the way we would have chosen.

Here is an example. I am getting to the core of Bill C-2. It combines five bills, including one that strengthens the provisions on offences involving firearms. It is perfect. Initially, Bill C-10 was simply being repeated. That bill sought to amend the Criminal Code to increase minimum prison sentences to five, seven or 10 years, depending on whether the crime was a repeat offence, for eight serious offences involving the use of a firearm, if the weapon used was not a hunting rifle. Once again, we see the Conservative vision. It is a weapon, but not a hunting weapon.

*Government orders*

For anyone who follows these things, hunting rifles have changed considerably over the past 30 years. First of all, they are no longer made of the same materials and they are very light. This often makes it very difficult for law enforcement. I would like to believe that no hunters will use their weapons, except there is no longer a registry. Indeed, the goal of the Conservatives is to eliminate the gun registry, claiming that only hunters are going to acquire weapons. Yet, given the new technology, more and more criminals are going to use long guns—as they like to call them—precisely because they are lighter, thanks to new technology and so on. The Conservative philosophy wants to protect long guns. Naturally, to do so, there can be no registry. After all, no one who has a long gun is a criminal.

I am sorry, but plenty of cabins get robbed and hunters' weapons make their way into the criminal networks. Yet, this legislative amendment would not apply to those who have firearms. And I repeat, when it comes to these offences involving firearms, for instance, it says “if the weapon used is not a hunting weapon”. Consequently, the bill deals with all weapons except hunting weapons.

I have a great deal of difficulty understanding that, but I can understand the Conservative philosophy behind it. To the Conservatives, you can do anything with a hunting weapon. It is as simple as that. That is all there is to it. There is a reason they want to abolish the gun registry.

I would like to digress for a moment. In Quebec, 95% of hunters registered their guns. This is no problem, because there are no longer any fees. We supported the amendment that eliminated the renewal fee. Since people had already registered their guns, no one lost any sleep over this, except in the west, where the situation is reversed, obviously. Westerners were opposed to the registry from the start and decided not to register their guns. Today, to please western Canada, the Conservatives have once again decided to abolish the gun registry, even though hunters in the rest of the country could live with it. This Conservative approach to governing is evident in this bill.

Once again, all we want to say to the people who are watching is that, yes, bills have to evolve. That is true, but we have to be careful. We must not succumb to the sensationalism of the media, which will not hesitate to blow any accident or crime out of proportion to sell newspapers or get people to watch newscasts. Yet statistics prove that Quebec's approach, which consists of rehabilitating criminals by giving them every possible opportunity to work their way back into society, is much more effective at reducing the crime rate than the punitive approach some societies have opted for, as the Conservatives would like to do.

● (1640)

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I wish to thank my colleague for his speech. He spoke about the crime rate, which is at an all time low in Quebec as well as in Canada. He also said that the media want sensational news. And he mentioned that there must be balance.

The NDP has been talking for a long time about this balance based on three principles. The first is prevention, that is, we work with young people and we try to have crime prevention programs in place. Second, we want a certain amount of protection, that is,

enough police officers in the community to work with these individuals. Last, there is punishment, which we are discussing today in Bill C-2.

Does he see this as an example of a well-balanced program to fight crime?

**Mr. Mario Laframboise:** Mr. Speaker, I thank my colleague for his question.

By dint of listening to the Bloc Québécois, the NDP has improved its platform over the years. I commend him for using the Bloc Québécois' ideas; we are proud to share them with other parties. The NDP has adopted this philosophy. He is quite right when he says that this balance is not found in the bill.

That is why I was saying that the Bloc Québécois wanted to present amendments in order to achieve a certain balance. This option was not retained by the Conservatives because of their very conservative and republican leanings. They have this unfortunate tendency of copying what the Republicans are doing in the United States. We can feel it in this bill. Nevertheless, the Bloc would have appreciated it if the proposed amendments had been accepted. However, we will not reject the bill because of that.

**Mr. Robert Vincent (Shefford, BQ):** Mr. Speaker, among all the arguments heard today, there is one thing that has not been addressed. It is all well and good to repress and imprison people for offences they have committed, but most of these offences are minimal and require minimal sentences. Such sentences are not served in federal penitentiaries, but in provincial penitentiaries.

Who will pay for the prison guards if there is not enough space? Who will build these prisons and pay for their needs? Will it be the federal government or the provincial government? After the new bill is implemented, will it be the provinces that pay and the federal government that benefits? I would like my esteemed colleague to answer my question.

**Mr. Mario Laframboise:** Mr. Speaker, I want to thank the hon. member for Shefford for his question.

He is absolutely right. When the sentence is two years or less, it is in provincial jurisdiction. Sentences of two years and less will therefore be the responsibility of the Government of Quebec. That is why certain amendments allowed us to grant the money required in order to ensure this transition.

Once again, the Conservative Party is governing as though it were alone. We saw them do that in the manufacturing crisis. I know my colleague from Shefford is very affected by that crisis. Even though the government has billions of dollars, the Minister of Finance said that it is the provinces that will have to take action. It is provinces like Quebec and Ontario, who have a balanced budget or a deficit—in the case of Ontario—that have the responsibility and heavy burden of spending. The problem with this federation is that more than half our taxes are sent to Ottawa when the needs are in the provinces.



My colleague from Shefford gave a good example. Decisions like that that will bring Quebec slowly but surely toward sovereignty.

● (1645)

**The Acting Speaker (Mr. Royal Galipeau):** Order, please.

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 Dartmouth—Cole Harbour, Post-secondary Education; the hon. member for Mount Royal, Airbus.

\* \* \*

[*English*]

#### MESSAGE FROM THE SENATE

**The Acting Speaker (Mr. Royal Galipeau):** 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 a certain bill, to which the concurrence of this House is desired.

\* \* \*

#### TACKLING VIOLENT CRIME ACT

The House resumed consideration of the motion that Bill C-2, An Act to amend the Criminal Code and to make consequential amendments to other Acts, be read the third time and passed.

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, I am happy to speak to this bill. It is a bill that has a number of problems as well as a number of positive elements. I want to take us through this kind of bizarre situation where we are being forced to accept the bad in order to get the good. That is the problem with an omnibus bill. If a whole bunch of things are put into legislation, we have to take the bad with the good.

It is even more bizarre in this particular situation when the government has threatened that it is a confidence motion. Canadians being told that they have to accept this bill with all the bad in it or there will be an election even if they do not want one.

I am going to go through the problematic parts of the bill as well as the good parts and explain how, in spite of our efforts to get a number of provisions through that could have been law by now, they have been held up a number of times by the Conservatives.

This bill is a compilation of five old bills. I will go through each of the particular clauses of the bill and mention some of the good and bad parts.

I will start with Bill C-27, which is really the only part of the bill that had not been through the House before. The rest could have been law now had the Conservatives not using the mechanisms they did in proroguing the House and in not bringing back the rest of the bills at the stages they were in Parliament.

The minister suggested today in committee that he was concerned or upset about the problems I had with this part of the bill. Of course, the problems came from concerns that experts had with Bill C-27. The minister should be concerned. When he brings forward a bill that many experts say has a very high probability of being unconstitutional, he should be concerned.

#### *Government orders*

Let us look at the parts of the bill the experts were talking about. First, they suggested it could possibly be unconstitutional as related to section 7 of the charter. Under the old system, there were four reasons, I think, which my colleague brought up today, whereby a person could be declared a dangerous offender. Under the old system, the Crown or the prosecutor would say for which of the four reasons one would be a dangerous offender.

Now, under the reverse onus, they say people are guilty until they prove why they should not be categorized as dangerous offenders, but they do not specify which of the four items they mean. In spite of my colleague's efforts to get this into the bill, there is no explanation as to which of the four items the prosecutor or the Crown thinks makes a person a dangerous offender. It is like putting the onus on people to defend themselves when they do not know what the charge is or what the reason is or what they have to defend themselves against.

The other item in this particular part of the bill that the expert said contradicted a number of points government members were making is that the government says this is only for the most vicious of vicious criminals, only for the most dangerous offenders, but the expert legal witnesses once again outlined how the offences in the bill could easily lead to people who are not the most dangerous of dangerous offenders being caught in this particular mechanism inappropriately.

The third problem, which was not brought up specifically that I can remember, although I am not sure if it was brought up by the experts, is the whole philosophy of proportionality in the justice system. According to the theory or principle of proportionality, the penalty should match the crime in severity. It should be a reasonable match. If, under the mechanisms I just mentioned, people are given a life sentence for what are not the most serious offences, there would certainly be a good chance of going against that principle.

When we talk about taking away people's liberty for the rest of their lives, it is a very serious matter. If Parliament has erred in that area, I recommend that the courts look at that aspect of cases. Indeed, many of the legal expert witnesses said that would actually be the case.

● (1650)

I also said I would talk about some of the good elements in this section. There is a clause whereby the Crown has to say in court whether it will proceed with a dangerous offender hearing. There actually was an amendment from the NDP. I did not quite understand why that would be taken out, because I thought it was a good element in this part of the law. It would stop someone from falling through the cracks. It stops a procedural missing of that opportunity. The prosecutors have to say whether or not under the evidence they are going to proceed. Certainly when there is a potentially dangerous offender we would not want the opportunity to fall between the cracks.

*Government orders*

Let us go on to the second element that is pushed into this huge omnibus bill: mandatory minimums. Of course we have supported some mandatory minimums, but certainly not to the degree that is in the bill. Once again, expert after expert came to the committee and showed how mandatory minimums, under certain extreme circumstances, indeed could easily make Canada a more dangerous place, not a safer place. We would have criminals who are learning from other criminals. They are less adjusted. Of course people always forget that virtually all of them come back to society so in essence we would be making Canada a more dangerous place.

That was not just evidence during committee. Let me repeat what was in the *Ottawa Citizen* today to corroborate that. The article states:

Most legal experts agree with retired judge John Gomery's criticism of new mandatory minimum sentences being proposed by the...government, calling them simplistic and likely to produce unjust outcomes.

Also, in the same article, Ed Ratushny, law professor at the University of Ottawa, called the growing reliance on mandatory minimums to fight crime "simplistic and naive".

In the same article, William Trudell, head of the Canadian Council of Criminal Defence Lawyers, said, "What it says is, 'we don't trust you, judge'."

In the same article, David Paciocco, a former crown prosecutor, said that apart from the human misery they impose, mandatory minimum sentences generate huge costs for taxpayers.

Once again the government seems to be ignoring any sense of respect for the committee process. I have never seen such a barrage of complaints against bills as there was against Bill C-10 and Bill C-9, yet where were the amendments from the government? They were non-existent in terms of trying to bring in a just law based on the knowledge that we received at the committee stage.

Once again I will talk about the good parts in that old Bill C-10. There were new offences. One was an indictable offence for breaking and entering to steal firearms. There was an indictable offence for robbery to steal a firearm. We certainly agree with those two, but the mandatory minimums were pushed through in the last Parliament by the Conservatives with the help of the New Democratic Party and were certainly in excess of what we believed was appropriate.

Going to the third of the five bills included in this new version, it was Bill C-22, which would increase the age of consent from 14 to 16. It is another example of a bill that had passed the House already. The delay was incomprehensible to us. Parliamentarians wanted to get it through. Why did the Conservatives, either the justice minister and/or the House leader, delay the bill on three different occasions? On October 26, we offered to fast track seven different bills, I think, including this bill. Yet the bill was debated at second reading on October 30 of that year and did not go to committee until March 11, which was 11 weeks later. The government totally ignored our offer of fast tracking.

The second time, the government delayed the age of consent bill by proroguing Parliament. I do not know if there has been a time in history when justice was set back so far by a prorogation of Parliament. Which department had more bills stopped when

Parliament was prorogued, more than any other department? It was the justice department. What a way for the government to slow down its own agenda needlessly.

Some of these bills are those that the minister kept saying today in committee he so wanted to get through quickly. Then he prorogued Parliament. Once again, a number of those bills easily could have been through by this time.

• (1655)

The third time the Conservatives delayed the age of consent bill by not reinstating it. It had already been through the House. It could have been reinstated to where it was instead of going back to square one and being thrown into an omnibus bill with problems from other bills that had not yet been debated, particularly Bill C-27. That component of it could actually have slowed down and sabotaged something that people wanted to get through Parliament.

Finally, in what seemed to be even a fourth method of trying to stall the age of consent bill, the Conservatives started suggesting that a lot of bills would be confidence motions. Fortunately they have withdrawn this, I think. So they were trying to find some way of getting an election, when once again all the bills on the order paper would die and we would lose the age of consent bill.

I want to go now to the fourth part of this bill. It is related to impaired driving. This is another bill that has already gone through committee. Again, it could have been reinstated. After a prorogation of Parliament, bills can be brought back with the consent of Parliament to the stages where they were, so four of these bills could have been brought back in far more advanced forms. Some of them could have been through now.

Of course they would have been through if we had not prorogued Parliament and if the Conservatives had not slowed down the process, but the Conservatives could have brought these bills along faster and put them through instead of putting them into a huge bill where any one of a number of things could slow them down.

It was the committee's duty to spend time in committee and call witnesses to go over the items that they had not yet dealt with in those parts of the bills, particularly Bill C-27, which had not been through committee yet, and of course it was good to do that because of the very serious reservations that were raised in committee during those hearings.

Once again, I would highlight some of the good parts of the old bills. In this one, the impaired driving bill, one of the good parts is that it will make it easier to catch people who are impaired not only by alcohol but by drugs. We are making advances in making the streets safer by being able to have a mechanism for detecting and keeping off the roads people who impair themselves by the use of drugs. As members know, we already do that in relation to alcohol.

However, once again there is a questionable part in that section. In trying to close a loophole, the government added a section which suggests that only scientifically valid defences can be used as evidence. At what other time would a person go to court and only be allowed to use scientifically valid defences? When people go to court, they hear all sorts of witnesses on various things, and now the government is limiting their defences in this particular bill to only scientifically valid defences.

We also heard some disturbing testimony about the occasional lack of rigorous maintenance of machines used to determine abuse and about there being no regular schedules and no independent evaluation, all of which brought up concerns that should be dealt with by committee.

Members can see, with the number of concerns that I have talked about so far, and I have only done four of the five sections, that there are a number of major concerns. People's rights could be taken away. Constitutional rights could be abrogated. People could not bring evidence forward because it would be prohibited by a section of this bill.

This is a major undertaking so it is very important that the committee does its work and is not rushed, yet when I asked the justice minister this morning whether he believed in the committee process where we bring forward witnesses and then make some changes, he assented and said that he did believe in the committee process.

• (1700)

However, last week when the youth justice bill was in committee for one day the House leader complained that opposition parties were stonewalling. There was only one day for the committee to hear from all the witnesses, the minister, and departmental officials.

This particular bill is going to affect youth and the public in very serious ways. The Nunn commission did a comprehensive review of the bill and made a number of recommendations. The government took only one and then added something that did not come from that report at all and will totally change the way youth are sentenced.

Did the House leader expect one day of committee debate to be sufficient? When he was asked about this, he said it may not have been sufficient, but he would know on the quality of the debate. That is pretty weak.

The government House leader did not put in the bill the recommendation of the Nunn commission regarding the protection of the public to sentencing. One would think that victims in Canada would want to be protected. The public wants to be protected. A major recommendation was left out of the youth justice act, and yet the government House leader thought it was so simple that it only required one day of committee debate.

All parties in the House have to deal with the serious situation of the serious omissions and the things that have been put into this legislation without any rationale. We will find out from the witnesses their concerns about that.

Old Bill C-35, which dealt with reverse onus for bail and firearms, has been incorporated into this omnibus bill. Liberal members agree with this. We have been trying to rush it through. It could have been

### *Government orders*

through a lot faster. Problems were raised in committee. There is the potential charter issue again about reverse onus.

In Canada, the general philosophy is that one is innocent until proven guilty. There are an uneasy number of provisions, as Bloc Québécois members mentioned this afternoon, where the onus is being reversed. The Conservatives are saying to Canadians that one is guilty unless proven innocent.

What do the experts have to say about reverse onus? What do the experts have to say about making this serious abrogation of a fundamental principle of Canadian law?

The experts have said that this reverse onus is not needed because it is going to make very little difference. This section has serious consequences. For the serious offences listed, where individuals would be denied bail, they are already being denied bail in the court system. This part of the bill would have little effect.

Liberal members have a number of problems with Bill C-2, but we do support its good elements. We certainly have problems with the way the Conservatives have forced bad things on Canadians by putting all the old bills into one omnibus bill.

We have problems with the Conservatives saying that we have to accept this bill, including the bad parts, or there will be an election. That is not a good way to develop policy. That is not a good way to get the trust of Canadians. Not allowing any amendments and not allowing any changes after having heard from knowledgeable experts is not a good way to develop legislation.

• (1705)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, we have consistently been hearing the question of why the government has been rolling out its crime agenda, slowing things down, proroguing the House, delaying the passage of bills, starting the bills over again and then, of course, ramping up the attack on everyone else in this House that they are somehow soft on crime. The record in this House is that we have a government that has perhaps not a great interest in actually seeing these bills passed.

I would suggest that my hon. colleague read the book *What's the Matter with Kansas*. It is an excellent analysis of how the republican party has used hot button issues to continually drum up support in its hard core base and create the notion of wedge issues.

Of course, the analysis of how it uses the hot button issues shows that these issues are never to be settled. It does not matter how many crime bills come forward, there will always be another drunk driver. There will always be another punk that grabs a handbag at the bus stop from the sweet little old lady. There will always be a reason for the backbenchers of the Conservative Party to stand up and say that not enough is being done on crime, regardless of how much this House deals with crime issues.

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I would ask my hon. colleague, does he not feel that all members of this House and the members who sat on the committee have certainly tried to work with the government to get some usable, workable crime legislation passed? What we have seen is that his work has continually been cheapened by the sloganeers in the Conservative Party.

I ask my hon. colleague whether or not this crime agenda will actually ever come into law because of the stalling that the Conservatives seem to be doing on these bills?

**Hon. Larry Bagnell:** Mr. Speaker, the member's questions are excellent ones. I would like to borrow that book which also sounds excellent.

I will not explain again the four different ways the government used to delay the age of consent and most of the other provisions in this bill. The member has made a very good point on that.

I think it is upsetting to the democracy of the House when we are bullied into accepting the bad things in an omnibus bill. We are told that amendments cannot be made or there will be an election.

The greatest affront, and it is not to me because I am not an expert in law or even a lawyer, is to the experts in the country who spend their careers in this area. They came before us and explained how these particular items would not work.

In fact, they explained how many of these provisions and this direction in general was going to make Canada a more dangerous place. People will be put into prisons for longer periods. Studies have shown that when they come out of prison they are more dangerous. Eventually all these prisoners come out.

I am sure what is most disturbing to my colleague is that the government is going in the wrong direction. The government has an emphasis on crime, although crime is going down in Canada. The government is moving in the wrong direction. It is great to fix the problem, but it is fixing it in the wrong direction. The government is going backwards and it could make the problem worse.

The government should be spending all this energy and resources on dealing with the prisoners through training, rehabilitation and healing in the prisons. This is what the prisoners are asking for. It has been proven to work in restorative justice. The government should be spending money on the prevention of poverty and social issues.

We need to be increasing the number of police officers. The experts have said time and time again that increasing the sentences makes people less sociable and more dangerous. It is also about their thought of being caught. We should have the services available to help those people.

I certainly encourage an entire new direction in this House. The emphasis should be on healing, education, rehabilitation and restorative justice. Then the vast majority of these people can be meaningful contributors to society. This is what the experts who work in the field have suggested to us at committee.

• (1710)

[*Translation*]

**Mr. Robert Vincent (Shefford, BQ):** Mr. Speaker, I have a question for my Liberal colleague.

When a first-time offender is imprisoned for drunk driving, as the member was saying, he is sentenced for two years less a day. So these sentences must be served in a provincial penitentiary.

With the new Bill C-2, if many people are sentenced to two years less a day, they would have to serve their sentences in provincial penitentiaries.

What will be done about the tax burden, the money that will be injected into provincial prisons? Because we may be forced to build more prisons. If we incarcerate people, we will run out of room. If we run out of room, we will have to build prisons. Buildings cost money, as do the inherent operating costs, such as heating, hiring new staff, new prison guards. All of this will be done at the provincial level.

How much money will the federal government give the provinces to help absorb these costs? Have they thought about that? Perhaps all they thought about was taking \$4 or \$5 million to hire police officers and focus on more repression? Once these people are put in prison, who will foot the bill? The provinces. How much money will they get from the federal government to support the bill?

Is the member's province prepared to invest even more money to please Conservatives with no social conscience? I await his answer.

[*English*]

**Hon. Larry Bagnell:** Mr. Speaker, members are clapping because that is an excellent question. Of course, the government had promised more police officers but it did not deliver them.

The member's question about the courts, and provincial and territorial jails is excellent. I asked that question twice in committee. In the last round we were at finances and I asked the exact same question.

If these laws are going to be successful, where is the money set aside for the increased onus on not only the jails but the prosecution? What is the government going to do about it? Are there any calculations? The minister had no answers. He said, basically, "We'll cross that bridge when we come to it".

I asked again today because we are back in another cycle. Now some of the bills have been passed. Has there been any analysis done in the last year since I asked the question? No. There were hums and haws, and really no answer as to why there was not sufficient money for the prosecution, the increase in legal aid that this is going to cost, and money for the penitentiary systems both provincial and federal.

I have visited the jails. It is such a shame. The prisoners are already crying for healing and education. I asked one of them in the fall, "Don't you go to school all day?" He said, "The teacher quit, they're going to hire one next year". There is not enough training so that persons can get back safely into society.

Now the government is going to overcrowd the jails when they do not even have enough resources. It will make the jails even worse places, turning out even more hardened criminals, making them less adjusted people.

The member raised a very good point. I will be delighted if anyone in the government gets up to suggest that if its plan happens to be a success, there are going to be some resources to deal with the increase of people in our prison system.

● (1715)

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, when I talk to people in my home town about this crime agenda, they are not so much motivated by a sense of vengeance or wanting to seek retribution. Primarily, they are really concerned about ensuring that we do not have more victims in our communities. They are more interested on the prevention end than the hard-nosed, get tough on crime approach that we are seeing from the government.

I am sure the member has heard, as a member of the committee, many people bring forward positive suggestions for crime prevention measures. I heard the member talk about restorative justice and initiatives such as those. Could the member elaborate on those to create a more balanced picture of how we in this chamber should be dealing with crime?

**Hon. Larry Bagnell:** Mr. Speaker, last week in Ottawa there was a great restorative justice session where the victims and the offender came together and said that it was a great improvement and that it was moving forward. The police chief said that the present system had failed and that there was a 70% failure rate in the present system in diversion and rehabilitation and a 35% to 42% failure with the circles.

We are finally getting some success and what do we get in Parliament? We get Bill C-9, which tries to take away those success stories.

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I listened with great interest this afternoon to hon. members and I would like to thank the members of the Liberal Party, the Bloc and, of course, our member for Windsor—Tecumseh for their thoughtful comments.

The member for Windsor—Tecumseh has had 27 years experience as a lawyer and understands the system. Therefore, I have full confidence in him when I ask him what he thinks of this or how should we do that. He always has very good answers that have been well researched.

I want to let everyone know that when we talk about crime prevention and the justice system, we are doing that from very well researched sources and very thought out policy. I want to make sure that people are aware of that.

On the other hand, I did not have a chance today to listen to any members from the Conservative Party, which is probably a good thing.

Before we came back, people in my riding were asking about this crime stuff. They wanted to know what we were doing and what was going on. I basically said that the government had postponed the session and I then explained the whole idea of prorogation. I said that it did not make any sense and that it was a waste of money. I told them that everything that had been done will need to be restarted again. I said that all the work will need to be rekindled again and all those wages for the committee will need to be paid again. As a

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matter of fact, the agriculture committee just went back to work this week.

This is a symptom of what has happened and the whole idea of a delay. As my colleague from Windsor—Tecumseh said, at least four bills were already in the process before the delay and two bills may even have been law today. We might have had a couple of good crime bills, which everyone had worked on together and other parties had a chance to make amendments. We could have been going forward but instead it is almost as if we are being held, and I hate to use the word, hostage.

I heard arguments today that if we do not support the bill why did we vote for it. A lot of us voted for the bill because we felt that there was no alternative. Some good amended bills, which were worked on, discussed and should have been law, are part of this package and we should not delay them any longer.

We are at the stage now where we have this omnibus bill and we are in the process of debating it. I want to make it clear that I agree fully with what my colleague from Windsor—Tecumseh said about Bill C-27, the dangerous offenders bill, which is that we tried to amend one part of it relating to dangerous offenders upon a third conviction and would place the reverse onus on the convicted person to prove that he or she should not be considered a dangerous offender. Apparently there will be challenges and problems with it but the bill will be passed and I guess we must to live with it.

I would like to share with the House an article from the *Penticton Western News*, which touches on my riding and on the riding of the Minister of Public Safety. The editorial, “Legislation plays on public fears”, states:

Canadian jurisprudence — once an example of moderation — is changing for the worse. This is the conclusion we draw from the Tackling Violent Crime Act now winding its way through the House of Commons.

I might add that this is not some kind of a left wing newspaper that is always constantly attacking government policy or the mainstream way of life.

It goes on to state:

This broad, sweeping piece of legislation threatens to inject Canada's legal DNA with alien elements that may not only be unconstitutional, but also unconscionable because they fan private fears by exaggerated public threats.

We have seen this topic discussed among members of the opposition parties today.

The article goes on to state:

While the provision to raise the age of consent to 16 is a welcome measure to bring Canada in line with the rest of the developed world, the rest of the act — which actually includes five bills — is nothing short of demagoguery.

Its tough language implies that we live in a crime-ridden society, when nothing could be further from the truth. National crime statistics have declined to the lowest levels in 25 years.

● (1720)

Other members have mentioned the United States, our neighbour to the south, which has an incarceration rate of over 700 people per 100,000 people, the highest incarceration rate in the world, followed only by Russia with something like over 400 people per 100,000, and China. The Canadian rate is something like 100 people per 100,000 people.

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When I ask people whether they would feel safer in a country that has an incarceration rate of 700 per 100,000 or in a country like Canada which has an incarceration rate of 100 per 100,000, they obviously say Canada. Something is not quite right here.

The article goes on to state:

Yet, in spite of all the available evidence, [the] Prime Minister...has convinced many that our streets and communities are indeed not safe. What we need instead, he argues, are tougher penalties for criminals and more prisons to hold them for longer, if not indefinitely. Once again, this approach contradicts all the available evidence about the effectiveness of long prison sentences.

While criminals need to be punished, they also need to undergo rehabilitation, so they will not return to their old ways once they are out of prison.

Yet this government has failed to support such programs, prompting complaints from guards, whom one might expect to support a larger prison system.

The article goes on to state:

But that is not the worst part of this act. It creates an unnecessary atmosphere of fear, paranoia and suspicion.

[Translation]

Earlier, the NDP agenda was discussed. It is based on the same philosophy as the Bloc Québécois', that is, that prevention and protection must be emphasized alongside punishment. Together, these three fundamental principles are effective at fighting crime. This bill, however, is only about punishment.

[English]

I would like to pick up on the article about the report "Unlocking America", which my hon. colleague talked about earlier. The article reads:

Due largely to tough-on-crime policies, the *Unlocking America* report says, there are now eight times as many people in U.S. prisons and jails as there were in 1970.

In fact, the U.S. states with the lowest incarceration rates generally have the lowest crime rates, it says.

I asked that question earlier and I would like to ensure this is on the record. The article goes on to state:

U.S. taxpayers now spend more than \$60 billion a year on corrections, says the report. "The net result is an expensive system that relies much too heavily on imprisonment, is increasingly ineffective and diverts large sums of taxpayers' money from more effective crime control strategies."

Interestingly enough, the government promised to increase the number of officers on the police force. We have not seen those numbers so far and yet the government is willing to build more prisons with our money to put more people in jail. Something here does not make sense.

The article continues:

Much of the burden has fallen on disadvantaged minorities. Blacks and Latinos make up 60 per cent of the U.S.'s prison population. According to the report, eight per cent of American black men of working age are now behind bars. "In effect, the imprisonment binge created our own American apartheid," it says.

My hon. colleague from Windsor—Tecumseh gave me an interesting statistic. He said that as far as dangerous offenders go in our country, although 3% of our population is made up of first nations people, in the dangerous offender category, 20% of the prisoners are from first nations communities. There is something not quite right. The danger is that if we implement a lot of the provisions of this new act, this will increase even more.

In talking about the United States, the report states:

"At current rates, one-third of all black males, one-sixth of Latino males and one in 17 white males will go to prison during their lives. Incarceration rates this high are a national tragedy."

U.S. prisoners receive sentences that are twice as long as British prisoners, three times as long as Canadian prisoners and five-to-10 times as long as French prisoners, the report says. "Yet these countries' rates of violent crime are lower than ours."

Since the early 1990s, U.S. crime rates have fallen sharply and are now about 40 per cent below their peak. The report says it's "tempting" to conclude that this decline occurred because incarceration rates soared during the same period.

However, this is not, according to the article, true. It states:

"Most scientific evidence suggests that there is little if any relationship between fluctuations in crime rates and incarceration rates."

In fact, in many cases, crime rates have risen or fallen independent of imprisonment rates, it says.

What are we to conclude as we debate this bill? The first conclusion, in summary, is that we have wasted time. A lot of these bills could have been in effect now but, as I mentioned earlier, we have been held hostage, for lack of a better word. If we support part of this bill, then we must vote for the whole bill. If we see a flaw in Bill C-27 that has not been corrected, then we must leave it up to the courts to do it.

I believe I have expressed the concerns that I have and the concerns of a lot of citizens in my riding.

• (1725)

**Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.):** Mr. Speaker, the Conservative government promised to hire 2,500 new policemen and to seek RCMP recruits, even in the instance where the RCMP itself is having difficulties bringing the levels up on a normal evaluation. What does the member think about the unkept promises of the law and order government?

**Mr. Alex Atamanenko:** Mr. Speaker, it is evident that a promise has been broken. A program should have been in place by now. We should be working on increasing policing in our cities and small communities. We have seen some of the negative effects of it. I submit that rather than dwelling on this bill and rehashing what should have gone through, this is the direction that we should have been taking in the last few months.

**The Acting Speaker (Mr. Andrew Scheer):** 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.

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## PRIVATE MEMBERS' BUSINESS

[English]

### FOOD AND DRUGS ACT

The House resumed from November 2 consideration of the motion that Bill C-378, An Act to amend the Food and Drugs Act and the Food and Drug Regulations (drug export restrictions), be read the second time and referred to a committee.

**The Acting Speaker (Mr. Andrew Scheer):** When the bill was last before the House, the hon. member for Fleetwood—Port Kells had seven minutes remaining, but we will go on to the hon. member for Verchères—Les Patriotes.

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• (1730)

[*Translation*]

**Mr. Luc Malo (Verchères—Les Patriotes, BQ):** Mr. Speaker, at the outset, I would like to say that I agree with my colleagues from Québec and Brossard—La Prairie, who spoke earlier about the bill introduced by the member for St. Paul's, An Act to amend the Food and Drugs Act and the Food and Drug Regulations (drug export restrictions).

As my colleagues explained earlier, even though such a threat is not yet a reality, this bill is designed to minimize the possibility of Canada's supply of prescription drugs being exhausted by imposing severe restrictions on exportation. Under the NAFTA framework, partners to the agreement can limit certain exports to avoid a shortage in order to ensure public safety. In other words, the bill before us today would enable us to apply that framework.

The bill would amend the Food and Drugs Act to give the Minister of Health the power to prohibit bulk exports of prescription drugs. Specifically, Bill C-378 would make it possible to ban the export of prescription drugs listed in schedules to the Food and Drug Regulations.

The bill also specifies the kinds of fines offenders would be facing and it provides for a number of exceptions. For example, a drug described in one of the special schedules of the Food and Drug Regulations could still be exported from Canada if, for instance, it was not intended for human consumption or not manufactured or sold for consumption in Canada, under certain conditions of course.

I should point out that this bill targets primarily the western provinces, which have laxer practices. Quebec already has in place mechanisms prohibiting the cross-border trade in prescription drugs, as far as individual prescriptions are concerned. Supply problems and higher prices as a result of laxer practices in some provinces could, however, also affect Quebec.

Nevertheless, I want to make it clear that the role of the federal government in this case should be limited to regulating drug imports and exports. Under no circumstances is the federal government authorized to interfere in doctor-patient, pharmacist-patient or doctor-pharmacist relationships.

If the possibility of a drug shortage is being considered today, it is because of the significant price difference between drugs sold in Canada and those sold in the United States.

It is important to add some qualifications. As the member for Québec commented back in June and the member for Brossard—La Prairie reiterated in early November, the rate of exchange is no longer favouring the Americans, making it less attractive for them to buy on this side of the border. This will be especially true if the dollar remains strong or continues to increase in value, and consequently the threat of a drug shortage should lessen.

Still, even if the rise in value of the Canadian dollar has narrowed the price differential between Canadian and American products, the fact remains that having appropriate checks and balances in place in Quebec and Canada will ensure lower prices on this side of the border. American patients might therefore still be tempted to buy in Canada.

The fact is that, in the United States, pharmaceutical laboratories are allowed to price their products freely, while in Canada, the Patented Medicine Prices Review Board ensures that prices are not excessive.

• (1735)

Similarly, in Quebec, the Conseil du médicament, an organization directly under the Quebec department of health and social services, is tasked with making recommendations on establishing and changing the price of prescription drugs.

Drug manufacturers must submit a request to the board in order to increase the price of a drug. The board will assess the request, which must meet certain criteria. The drug must have been registered on the list of drugs for at least two years and the manufacturer must offer its best price from across Canada. It must also have a distribution agreement with the Quebec department of health and social services. Furthermore, the amount of the increase requested must not exceed a certain maximum rate.

If these conditions are met, the Conseil du médicament recommends that the Quebec department of health and social services accept the price increase.

Thus, as I was saying earlier, the existence in Canada and Quebec of independent methods for price setting is still responsible for a considerable gap between American prices and Canadian prices. This translates into a very large cross-border drug trade between Canada and the United States, a trade that is now facilitated by the Internet.

It is therefore no surprise that, according to the Ordre des pharmaciens du Québec, the on-line pharmaceutical market has reached over \$1 billion a year in Canada.

Since Quebec and the provinces are responsible for regulating medical and pharmaceutical practices through their colleges of physicians and societies of pharmacists, the rules that apply to this trade are not the same everywhere.

Online sales of drugs are especially brisk in the western provinces, which have less stringent rules.

In Quebec, the code of ethics of physicians stipulates that in order to write a prescription for a patient, a doctor must evaluate the patient to establish a diagnosis and formulate a treatment plan. The doctor must also provide information to the patient and obtain consent. Under the Pharmacy Act, a pharmacist can sell drugs only to patients who have prescriptions written by an authorized person.

The prescribing and sale of a drug therefore bind both doctor and pharmacist. Both are legally responsible for this professional act, and they risk prosecution if they fail to live up to the standards of their professions.

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As my hon. colleague from Brossard—La Prairie pointed out in this speech on November 2, physicians have unfortunately been struck off the roll of the Collège des médecins du Québec in the past for violating the rules of professional conduct to which they are subject by illegally prescribing drugs to Americans via Internet. Needless to say that never having met these patients hardly qualified as complying with the rules set out in their code of professional conduct.

It is important to note that, according to a number of analysts, the expansion of the virtual drug market in the United States will eventually influence drug prices in Canada. These experts say that, to make up for the loss of income from selling at a lower cost to Americans from Canada, the pharmaceutical industry might increase its prices on the Canadian market.

Even if the Conseil du médicament is responsible for administering the price regulation process in Quebec, as I indicated earlier, and the Patented Medicine Prices Review Board plays a similar role in Canada, the pharmaceutical industry's threats are not to be taken lightly.

Companies like Pfizer, Wyeth, AstraZeneca, GlaxoSmithKline and Eli-Lilly have already taken tough action, reducing their exports to Canada, for fear of losing a significant income by allowing their products to cross the border again at a lower price.

I should also mention that increased pharmaceutical sales on the Internet could result in a shortage of pharmacists.

● (1740)

[English]

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, I rise to speak to Bill C-378, An Act to amend the Food and Drugs Act and the Food and Drug Regulations (drug export restrictions).

Canadians are very aware of the quality of our health system as well as our free access to most of its features, and that is in very stark contrast to the market-driven system in the United States.

As we know, there has been a surge of interest from Americans, particularly seniors, who, because of their fixed incomes, find drug pricing in Canada particularly inviting. Bus loads of seniors come to Hamilton to visit and have prescriptions filled.

I am all for being good neighbours and helping our American cousins to the south as much as we can. In fact, in many ways, their needs are much higher than those of most Canadians, particularly when it comes to health care in general and prescription costs in particular.

On the population side, Hamilton, at approximately 500,000, is not huge, but we are friendly, so I want to stress this point. The purpose of the bill is not to shut the border to our American cousins. In fact, American tourists who pick up a prescription or two are not a drain on our druggist's ability to provide prescription services to our hometown clients.

Primarily because of pharmaceutical sales on the Internet and the visits by these bus loads of American tourists picking up prescriptions, combined with the warnings of an anticipated flu pandemic, Canadians are asking about our supply. Where would

they stand if a significant part of our drug output was sent south and then there was a shortage in Canada?

We know that earlier this year the United States moved to introduce the pharmaceutical market access and drug safety act. It appears its motivation was the fact that the American government wanted even greater access to the importation of cheaper pharmaceuticals. As I have already related, that door has been open to bulk purchases, and the American act appears to be intended to codify the open door policy by making it official.

This means the door has now been opened further to allow Canadian firms, those that wish to do so, to increase their bulk drug sales to the U.S. On the surface, that may be wise. The increase in employment would be wise in most people's opinion, but is that really a good thing?

On the surface, it appears so, but consider for a moment the impact on Canadians if we were hit by a flu pandemic, by SARS, or another unexpected outbreak and all our stock had been sold to the United States. That goes to the heart of the intent of the bill.

The production of pharmaceuticals is a precise and painstaking process that requires time. It is not as simple as perhaps it might be for one of Hamilton's manufacturing plants to simply add a shift to meet new demand. Pharmaceutical products are often more than not made from scarce biological sources or it cannot be turned out for mass production on a scale to match the needs of 30 million Canadians and 300 million Americans.

One area I have yet to touch on is product safety and border inspections. It is my understanding that of the products crossing our borders now, our security folks are only able to check about 1%. In a time of counterfeit drugs, combined with a freer movement of goods being promoted by both sides of the border, that is a recipe for a very serious concern. We all see the results of ineffective monitoring of the toys imported from China on a near daily basis. Imagine the risks posed here with the transport of pharmaceuticals.

Members may recall the speed with which SARS moved into the Toronto hospital system and elsewhere. We were not only unprepared, but we were shocked by its rapid advance and ravaging effects. It is one thing to struggle against a new and unknown invader like SARS, but it is quite another to allow the much needed protection for Canadians to become a simple commodity to be traded away gratuitously.

● (1745)

In many ways, the pharmaceutical industry survives on its own ability to forecast and predict need. A good example is our yearly flu vaccine. Companies are able to meet the demand because the flu season is a predictable event. Companies for the most part though cannot stockpile medications due to the short life expectancy of many of the ingredients.



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In short, we must find and maintain that balance between keeping Canadians protected and having the ability to still export to some degree.

I have spent a large part of my time tonight speaking about the American wants and needs, so I would like to speak briefly to Canadian needs. Just like our American neighbours, many low income or fixed income Canadians are living under a financial strain these days. We refer to the prosperity gap regularly in this House.

Across my riding of Hamilton East—Stoney Creek we hear of far too many people who, when faced with a costly prescription not covered by a plan, simply turn and walk away when they are told the amount by the pharmacist. They just cannot handle it.

In fact, I was in the Rosedale pharmacy in my riding a couple of weeks ago, picking up a prescription of my own. I could not help but overhear a young man talking to the clerk as he dropped off his prescription. He was bent over in pain. He said he was having terrible pain, a problem with his back. It was so bad that he just did not know how to handle it. He had an ear infection as well.

He asked the young woman what the price of the prescribed drugs would be. When he was told it was \$28 for the antibiotic and much more for the muscle relaxant and the sleep inducing drugs he needed so badly, even though he was in serious pain he said, “Fill the antibiotic only, that's all the money I got”. Like anybody in the House, I offered to help him that one time, but typical of a hard-working person of Hamilton, he said, “No thanks”, and he shuffled over and sat down while he waited for his antibiotic.

As legislators, it is not only time that we looked at such matters as prescription drug exports, but we must invest in a national universal drug plan to work hand in hand with our health care system to ensure that people like that young man in Hamilton receive the medications they so desperately need. No one should suffer needlessly when the rest of us, through the government, are ready and able to bear part of the load with them.

In closing, I would say that Bill C-378 moves us a long way to finding and maintaining that balance between supply on one side and demand on the other. I want to commend the member for putting forward this important bill. I believe that as responsible legislators we will do the right thing for Canada and will vote to protect the vital supply of pharmaceuticals.

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, I appreciate this opportunity to speak to Bill C-378.

I would like to bring to hon. members' attention the key specific facts to consider with respect to Bill C-378, especially with events that are occurring in the U.S. Congress. In doing so, I wish to draw attention to the U.S. political environment and provide further insight on why U.S. developments are unlikely to affect our drug supply.

I believe that one of the reasons this bill was introduced was to address concerns over potential American legislation to allow the importation of drugs into the U.S.A. from Canada. There are concerns that such legislation would cause drug shortages here in Canada. However, it is premature and overly pessimistic to draw such conclusions at this time. This bill is the wrong response to a problem that does not currently, and may never, exist. I believe that

any concern with potential impacts on the Canadian drug supply need to be balanced with a calm assessment of the situation.

I do not have to remind hon. members that 2008 is a major election year in the U.S. While the race for the White House receives the majority of the media attention, most members of Congress are also facing re-election.

As we are all no doubt aware, American legislators sponsor a number of bills in Congress to increase their profile before election time. Understandably, this activity increases closer to the election date. While we can expect to see more U.S. legislative activity in the coming months, this is unlikely to lead to an increased likelihood of bills being passed.

Most bills introduced in Congress do not make it into law. They die at committee level or are amended so many times that they become too unpopular to pass. Even if they are passed by one chamber of Congress, they could be defeated by the other chamber. Also, a bill passed by Congress will not be effective unless the executive branch appropriately directs the U.S. public service on how it should be interpreted.

There is no doubt that high prescription drug prices are a major political issue in the United States. Some proponents of the leading proposal to legalize imports have been open in stating that this is as much a pressure tactic to reduce U.S. domestic drug prices as about importation.

One way they are seeking to reduce domestic drug prices is by pressing for federal negotiation with manufacturers over the prices paid by the federal department of health and human services for those drugs covered by medicare.

Existing U.S. law prohibits medicare price negotiations. But a bill to require the U.S. government to negotiate medicare drug prices was passed in the House of Representatives with significant bipartisan support. While the Senate finance committee voted in favour of this bill, there was not enough support for this version to get passed in the full Senate.

For leading congressional Democrats as well as a number of Republicans, seeking the ability to negotiate prices for medicare drugs is a much higher priority than legalizing drug imports. Democrats and Republicans supporting medicare price negotiations could modify their bill or attach its language to another bill in order to further its progress through Congress.

*Private Members' Business*

The leading drug import bill before Congress, the Dorgan-Snowe bill, is stalled at the Senate committee level. The bill's sponsors have tried to go around the Senate committee by proposing amendments that would piggyback their drug importation bill onto another bill meant to overhaul the U.S. Food and Drug Administration. The Food and Drug Administration bill was passed by the Senate with the drug importation provisions. However, the Senate added a poison pill amendment, giving the U.S. administration the power to prevent drug imports until they certify that they are safe, and that such importation could lead to drug savings.

Therefore, it is unknown at this time if the Dorgan-Snowe bill would have any effect even if it became law. We are a long way from a bill legalizing bulk imports being approved by the White House without such a poison pill being included.

Finally, even if the Dorgan-Snowe bill were enacted, and the U.S. administration certified drug safety and cost savings, it would take 12 months before any bulk imports could occur. As such, there would be at least a year for this government to prepare for any concern with the potential impact of bulk exports. But given the current U.S. administration's strong reluctance to take action that would facilitate drug imports from other markets, it is highly unlikely that the Dorgan-Snowe provisions will ever, and I repeat ever, come into effect.

In the unlikely event that those provisions were brought into force, it should be noted that they would provide for imports from a number of countries, not just Canada. As such, the impact of any import legalization would be distributed over many countries. Eligible countries for drug imports would include many of the European Union countries, as well as Australia, Japan, New Zealand and Switzerland.

• (1750)

Again, drug imports from other countries such as Canada are neither a realistic nor a sustainable solution. U.S. federal legislators realize this and are using such legislation for their own political gain.

Regardless of the U.S. situation, Bill C-378 would not prohibit drug exports to the U.S. by foot traffic or Internet pharmacies, nor by drug manufacturers. If the member for St. Paul's is so concerned with the Canadian drug supply, I fail to see why she would want to allow such practices to continue by specifically exempting them from this bill.

As I have indicated, it is important to put the situation south of the border in perspective. That said, it is also appropriate and prudent for the government to continue to monitor the situation with respect to cross-border drug sales and to be prepared to act in a measured fashion if and when such action is indicated. However, we have not arrived at that point, and we are unlikely to get there anytime soon.

**Hon. Ujjal Dosanjh (Vancouver South, Lib.):** Mr. Speaker, I am delighted to rise in support of Bill C-378, An Act to amend the Food and Drugs Act and the Food and Drug Regulations (drug export restrictions).

This is a very important issue. I wrestled with it in my previous incarnation as the minister of health and introduced similar legislation. However, we did not have time to deal with it successfully.

Canada has a regime that has been developed to protect, at reasonable prices, the supply of drugs for the needs of Canadians. The instrument we have used for that is the Patented Medicine Prices Review Board. I believe the review board has stood us in good stead over the last number of years and has kept the supply of patented drugs available to Canadians at reasonable prices.

Because the prices are reasonable and because the politicians in the U.S. refuse to use similar kinds of devices to control the prices in the U.S., they are busy trying to devise plans in many states and, in fact nationally to try to legalize and legislate the wholesale imports of drugs from Canada. If they are successful in continuing to take bulk exports of drugs from Canada, I am afraid it may endanger the very supply of drugs at reasonable prices for Canadians. In that sense, this legislation is very important for all Canadians.

I want to commend the member, my colleague, for bringing the legislation forward in the House. When we dealt with this last, the sale of drugs at reasonable prices from Canada into the United States had gone into hundreds of millions of dollars and had increased.

I know those sales have gone down as the dollar has gone up. However, Canada faces a very real threat from legislators in the United States. They are attempting, in different ways, to deal with this issue and allow the continued importation of these drugs from Canada into the United States.

There are other aspects to this matter that bear scrutiny. For instance, we have a number of doctors who are engaged in prescribing medication to clients or "patients of theirs" without examining the patients, or speaking with them, or physically touching the patients in examining them. That has been held to be unethical for some doctors by doctors' bodies across the country.

It is the same with the pharmacists. Pharmacists then fill those prescriptions, dozens and hundreds every day, knowing that they are signed by the same doctor or same number of doctors across the country. We believe some of those practices are unethical.

Some disciplinary bodies have been crying out for reform by and assistance from the federal government so they do not have to deal with the issues. They do not have the resources to investigate those kinds of unethical practices, and there are many, and then successfully discipline their members who may be involved in these questionable practices.

The way to deal with this issue is for the government to support the legislation so we can then prevent this danger becoming real, if does become real.

*Private Members' Business*

• (1755)

Many attempts have been made to make bulk imports into the U.S. legitimate, and we are familiar with those. Many of the U.S. presidential candidates have proposed and dozens of U.S. jurisdictions at state and local levels continue to introduce measures designed to help local citizens, government employees, retirees and others to buy Canadian prescription drugs.

Any of these measures could trigger the unanticipated shortages in Canadian supplies. Some of these programs include: developing websites that recommend Canadian Internet pharmacies for local citizens, employees and retirees and their families to purchase from; certification of Canadian based pharmacies as “qualified” for use by drug benefit program members or by local citizens; and the review of city/state drug benefit programs with a view to hiring Canadian firms to supply those programs with prescription drugs.

On October 31, the U.S. Senate adopted U.S. Senator David Vitter's drug reimportation amendment to the U.S. Senate labour, health and human services and education department appropriations bill. As he stated, “This provision prevents HHS officials from blocking hard working Americans from bringing back prescribed medication from Canada and will help bring more affordable prescription drugs to residents”.

In fact, in the House of Representatives, the agriculture appropriations bill was amended to include language that prevented the FDA from enforcing importation laws on prescription drugs from anywhere, including Canada. This legislation may be stuck in the appropriations process for other reasons and may roll into next year, but the language remains a serious concern as do the consequences that flow from this language.

These bills in the Congress followed legislation passed and signed by the President on October 4, 2006. The bill effectively created an open border for individual Americans to fill their prescription drug needs from Canada's national supply. A key provision of the new legislation prohibits the U.S. customs services from intercepting personal use quantities of prescription drugs at the border through foot traffic.

There are many other examples of what the U.S. governmental bodies, including state legislatures, have been trying to do, and that is to undermine the Canadian supply of drugs available to Canadians at reasonable prices.

It is open to the U.S. legislators and politicians to do exactly what we have done wisely for Canadians. We have protected the supply of drugs for Canadians at reasonable rates by using devices such as the Patented Medicine Prices Review Board. It is open to the U.S. to do the same. Why the Americans are not doing that beats me. I fail to understand why they are not taking the steps within their power to deal with controlling and regulating patented drug prices in their own country.

When I visited the United States of America as minister of health, David Vitter told me that he was interested in dismantling the regime we had in place for controlling and regulating the prices at reasonable rates for drugs for Canadians. That is the real intent behind the fact that they do not want to do anything within the U.S.,

but they want to undermine our supply and our devices that we use to control our prices at reasonable rates for Canadians.

Therefore, I suggest we support this bill, which would protect the supply of drugs for Canadians at reasonable rates.

• (1800)

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, as my colleague, the member for Selkirk—Interlake, pointed out, hopefully by now several U.S. drug importation bills have come and gone. Bills on drug importation do not have a great life expectancy.

We have been hearing about bulk importation of drugs from our neighbour south of the border for more than five years now. During that period, many such bills have been introduced, one after another, and none came close to being adopted. In fact, they all died. They died because they were poisoned by members of Congress. They died because they became unpopular. They died because they were not workable. Why? Because importing drugs manufactured for other markets is simply not the solution.

Again today we see concerned U.S. health care providers commenting in the media. They raise their voices because the harsh reality of pricey prescription drugs in the U.S. is the major reason why people do not take their medication as prescribed, even forcing some people to choose between their medicines and other necessities.

The solution they propose is to control and reduce drug prices by involving Congress and federal agencies. They are not proposing to import drugs from foreign markets. In fact, they are openly and bluntly opposing such action.

Some hon. members present here today remain of the position that the U.S. will imminently open its border to cheaper drugs from other markets. Frankly, I do not understand how they are arriving at such a conclusion.

There is no doubt that Canadians must continue to have access to the prescription drugs they require. The government is committed to the health and safety of Canadians, including protecting an adequate supply of prescription drugs. However, I fail to see how spending taxpayer money to create unneeded laws to address purely hypothetical scenarios would serve that end. Should the time when the government would need to take action, we would want a measured and balanced approach to protecting our drug supply.

Bill C-378 is underdeveloped. Its non-measured, broad-brush approach raises fundamental objections. These are substantive in terms of trade law obligations and procedural in terms of regulation-making processes.

By contrast, the leading U.S. bill to legalize drug imports appears to assiduously cover the waterfront, in terms of administrative details.

*Private Members' Business*

I know hon. members are aware that it is most unusual to seek to directly amend regulations in Parliament, as Bill C-378 would do. Such an approach would bypass the *Canada Gazette*, related consultations and other review processes for regulations.

However, more important, Bill C-378 would not provide any tools for implementation and, worse, would not provide any ministerial discretion to ensure that any government response would be proportionate to the risk.

The member for St. Paul's has been talking about the Tamiflu situation of 2005, when Internet pharmacies were promoting and selling this drug to patients outside of Canada. I am deeply confused as to why this past situation is being offered as one example for moving forward with Bill C-378. I am confused because C-378 would still allow Internet pharmacies to sell drugs to the U.S. It would allow for truckloads of drugs to cross the border, even should shortages occur in Canada.

In short, the bill would prohibit exports and then would exempt most of the exports it purports to prohibit.

It is clear that Bill C-378 would not meet its stated goal. We would find ourselves having to come back in the House to discuss yet another bill, one that would be measured, one that would be consistent, one that would be effective at protecting our drug supply, one that would be carefully crafted knowing the final form of a U.S. bill, not one based on uncertain and ever changing U.S. House and Senate proposals about drug importation.

Canadians have said that they were concerned about cross-border drug sales, but they would be even more concerned with having Bill C-378 as the government's response.

Supporting the bill is not about standing up for Canadians.

Again, I want to reiterate and underscore that the government is committed to effectively monitoring and assessing potential risks to our drug supply associated with cross-border drug sales.

●(1805)

However, it is important not to overstate those risks and it is premature to introduce or pursue new legislation to restrict drug exports when there is no existing threat to the Canadian drug supply.

Real obstacles to the adoption of an effective U.S. drug importation bill remain, particularly the known objections of President Bush and many republican legislators. However, even if the U.S. were to adopt the current leading drug importation bill, its provisions would not allow bulk imports to start until one year had passed, providing the necessary window for this government to develop a measured and relevant approach to protecting our drug supply.

The U.S. bill also contains an extensive oversight regime, including inspections of exporting facilities that would be expected to limit and/or slow the uptake of its enabling provisions. Cost recovery from exporters and importers would also have an impact on the potential cost savings to consumers.

However, what is important to understand is that the drug importation proposal is not at the forefront of discussions in the U.S.

It is being used solely as a lever to bring U.S. drug manufacturers to the negotiation table to lower U.S. drug prices.

The real leading proposal is to allow the U.S. medicare program to negotiate drug prices directly with manufacturers, which it is currently prohibited from doing. We know and the U.S. Congress knows that the issue the U.S. health care system is facing is high drug prices.

In summation, we have been hearing for years about drug import proposals in the U.S., but none survived. What we see and what we hear today is a continuing debate about high drug prices in the U.S. and this is a situation that the U.S. will need to resolve within its borders.

Candidly, there is no reason for spending more of the valuable time of hon. members to discuss a risk that does not exist and, worse, to discuss a bill that would not even protect our drug supply, even if there were a risk.

The interest of the member for St. Paul's on this issue is very much appreciated and noted, but for the reasons outlined, the government cannot support Bill C-378.

●(1810)

**The Acting Speaker (Mr. Andrew Scheer):** I recognize the hon. member for St. Paul's for her five minute right of reply.

[*Translation*]

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, I am pleased to wrap up debate on Bill C-378, An Act to amend the Food and Drugs Act and the Food and Drug Regulations (drug export restrictions).

[*English*]

It is a bit surprising to hear my Conservative colleagues use words like "unlikely" and "not emergent" when the bill is about prevention and giving the minister the tools he needs in the event of a problem, particularly as we are in flu season right now.

Members will recall how two years ago, when one of the batches of American flu vaccines did not work, we ended up with all of our supplies here in Canada at risk. Particularly, our neighbouring states, the governors and the public health agencies there would have been able, without these tools, to wholesale import vaccines to their states.

I ask my colleagues here in the House to support Bill C-378. This bill is merely aimed at giving the Minister of Health an ability to control the cross-border trade in prescription drugs and vaccines. As has been said, this is only one small step in terms of being able to control some of the Internet and walking trade, in terms of individuals, that the former minister of health pointed out.

The bill would make it an offence under the Food and Drugs Act to export prescription drugs in prohibited circumstances. By amending the Food and Drugs Act, the legislation will protect Canadians.

Canada, as we have said many times, cannot be America's discount drug store. Canada needs to protect itself from the dramatic expansion of importation by the U.S. of drugs intended for our patients.

The prospect of the U.S. legalizing large-scale purchases from our domestic supply is real. The threat to Canada's drug supply increased on January 10, 2007, when the bipartisan group of U.S. senate and house members introduced the critical drug importation legislation. U.S. Senators Dorgan and Snowe, and Representatives Emerson and Emanuel indicated the new pharmaceutical market access and drug safety act had support from more than 30 groups, including AARP, Families USA and unfortunately, the support of most of the presidential candidates.

The group's news release added that the legislation would allow individuals to directly order medications from outside the U.S., including from Canadian pharmacies.

On January 10, U.S. Senator David Vitter, with the former minister of health, pointed out that his main objective was to undermine and destroy the drug pricing regime here in Canada. He reintroduced his comprehensive prescription drug reimportation legislation, the pharmaceutical market access act, which is similar to the legislation introduced in the house of representatives on the same day.

On October 31, 2007, the U.S. senate adopted Senator Vitter's drug reimportation amendment to the U.S. senate labour, health and human services and education department appropriations bill. In addition to foot traffic, Vitter's amendment would also allow mail order and Internet importation from Canada. The language was stripped from the conference report, but the conference report was vetoed. Next steps and timing remain uncertain.

In July of this year Senator Vitter introduced similar amendments to the homeland security appropriations bill that would allow personal importation for Canada. In December, conferees will meet to discuss the different house, with no amendment, and senate, with amendment proposals.

When I was in Washington, it was very clear they are not going to let this go away. These members of Congress and the senate are very keen to do the job of allowing cheap drugs from Canada.

These legislative proposals pose an imminent and serious threat to the security and integrity of Canada's drug supply and a genuine threat to the health of Canadians. Of equal importance, this legislation represents a threat to American patients by allowing relinquishment of necessary community based medication monitor-

ing and management, and increasing risks from the potential of counterfeit drugs that the WHO is very worried about.

• (1815)

Allowing bulk prescription drug imports would not significantly reduce U.S. prescription prices for very long. A recent University of Texas study concluded, based on the worse case scenario, that Canada's stocks of prescription drugs would amount to a 38 day supply for the United States assuming all U.S. medications were Canadian sourced.

Once U.S. demand depletes, Canadian stock prices will almost certainly rise, narrowing or possibly even eliminating the difference between U.S. and Canadian prices. The issue of bulk exports—

**The Acting Speaker (Mr. Andrew Scheer):** Unfortunately, the hon. member's five minutes are up.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Andrew Scheer):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Andrew Scheer):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Andrew Scheer):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Andrew Scheer):** Pursuant to Standing Order 93, the division stands deferred until Wednesday, November 28 immediately before the time provided for private members' business.

**Mr. James Bezan:** Mr. Speaker, I urge you to see the clock at 6:30.

**The Acting Speaker (Mr. Andrew Scheer):** Is that agreed?

**Some hon. members:** Agreed.

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## ADJOURNMENT PROCEEDINGS

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

*Adjournment Proceedings*

[English]

## POST-SECONDARY EDUCATION

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, I am pleased to speak this evening further to a question that I asked of the Minister of Human Resources and Social Development regarding the issue of post-secondary education in Canada.

What I want to talk about tonight focuses on two main areas. The first area is the need for a needs-based granting system in Canada, which is what all the developed nations in the world and some of those who are catching up in the post-secondary field are focusing on, and specifically, the millennium scholarship foundation, which is a very effective and almost exclusively now a needs-based granting system for Canadian students.

The second thing I want to talk about is the unbelievable hypocrisy of the minister in answering questions about post-secondary education.

Let me talk about the millennium scholarship first of all.

Right now this scholarship provides about \$350 million a year in support for students, over 90% of which is targeted on a needs-based system for students. In the past eight years since its inception, the millennium scholarship has helped hundreds of thousands of Canadian students attend university or college.

The reason it is important is because it is coming up for renewal. It was set up by the Liberal government in the late 1990s, endowed to the tune of \$2.5 billion, and recognizing that we needed some support for post-secondary education in this country and some direct support for students. It is important now because that has to either be renewed by the government or else the millennium scholarship will be gone and most likely replaced by nothing.

The millennium scholarship has proven itself over the past number of years to be an effective, accountable, targeted system of providing grants to Canadian students. In light of what the Conservative government has done in the last couple of months, which is basically nothing for students but an \$80 tax credit, it is important that it come to terms with the millennium scholarship and specifically a needs-based granting system.

Every single serious post-secondary education advocacy group in the country recognizes that we need needs-based grants if we are going to really harness the human capital that exists in Canadian students, some of whom go to university now and some of whom do not.

CASA, the Canadian Alliance of Student Associations, and people like Tara Gault and Paris Meilleur, who I have met with in my own constituency, and people like Zach Churchill, who is now the president of that association, are huge supporters of the millennium scholarship. They were part of a group of student organizations that came forward with a study that looked at the importance of the millennium scholarship and have warned the government that if we do not do something soon then we are on the edge of a precipice in terms of student financing.

CFS and Amanda Aziz as president are not fans of the millennium scholarship frankly, but are huge supporters of a needs-based granting system. I met with Claire Morris this morning, the president

and CEO of AUCC. She is also saying that we need to invest in needs-based grants. James Turk and other members of CAUT, that is the professors, say the same thing.

We need a needs-based granting system. We need to support Canadian students, particularly those from low income backgrounds, persons with disabilities and aboriginal Canadians. The Conservative government has done nothing for students. The government is silent on the issue of students and specifically the students who are most in need.

I applaud those who support the millennium scholarship foundation. I applaud Norman Riddell and all the people who work in it. They have done a great job in the time that they have had.

It is absolutely incumbent upon this government to recognize that, not to repackage it, not to try to bring in its own version, but to stick with the version that works, the millennium scholarship foundation. I hope that this government will stand up and replenish the millennium scholarship foundation and do it very soon.

● (1820)

**Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, it is interesting to hear the comments from the hon. member, because as we all know in this House, it was under his government, the previous Liberal government, that \$25 billion was cut from the Canada social transfer. That money is used by the provinces to support post-secondary education, so I would remind the hon. member that he has to look in the mirror a bit and look to the former leadership of his party when it comes to the massive cuts that were undertaken in the past.

In stark contrast to those cuts, this government, our new government, is doing what we have said we would do and clearly laid out in our Advantage Canada plan. This plan pledged to make our country's workforce the best educated, best trained and most skilled in the world.

That is why the government acted quickly to invest over \$8.4 billion this fiscal year to support post-secondary education through transfers, direct spending and tax measures and to invest \$800 million more per year, beginning next year, to support post-secondary education. This is a 40% increase in a single year.

Of course the good news does not end there. We have also provided \$1 billion to provincial and territorial governments through the infrastructure trust fund for direct investments in post-secondary infrastructure and equipment to rebuild and renovate our campuses, which have begun to crumble after 13 years of Liberal neglect and Liberal inaction. That is a \$1 billion trust fund.

We have also provided tax measures to help students with the cost of textbooks.

We have exempted scholarships and bursaries from income tax. Clearly, it is shocking that, under the Liberals, scholarships and bursaries were taxed. Under the Conservatives, scholarships and bursaries are not taxed.

*Adjournment Proceedings*

Budget 2007 went even further. We will provide \$35 million over two years to expand the Canada graduate scholarships program. This new money will give an additional 1,000 students the chance to continue on to graduate level studies.

The Government of Canada helps parents save by adding money to their RESPs through special incentives such as the Canada education savings grant and the Canada learning bond.

As well, this government recognizes that not all parents can contribute to the cost of a child's tuition. This is why we have reduced the amount that parents are expected to contribute to their children's education, because the ability to pay should not be a barrier to access for students who want to go on and attain a higher education.

These investments are an important signal of our belief in the power of education and a signal that stands in stark contrast to the actions of the previous government, of which my hon. colleague was of course a member.

I think that Canadian parents and students know that the Liberal Party has lost all credibility on this issue and that the Liberals are the very last people this government should be taking any advice from.

• (1825)

**Mr. Michael Savage:** Mr. Speaker, the parliamentary secretary makes it too easy. He parrots what the minister says regarding \$25 billion in cuts. A decade ago, the minister was saying this: "We should...begin the overdue process of cutting government spending".

In October of 1994, the minister said, "I urge the government to come to grips...and to move ahead with serious cuts". The minister said this a decade ago. We gave them \$20 billion in cuts. After we brought in the reduction program, the minister stood in this House in December of 1995 and said that "we are going to have to cut a lot deeper".

Now they say, "Oh, it was the cuts. Back then we were not cutting enough". That is the hypocrisy of this government. It does not stand up for students. We do not tax-cut our way to an education. We invest in an education.

I ask the parliamentary secretary to put away the departmental speaking notes and give us an honest answer. Will you reinvest in the millennium scholarship foundation?

**The Acting Speaker (Mr. Andrew Scheer):** I cannot answer that, but I think the hon. parliamentary secretary can.

**Mr. Rob Moore:** Mr. Speaker, I thank the hon. member for reminding everyone in this House, as I had just reminded everybody, that it was under the previous Liberal government that \$25 billion was cut from transfers to the provinces for students.

We have pledged to modernize the delivery of Canada student loans. That is why budget 2007 launched a review of this program. We expect the results of this review and the proposed changes to be announced in budget 2008.

We are also continuing to help Canadians overcome barriers to getting the skills and education they require. Last year we gave foreign students studying in Canada the opportunity to work off campus to help finance their studies.

This is our government's record and it is clearly one that we are proud of and should be proud of. After 13 years of inaction, when tuition skyrocketed—and I was a student during that time—attendance stagnated and infrastructure crumbled, Canadians finally have a government that is doing more than just talking—

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for Mount Royal.

AIRBUS

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, I am pleased to speak further to the questions I put in the matter of extradition.

The Conservative government, to its credit, has established a full and public inquiry to look into allegations into the financial dealings between Mr. Karlheinz Schreiber and the Right Hon. Brian Mulroney. It has appointed a distinguished scholar and lawyer, Professor David Johnston, to determine its terms of reference. Mr. Schreiber will be a principal witness for the inquiry. Indeed, the inquiry cannot proceed without him.

Accordingly, if the truth is to be pursued and the ends of justice served, Mr. Schreiber must be present as necessary to testify. For that to happen, the Minister of Justice must exercise his authority pursuant to the Extradition Act and postpone Mr. Schreiber's extradition to Germany.

I agree, as the Minister of Public Safety put it, that there are two public interests here. First, there is a public interest—I would say indeed requirement—for Mr. Schreiber to be present in Canada for the inquiry. Second, there is the interest—and I would say responsibility—to extradite Mr. Schreiber back to Germany pursuant to the extradition treaty.

But these two interests, indeed responsibilities, are not contradictory but rather complementary. Both can be discharged. The issue is one of sequencing rather than one of mutually exclusive options. Simply put, the minister must ensure that Mr. Schreiber is present so that the inquiry can proceed, and for that purpose he will have to postpone, not alter or cancel, the order of surrender. Second, he must ensure that the extradition order will appropriately be executed and Mr. Schreiber surrendered. This could be done through the postponement of the order.

What sometimes gets lost in the politicized atmosphere is the minister's broad superintending authority under the Extradition Act, and in particular as set forth under sections 41 and 42 of the act, to accomplish both these tasks.

Admittedly, the minister could surrender Mr. Schreiber and seek assurances from Germany that Mr. Schreiber could be examined, as some have suggested, via satellite, or that indeed he be returned to Canada to testify at the public inquiry. But we are not speaking here of a cameo appearance or a peripheral witness. We are speaking of the ongoing presence of a central witness whose presence is required not only for his own testimony but for cross-examination and for the attendance at the testimony of others, or, if need be, to reply, or re-examination sought.

*Adjournment Proceedings*

Indeed, the minister's discretionary authority is not only one which he has a right to exercise under the Extradition Act but a duty to exercise, for Mr. Schreiber's presence in Canada may be necessary in four different contexts.

First, there is the public inquiry itself, which alone would suffice to require his presence. Second, there is a parliamentary hearing where his presence is required. Third, there is an investigative inquiry where his presence may be desirable. Finally, there is the appellate review process for which his presence is necessary.

I will close by saying that it is sometimes forgotten or not even known that there is a specific supplementary Canada-Germany extradition treaty where in article 20 of the Extradition Act it has been amended to provide for the postponement of surrender where a proceeding is in place here in Canada requiring that person's presence.

Indeed, if the amendment is read in conjunction with the minister's superintending authority under the Extradition Act, and in particular articles 40 to 42 of that act, and if we were to aggregate the multiple proceedings in which Mr. Schreiber's presence is required, the postponement of that surrender should be seen not just as being discretionary but indeed as being obligatory.

I would hope, therefore, that the Minister of Justice will exercise his authority pursuant to the Extradition Act, pursuant to the special supplementary treaty between Canada and Germany and having regard to all the circumstances at issue, and particularly the public inquiry, and that the Minister of Justice will postpone the surrender until such time as Mr. Schreiber's presence as a witness in the public inquiry is no longer required.

We are speaking here about timing—

● (1830)

**The Acting Speaker (Mr. Andrew Scheer):** The Parliamentary Secretary to the Minister of Justice and Attorney General of Canada.

**Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, on November 16, the hon. member for Mount Royal, in reference to the importance of Mr. Schreiber's testimony before the public inquiry, suggested that the minister had the power to hold the extradition and asked the minister to ensure that the key witness would be available to shed light on the issue.

The member from Mount Royal claimed that in addition to a discretionary power to hold the extradition, there was a supplementary agreement between Canada and Germany that expressly allows the minister to delay the extradition.

Today, in the justice and human rights committee, appearing with the justice minister on the supplementary estimates, a departmental official stated, and I would like to quote to clearly state for the record once again:

...when the act or the jurisprudence refers to a political discretion, they mean...it is no longer in the control of the courts but is in the hands of the minister. But the statute still plays a very big role, and the surrender order must be executed by the minister within 45 days of the judicial decision to commit the fugitive. There is no authority, under the treaty or the act, by which the minister can suspend the

execution of that surrender order. If the surrender order is not executed, the fugitive is free to apply for a discharge and the extradition process fails.

There are two limited exceptions to that. The first is where the fugitive is facing outstanding criminal charges in Canada, or where there is an appeal with respect to the committal order.

There is some language being used in the media...with respect to a temporary surrender. That is true that there is a capacity to have a temporary surrender, but that is only where the fugitive is serving a sentence in Canada for a criminal offence.

That statement clearly describes the minister's powers with regard to the summoning of this witness.

Upon receiving the sworn affidavit, the Prime Minister moved immediately to appoint an independent third party to review the issue.

Dr. Johnston is currently in the process of establishing the parameters of the public inquiry. I think it prudent to wait until Dr. Johnston has clearly defined the full mandate of the public inquiry into this issue before commenting any further on this matter.

● (1835)

**Hon. Irwin Cotler:** Mr. Speaker, under section 42 of the Extradition Act it clearly states:

The Minister may amend a surrender order at any time before its execution.

It otherwise speaks for a period of 90 days after the date of a person's committal to await a surrender order, that the person be surrendered. In other words, there is a provision here for a postponement. One needs to look at the act and read it in the context of what the courts have said is a broad, discretionary, political power by the minister.

For that purpose, we support the public inquiry which has been established. We support the appointment of Dr. Johnston. We say that for the purposes of that public inquiry to proceed, so that truth can be pursued and that the ends of justice be served, the Minister of Justice should exercise that broad, discretionary, political authority, which, as he acknowledged today, he was prepared to see that Mr. Schreiber would testify.

We support that and we should do that which can be done in order to allow that purpose to be served.

**Mr. Rob Moore:** Mr. Speaker, we all heard today what the Minister of Justice had to say on this issue in response to questions. We heard today in the Standing Committee on Justice and Human Rights the testimony of a departmental official which clearly lays out the roles, responsibilities and powers of the minister in this regard, and I read that into the record tonight. I commend that to the hon. member for his review.

The hon. member says that he supports the process that this government has put in place. I would say that we should let that process take its course.

**The Acting Speaker (Mr. Andrew Scheer):** The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24.

(The House adjourned at 6:36 p.m.)







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