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OFFICIAL REPORT
(HANSARD)

Thursday, November 26, 2009

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, November 26, 2009

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

•(1000)

[*English*]

KEEPING CANADIANS SAFE (INTERNATIONAL TRANSFER OF OFFENDERS) ACT

Hon. Peter Van Loan (Minister of Public Safety, CPC) moved for leave to introduce Bill C-59, An Act to amend the International Transfer of Offenders Act.

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

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INTERPARLIAMENTARY DELEGATIONS

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the following reports of the Canadian Delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the Council of State Governments' 63rd Annual Meeting of the Southern Legislative Conference held at Winston-Salem, North Carolina August 15-19, 2009. I am happy to present this report.

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COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 14th report of the Standing Committee on Justice and Human Rights.

In accordance with Standing Order 108(2) and the motion adopted in committee on Wednesday, November 25, 2009, the committee has considered the matter concerning a request for documents pertaining to Bill C-36, An Act to amend the Criminal Code, and has agreed to report the matter to the House.

HEALTH

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I have the honour to present, in both official languages, the seventh

report of the Standing Committee on Health concerning Bill C-6, An Act respecting the safety of consumer products.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Wednesday, November 25, 2009, the committee recommends that the Standing Committee on Health report to the House its opinion that Bill C-6 is necessary to fill regulatory gaps and allow the government the power to issue recalls, and that the current framework for product recalls does not allow for timely and consistent action to protect Canadians. Due to the committee extending its hours in order to ensure the timely passage of Bill C-6, as well as the House of Commons unanimously passing this important piece of long-overdue legislation, this House should strongly encourage members of the Senate Standing Committee on Social Affairs, Science and Technology to act responsibly and in the interests of the safety and welfare of all Canadians to pass this crucial piece of legislation without delay.

* * *

•(1005)

REDRESS FOR VICTIMS OF INTERNATIONAL CRIMES ACT

Hon. Irwin Cotler (Mount Royal, Lib.) moved for leave to introduce Bill C-483, An Act to amend the State Immunity Act (genocide, crimes against humanity, war crimes or torture).

He said: Mr. Speaker, I am pleased to table the Redress for Victims of International Crimes Act, which amends the State Immunity Act, in support of the foundational principle that victims of torture and heinous international crimes deserve a right of redress against their criminal perpetrators.

At present the exercise of such foundational rights is precluded by the operation of the State Immunity Act, which immunizes foreign states and their officials from civil suit.

This legislation, the first of its kind ever, will allow Canadian victims to sue the perpetrators of international crimes in Canadian courts. Simply put, our present legislation criminalizes torture, war crimes, crimes against humanity and genocide, the most heinous acts known to humankind, but does not allow for a civil remedy for the victims of such horrific acts.

Accordingly, this legislation will address the evils of such international crimes that are now shielded by Canadian law, target the impunity of those states and officials that perpetrate these crimes, remove the state immunity that operates to shield the perpetrators of such crimes, and allow Canadian victims to secure justice while holding their perpetrators accountable.

Routine Proceedings

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

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CRIMINAL CODE

Mr. Peter Julian (Burnaby—New Westminster, NDP) moved for leave to introduce Bill C-484, An Act to amend the Criminal Code (cracking down on child pornography).

He said: Mr. Speaker, child pornography is nothing less than child abuse. This bill substantially increases the penalties for those who are convicted of indictable offences involving this form of child abuse, for instance distribution of child pornography. It increases the punishment for making or distributing it from 10 to 14 years, increases the maximum penalty for possessing or accessing child pornography from five to ten years, and increases the penalty for all other summary convictions to be a sentence of up to three years instead of 18 months.

As the House well knows, Canada has the sad record of being second in the world for hosting child pornography, for hosting this result of child abuse. We have to crack down and that is why I am pushing forward this motion so that we can protect the children of this country.

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

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PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT

Ms. Chris Charlton (Hamilton Mountain, NDP) moved for leave to introduce Bill C-485, An Act to amend the Parliamentary Employment and Staff Relations Act (members' staff).

She said: Mr. Speaker, I am pleased to introduce this bill to amend the Parliamentary Employment and Staff Relations Act to ensure that staff of senators and members of the House of Commons, who serve those in the capacity of member, leader, House leader or whip, enjoy the benefit of being permitted, if they so choose, to organize a union, to belong to a union and to enjoy the benefits of collective bargaining.

These are rights and privileges that are considered fundamental in modern democratic societies such as Canada. In fact, we work long and hard to ensure that those rights are protected and advanced for all working people.

I hope that all members representing caucuses in the House of Commons will see fit to support the bill. It is a matter of simple justice.

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

* * *

PETITIONS**AVIATION SAFETY**

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I have a petition from numerous Canadians across the country which states that the undersigned citizens of Canada draw attention of the House of Commons to the following. It contains a series of statements dealing with the problems surrounding the safety

management systems that have been put in place by Transport Canada.

The petitioners call upon the Government of Canada to initiate a commission of inquiry headed by a superior court judge to conduct a judicial review into Canada's state of national aviation safety and government oversight of the aviation industry to be followed by further reviews at defined intervals.

● (1010)

VOLUNTEER SERVICE MEDAL

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, I have a petition signed by a number of residents of Tobique—Mactaquac as well as the riding of Fredericton who are asking the government to issue a new Canadian volunteer service medal, called the Governor General's volunteer service medal, for cadets, reserve forces and regular forces who have served since 1947 but who are not eligible for the Canadian Volunteer Service Medal for those who served September 1939 to March 1947 or June 1950 to July 1953.

YOUNG OFFENDERS ACT

Hon. Gurbax Malhi (Bramalea—Gore—Malton, Lib.): Mr. Speaker, I rise today to present petitions on behalf of my constituents who have been victims of violent crimes committed by young offenders.

In support of the family of 15-year-old Baden Willcocks who was murdered on June 19, 2009, the petitioners call upon Parliament to implement the necessary changes to the Young Offenders Act for the benefit of the victims' families whose lives have been destroyed by violent crime committed by young offenders.

HARMONIZED SALES TAX

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I have two petitions today.

I am pleased to table a petition today on behalf of hundreds of people in Hamilton Mountain who are outraged by the government's intention to harmonize the sales tax with the PST in Ontario. Despite the government's contention that the harmonization is a provincial matter, the petitioners are keenly aware that Ontario would not have acted if it had not been for the \$4.3 billion of taxpayers' money that the federal government offered to pay the province as an inducement for harmonization. Working families and seniors are already finding it difficult to make ends meet, and the additional 8% sales tax on everything from electricity to vitamins to haircuts is something they cannot afford.

The petitioners call on the government to demonstrate fair and responsible leadership on taxation policy by withdrawing the \$4.3 billion bribe and abandoning its plans for harmonizing the sales tax.

Routine Proceedings

CANADA-COLOMBIA FREE TRADE AGREEMENT

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am pleased to present another petition signed by residents of my hometown of Hamilton who are opposed to the Canada-Colombia free trade agreement. The petitioners point out that Colombia has one of the worst human rights records in the western hemisphere, with dozens of labour activists and human rights advocates killed each year. They are outraged by the “kill a worker pay a fine” provision, which makes a mockery of human rights. As advocates for corporate social responsibility, the petitioners believe that all trade agreements must be built on the principles of fair trade which fundamentally respect social justice, human rights, labour rights and environmental stewardship as prerequisites to trade. Since the Conservative government has not done due diligence in this regard, the petitioners call on Parliament to reject the Canada-Colombia free trade agreement until an independent human rights impact assessment has been done and the resulting concerns have been addressed.

EUTHANASIA AND ASSISTED SUICIDE

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I am rising today on behalf of numerous constituents who are asking that the House vote against and reject Bill C-384 presented here in Parliament to legalize euthanasia. They consider this a deliberate killing so they are totally against this. I am representing them today against euthanasia and assisted suicide.

ANIMAL WELFARE

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I have about 10 pages of signatures from people in my riding who understand that animals can suffer, that all efforts should be made to reduce animal suffering, and that over one billion people depend on animals for their livelihood. My constituents petition the Government of Canada to support a universal declaration on animal welfare.

CANADA-COLOMBIA FREE TRADE AGREEMENT

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, my petition is a call to stop the Canada-Colombia trade deal. Violence against workers by paramilitaries in Colombia has been ongoing, with more than 2,200 trade unionists murdered since 1991. Much violence has been committed against the indigenous peoples, Afro-Colombians, human rights activists, workers, farmers and journalists. The agreement is similar to NAFTA which has benefited mainly large multinationals rather than providing real benefits to working families. Mexico has lost over one million agricultural jobs since the beginning of NAFTA. The murder of labour and human rights activists increased in 2008 in Colombia and continues unabated to this day. All trade agreements must be built upon the principles of fair trade which fundamentally respect social justice, human rights, labour rights and environmental stewardship as prerequisites to trade.

The petitioners call on Parliament to reject the Canada-Colombia trade deal until an independent human rights impact assessment is carried out, the resulting concerns are addressed, and the agreement is renegotiated along the principles of fair trade which would fully take into account environmental and social impacts while genuinely respecting and enhancing labour rights of all affected parties.

● (1015)

INTERNATIONAL PLANNED PARENTHOOD FEDERATION

Mr. Brad Trost (Saskatoon—Humboldt, CPC): Mr. Speaker, I have the privilege to present a petition of behalf of probably a couple of thousand Canadians from across the country. They are particularly concerned about federal funding to International Planned Parenthood Federation because of its promotion of abortion and its aggressive lobbying to promote abortion around the world and its opposition to physicians' freedom. They are also very concerned because the federal government has been giving \$18 million, \$6 million a year, to this organization which pays its chief executive close to \$500,000 instead of spending it on needed health care for women.

PROTECTION OF HUMAN LIFE

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I am honoured to present a petition on behalf of Albertans who note that in Canada we respect life and in the Canadian Charter of Rights and Freedoms we note that people have a right to life. The petitioners note it has been 40 years since May 14, 1969, when Parliament changed the law to permit abortion and since January 28, 1988, there has actually been no law on abortion. They call upon Parliament to pass legislation that would protect human life from the time of conception until the time of natural death.

ANIMAL WELFARE

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, on behalf of 187 constituents in northwest Edmonton and the city of St. Albert, I am honoured today to present a petition calling on the Government of Canada to support the universal declaration on animal welfare. These constituents appreciate that billions of people rely on animals for their livelihood and for companionship.

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QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, if Question No. 463 could be made an order for return, this return would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

Privilege

[Text]

Question No. 463—**Mr. David McGuinty**:

With respect to properties of interest in the National Capital Region: (a) what properties, land and buildings, in the Electoral District of Ottawa South are presently owned by the federal government, in its entirety, including line departments, boards, agencies, and crown corporations; (b) what specific properties, land and buildings, are owned by the National Capital Commission in the Electoral District of Ottawa South; (c) are any of these subject to sale or development in the next five years; and (d) what is the status of the proposed construction at 530 Tremblay Road, Ottawa?

(Return tabled)

[English]

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

The Speaker: Order, please. The Chair has received a notice of a question of privilege from the hon. member for St. John's East. I will hear the hon. member now.

* * *

PRIVILEGE

COMMITTEE WITNESS TESTIMONY AND SUPPORTING DOCUMENTS

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I rise on a question of privilege relating to the government's action in suppressing evidence that was to be presented to a committee of the House. It is a question of privilege based on all members of the House. I am not a member of the committee but I will read the question of privilege and should you agree that it meets the prima facie test, I would be prepared to make the appropriate motion.

As we know, questions of privilege arise when members or the House of Commons as an institution have been prevented from carrying out their duties. These privileges include freedom of speech, freedom from obstruction, interference and intimidation, and the right to institute inquiries, call witnesses and demand papers. So important are these privileges of the House that they are rooted in the Constitution and contained in section 18 of the Constitution Act, 1867.

The Special Committee on the Canadian Mission in Afghanistan has for some weeks been attempting to exercise its parliamentary functions in relation to the hearings and allegations of detainee abuse in Afghanistan. Evidence that was submitted to the Military Police Complaints Commission on the same issue was suppressed by the government under the provisions of sections 37 and 38 of the Canada Evidence Act.

The special committee wanted to obtain this evidence using its powers to call persons and papers and so it called forward Mr. Richard Colvin, a senior diplomat, to testify. In order to assist in its work, the committee first called Mr. Rob Walsh, law clerk for the House of Commons, to testify and advise the committee.

Mr. Walsh confirmed the privileges of Parliament in relation to hearing evidence, requesting testimony and receiving documents. He confirmed that the Canada Evidence Act did not prevent Mr. Colvin or any other witness from testifying and providing documents to

support that testimony. He advised that parliamentary privilege overrules sections 37 and 38 of the Canada Evidence Act.

On the morning of Mr. Colvin's proposed testimony to the Special Committee on the Canadian Mission in Afghanistan, he received an email from a representative of his employer at the Department of Foreign Affairs and International Trade. In this email, the Department of Foreign Affairs and International Trade advised Mr. Colvin in writing that the Government of Canada did not accept the law clerk's legal opinion on parliamentary privilege. It states that, "The Government of Canada does not share the Clerk's view of the effect of the laws adopted by Parliament on parliamentary proceedings and, as a public servant, we trust that you will conduct yourself according to the interpretation of the Government of Canada. Should there be any concerns expressed by members of the committee, those concerns should be referred to government counsel".

This email makes it clear that the Government of Canada does not accept Parliament's privileges and will not abide by the law clerk's confirmation of these privileges.

The Government of Canada in this email attempts to intimidate a witness prior to his testimony in front of the committee. The government also instructs the witness on how he is to answer questions from members of Parliament. As his employer, the Department of Foreign Affairs and International Trade, the government, is in a position of power over Mr. Colvin and this is a clear attempt to intimidate him.

In 2005, the Federal Court of Appeal ruled that parliamentary privileges, such as freedom of speech and freedom from intimidation and obstruction, extend to witnesses testifying in committees.

In addition, the official from the Department of Foreign Affairs and International Trade appears to expect that members of Parliament must address their concerns about the issue of privilege to the Department of Justice rather than to their own counsel.

This is a very disturbing situation and I am perturbed that the Department of Justice and the Department of Foreign Affairs believe that all concerns by MPs on the admissibility of documents to Parliament should be referred by the witness to Department of Justice lawyers. These are lawyers who have already stated that they do not believe parliamentarians have the rights and privileges that the Constitution accords them, as outlined in Mr. Rob Walsh's opinion in writing to the committee.

Members cannot receive unbiased advice from the Department of Justice, nor are they obliged to report to the Department of Justice.

I regard this as a clear violation of members' privileges. It attempts to restrict their right to free speech and counsel and it is an affront to Parliament. In silencing witnesses, interfering with and obstructing a person's carrying out the lawful order of the committee and denying parliamentarians rights, the Department of Foreign Affairs and the Department of Justice are in contempt of Parliament.

Privilege

● (1020)

In addition, the government's attempt to wilfully ignore a constitutionally enshrined right of Parliament to oversee it and hold it accountable is deeply worrying. In turning a blind eye to this contempt of Parliament, a precedent is set that allows the government to withhold any evidence from Parliament that it sees as embarrassing under the guise of national security. It also sets a precedent of ignoring rights of parliamentarians and their constituents. This goes right to the heart of government's accountability to Parliament, and through that, to Canadians.

This particular breach relates in some way to a committee, and I know, Mr. Speaker, that you would be very well aware of that. I am not a member of this committee and I am not seeking a relief for the committee. I am talking here as an ordinary member of Parliament whose own privileges are breached by the failure and the lack of following the relationship between Parliament and the government that this breach speaks to.

The intimidation that we are talking about as well did not take place in the committee itself. It took place in private correspondence prior to committee hearings. I might add that it has also taken place in the public domain, by the government of course, with the character assassination of Mr. Colvin in recent weeks.

The government's complete refusal to recognize the privileges of the House also did not take place in committee, nor is this refusal restricted solely to a committee. The government's blanket refusal to recognize the power to call persons and papers, regardless of the Canada Evidence Act, relates to this chamber.

I raise this issue in the House because it goes to the very core of the purposes of this House and we believe the government is trying to set a very dangerous precedent that actually threatens the work of parliamentarians in all its areas. When the government can take this approach to the parliamentary privileges and the advice being given to parliamentarians by the parliamentary counsel, is that in fact interfering with the rights and privileges of Parliament and the work of Parliament?

Mr. Speaker, that is my submission as a point of privilege and I will leave it to you to make a finding.

● (1025)

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I would point out for my hon. friend that the motion requesting documents to be provided was only made yesterday and passed yesterday in committee. That request last evening went into the department for a response. We expect that response to be coming forthwith and it will be provided as soon as possible.

However, I would also make a comment on one of the inferences that my hon. colleague made in his submission dealing with what he called a character assassination of Mr. Richard Colvin.

Mr. Speaker, I would point out to you that it is the right of every parliamentarian during testimony in any committee to question the witness and the content of that testimony. That is what our members on that committee did and they did so respectfully. At the conclusion of his testimony, Mr. Colvin actually admitted that by thanking

committee members from all sides for their fairness in the way they dealt with him during that committee appearance.

I should also point out, as most Canadians know by today, that in yesterday's testimony three of the most eminent Canadians, who represented this country admirably in the Canadian armed forces, disputed almost entirely the testimony of Mr. Colvin, yet I do not know whether my hon. colleague would call that or characterize that as character assassination.

Mr. Speaker, if you compare the testimony in yesterday's hearing with the testimony from some of the government members in questioning Mr. Colvin at his appearance, you will find that there is a connect. In other words, the questions that our committee members raised and posed to Mr. Colvin were not only legitimate but they were accurate in their assessments.

Therefore, I would ask my hon. colleague, in his submission, to perhaps stand once again and retract that portion of his testimony where he called it a character assassination of Mr. Colvin. It was anything but, and that was proven yesterday.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I agree with the comments made by my NDP colleague, who rightfully has complaints about the government's attitude on this issue. I think this is a matter of the fundamental principles of natural justice. We see it in lawsuits. When one side has documents that could help in an investigation and also in questioning a witness, basic courtesy—and I am fully aware that the basic minimum is all we are talking about when it comes to courtesy—dictates that the principles of natural justice should ensure that the witness testifies with the documents, and that these documents are available to the other side. That is crucial.

Why should the government have an unfair advantage by having documents that the witness had not submitted for us to do our job properly? Once again, this Conservative government is an expert in the art of cover-ups. The Conservative government has things to hide. The Conservative government maintains a culture of secrecy by refusing to have witnesses provide us documents in advance so that we can question them.

My colleague, the Parliamentary Secretary to the Leader of the Government in the House of Commons, once again referred to Richard Colvin's credibility. This government can be so hypocritical. It made such big deal about encouraging whistleblowers to tell the truth. When the Conservatives were in opposition with us on this side of the House, they attacked the Liberals with a vengeance when the latter refused to protect those who were just doing what they were supposed to do as whistleblowers.

I think that if we want to show just a little respect for our dedicated public service, which is made up of people who want to make government work effectively, we should protect those public servants who bring evidence to light, not continue to destroy them and shred their credibility. They can bring out 15 former generals, but that will not solve the real problem. Mr. Colvin acted according to his conscience and reported the facts. That is all he did.

Privilege

I am going to refer to the new O'Brien-Bosc, which people are quoting from more and more. Everyone has pretty much forgotten Marleau and Montpetit. Here are some examples of obstruction, interference and intimidation from page 111. I am quoting from Bosc-O'Brien, or is it O'Brien-Bosc? I will double-check my references in future. This is what it says:

It is impossible to codify all incidents which might be interpreted as matters of obstruction, interference, molestation or intimidation and as such constitute prima facie cases of privilege. However, some matters found to be prima facie [and that is what you will have to decide, Mr. Speaker] include the damaging of a Member's reputation, the usurpation of the title of Member of Parliament, the intimidation of Members and their staff and of witnesses [those are the key words] before committees, and the provision of misleading information.

Mr. Speaker, I submit this for your consideration, and I know that you were very proud to have invited us all to the launch of this essential tool this week. I believe that you will read and interpret it judiciously.

• (1030)

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, I would like to add something on the same topic. I think there is rather clear evidence that the government, the ministers of the Crown, the Minister of Foreign Affairs, the Minister of National Defence, the Prime Minister himself and the Minister of Public Safety have breached the privilege of all members.

The question of whether parliamentary privilege of members extends to witnesses duly called to testify before a committee duly formed by this House is quite clear. We need only refer to page 114.

[*English*]

On page 114 of O'Brien and Bosc's *House of Commons Procedure and Practice*, second edition, 2009, it says:

In a ruling given on February 20, 1984, the Speaker stated:

A threat emanating from any government department or public corporation to withhold information or cooperation from a Member of Parliament would undoubtedly hinder that Member in the fulfilment of his or her parliamentary duties and therefore constitute a breach of privilege.

It goes on:

In 1992, a witness who had testified before a subcommittee was advised by a Crown corporation employee that the issue of her testimony was being referred to the corporation's legal department.

If I look at footnote 240, it says:

Journals, December 4, 1992, p. 2284. Don Boudria (Glengarry—Prescott—Russell) contended that witnesses before committees enjoy the same privileges as Members of the House and are accorded the temporary protection of the House. In the Member's opinion, if such threats were to go unchallenged, it would imply that witnesses before committees could not testify without the threat of being sued or intimidated (Debates, December 4, 1992, pp. 14629-31).

If we go on to page 115, the Speaker found a prima facie case of contempt and referred it to the House of Commons Standing Committee on House Management, as it was called at that time, for consideration. The committee reported to the House on the question of privilege. The report of the committee stated:

The protection of witnesses is a fundamental aspect of the privilege that extends to parliamentary proceedings and those persons who participate in them. It is well-established in the Parliament of Canada, as in the British Parliament, that witnesses before committees share the same privileges of freedom of speech as do Members. Witnesses before parliamentary committees are therefore automatically extended the same immunities from civil or criminal proceedings as Members for anything that they say before a committee. The protection of witnesses extends to threats made

against them or intimidation with respect to their presentations before any parliamentary committee.

It is clear. Mr. Colvin was duly called as a witness before the special committee on Afghanistan, which itself was duly constituted by the House of Commons under our rules and procedures, and Standing Orders. That committee called Mr. Colvin. Mr. Colvin came to testify. The committee also required documents from Mr. Colvin and Mr. Colvin received a letter from the representatives of the Minister of Justice, a minister of the Crown, informing him that they would take legal action against him should he file the documents before the committee.

It is a prima facie case of violation and breach of privilege. It is wilful intimidation and wilful obstruction of the members of Parliament of that committee in the performance of their duties, functions and responsibilities, and it is a prima facie breach of the privilege that is extended to the witnesses before that committee.

• (1035)

Mr. Tom Lukiwski: Mr. Speaker, I will reiterate what I said in my earlier intervention. At the special committee on Afghanistan yesterday, a motion was made following the testimony by General Hillier, Lieutenant General Gauthier and General Fraser. Committee members made a motion, which was passed, that documentation would be requested. The government has already stated on several occasions, both by the Prime Minister and the Minister of National Defence, that any legal documents available would be presented.

That is still the government's position. However, I will also point out, in the overarching insinuation by members opposite of intimidation of witnesses, that one of the witnesses yesterday, Lieutenant General Gauthier, said that he was quite frankly shocked to find out watching television a few days ago that a member of Parliament of this House would go out on national television and in effect accuse the lieutenant general of war crimes.

If the members opposite want to talk about intimidation tactics, there can be no greater example of that than what Lieutenant General Gauthier mentioned yesterday. It is reprehensible and shameful to try and accuse one of Canada's finest public servants, charged with the responsibility of protecting our fighting men and women, with war crimes, and unsubstantiated allegations on national television.

I would suggest to all members opposite that, if they want to start making accusations about intimidation, they take a look in the mirror.

The Speaker: The hon. member for St. John's East and this will be the last submission on this matter.

Mr. Jack Harris: Mr. Speaker, I appreciate the submissions by other parties, but I do want to say to the government member who spoke that the character assassination I was talking about was the character assassination that took place in the House and in the public by members of the government.

I want to thank the member for Notre-Dame-de-Grâce—Lachine for her reference to the parliamentary procedures book that I see you are assiduously reviewing at the moment, Mr. Speaker, but I do want to add that the effect on this witness goes further.

In fact, he was also instructed two days before to surrender any reports from Afghanistan in his possession to the Department of Justice. Not only are the Conservatives telling him that they do not agree with what the counsel to Parliament says in its interpretation of parliamentary privileges but they will not allow him to present the papers the committee is looking for because they are instructing him to give the documents to them.

That is clearly an attempt to interfere and obstruct with the operations of this Parliament by preventing an individual under pain, as an employer, from presenting papers to the House that the committee is clearly looking for. This goes well beyond the activity of the committee itself and the whole of Parliament is affected by this, if the government can operate in this way to thwart, defeat and remove the privileges of members of Parliament by its actions as an employer in giving instructions to its employees. That is the thrust of what we are saying here today.

What I am saying is that my privileges have been breached and I thank the members on this side who have supported my submission.

• (1040)

The Speaker: I have heard enough on this point.

[Translation]

I would like to thank the hon. members who raised this issue, especially the hon. member for St. John's East, whom I thank for his interventions on this.

[English]

In my view this is not a matter of privilege for the House at this time, and I say, "at this time". It may become one.

The witness in question is testifying before a committee of this House, not before the House. The question of privilege, in my view, is one that should be raised in the committee. The committee has full power to decide whether or not its privileges have been breached and it will want to do so when it sees what information is submitted by the witnesses to the committee.

They may not have had all the papers with them on the day they appeared, but they may be tabled later before the committee or brought to the committee later. The committee can decide whether or not it has received what it was entitled to receive and whether or not there has been a breach of its privileges, and it can then present a report to the House.

If a report comes to the House, it is up to the Speaker to decide whether that report then allows a member to raise a question of privilege arising from the report, which will then get priority treatment in this House as befits a question of privilege.

I refer hon. members to pages 151-2 of O'Brien and Bosc, and this is in committee, where it states:

If, in the opinion of the Chair, the issue raised relates to privilege...the committee can proceed to the consideration of a report on the matter to the House. The Chair will entertain a motion which will form the text of the report. It should clearly describe the situation, summarize the events, name any individuals involved, indicate that privilege may be involved or that a contempt may have occurred, and request the House to take some action. The motion is debatable and amendable, and will have priority of consideration in the committee. If the committee decides that the matter should be reported to the House, it will adopt the report which will be presented to

Business of the House

the House at the appropriate time under the rubric "Presenting Reports from Committees" during Routine Proceedings.

Once the report has been presented, the House is formally seized of the matter. After having given the appropriate notice, any Member may then raise the matter as a question of privilege. The Speaker will hear the question of privilege and may hear other Members on the matter, before ruling on the *prima facie* nature of the question of privilege. As Speaker Fraser noted in a ruling, "...The Chair is not judging the issue. Only the House itself can do that. The Chair simply decides on the basis of the evidence presented whether the matter is one which should take priority over other business". Should the Speaker rule the matter a *prima facie* breach of privilege, the next step would be for the Member who raised the question of privilege to propose a motion asking the House to take some action. Should the Speaker rule that there is no *prima facie* question of privilege, no priority would be given to the matter.

In my view this is clearly a matter that the committee can consider. If it decides that its privileges and its members' privileges have been breached, it can report the matter to the House and we can deal with the matter when that report arrives here in the chamber.

But in my view the privileges of the House itself at this moment have not been breached. Possibly there has been a breach in the committee, I am making no judgment on that matter, but when the committee presents a report, I will hear argument on it if necessary and give a ruling in accordance with practice at that time.

However, I believe it would be premature for the Speaker of the House to decide a matter that is currently before a committee, and has not come back to the House from the committee except in submissions by the hon. member. The committee will have to decide on its own initiative whether or not the privileges of the committee or of its members have been breached by what has transpired.

We will leave the matter there for the time being and move on at this point to orders of the day.

* * *

[Translation]

BUSINESS OF THE HOUSE

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, I seek the unanimous consent of the House to adopt the following motion:

That, notwithstanding any Standing Order or usual practice of the House, the debate pursuant to Standing Order 66 scheduled for tonight be deemed to have taken place and the Seventh Report of the Standing Committee on Government Operations and Estimates, presented on Wednesday, June 17, 2009, be concurred in.

• (1045)

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

Some hon. members: Agreed.

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

Some hon. members: Agreed.

The Speaker: I declare the motion carried.

Government Orders

(Motion agreed to)

GOVERNMENT ORDERS*[English]***CHILD PROTECTION ACT (ONLINE SEXUAL EXPLOITATION)**

The House resumed from November 25 consideration of the motion that Bill C-58, An Act respecting the mandatory reporting of Internet child pornography by persons who provide an Internet service, be read the second time and referred to a committee.

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, I am pleased to rise today on second reading of Bill C-58, An Act respecting the mandatory reporting of Internet child pornography by persons who provide an Internet service, and to reiterate the government's commitment to protecting our children.

Evolving communication technologies like the World Wide Web have proven to be of clear benefit to Canadians.

Sadly, these same technologies have also provided new and easier means for offenders to make, view and distribute child pornography. As a result, there has been a significant increase in the availability and volume of child pornography. The web has also enabled criminals to coordinate and plan a wide range of other crimes.

Unfortunately, despite its undeniable benefits, today's advanced technology not only makes these crimes easier to commit but also harder to investigate. While technology has advanced rapidly, it is a challenge for law enforcement to keep pace with new technologies when it comes to investigating crimes.

There are also reports of an increased demand for material with violent content and/or material showing children who are very young. This increased demand is being met with increased supply.

Child pornography constitutes a very serious form of child victimization. Not only are children sexually abused and exploited, but the continuing demand for production and use of child pornography also objectifies all children as sexual objects for the sexual gratification of adult predators.

According to the recent report by the Federal Ombudsman for Victims of Crime, "Every Image, Every Child", the number of images of serious child abuse quadrupled between 2003 and 2007. As I mentioned, these images are becoming more violent and feature younger children.

I was appalled to discover that 39% of those individuals accessing child pornography were viewing images of children between the ages of three and five, and 19% were viewing images of infants under three years old. I am sure that most law-abiding Canadians would be just as horrified by these statistics.

In addition, Cybertip.ca, Canada's national tipline for reporting the online sexual exploitation of children, receives more than 800,000 hits and more than 700 reports to its website each month.

To help achieve our goal of putting a stop to the growing problem of sexual exploitation of children, the Minister of Justice recently

introduced legislation that would create a more uniform mandatory reporting regime across Canada. It would require persons who provide Internet services to the public to report certain information about Internet child pornography. Failure to comply with these duties would constitute an offence punishable by fines and, in some cases, imprisonment, or both.

Our efforts are focused on the Internet and on suppliers of Internet services, because the Internet has largely been responsible for the growth of child pornography crimes over the last 10 years or so.

This legislation covers more than just Internet service providers, or ISPs, as they are known. This term, of course, is commonly used in relation to those who provide access to the Internet. The legislation applies to all persons who provide an Internet service to the public, including Internet access, electronic mail services, Internet content hosting services and social networking sites.

This new reporting regime would complement the actions this government has already taken earlier this year. Our government introduced legislation that proposed to update certain existing offences and to create new investigative powers to help law enforcement officials deal with crime in today's technological environment. It also introduced legislation regarding investigative tools for enforcement agencies to quickly respond to crimes such as child pornography. These pieces of legislation acknowledge that the same communications technologies that benefit our day-to-day lives also provide easier ways of committing crimes, as well as shielding perpetrators from investigation.

• (1050)

Bill C-58, a new act, complements well the measures already in place in the Criminal Code. The code's existing child pornography provisions prohibit all forms of making, distributing, making available, accessing and possessing child pornography, including through the use of the Internet.

At the same time, I also applaud the efforts of provincial and territorial governments that have already enacted, or are contemplating, legislation on mandatory reporting of child pornography. Children are also protected from sexual exploitation by provincial and territorial child welfare legislation, which permits the voluntary reporting of child pornography and makes that reporting mandatory in three provinces. In fact, the approaches adopted in Manitoba, Ontario and Nova Scotia require all citizens to report all forms of child pornography.

Bill C-58 is new federal criminal legislation that is narrower in scope than the legislation in those three provinces. Nevertheless, it will provide for uniform mandatory reporting regimes across the country, which will complement provincial and territorial efforts under their child welfare legislation.

I am also encouraged by the actions of the many suppliers of Internet services who have been good corporate citizens in voluntarily reporting child pornography. The reports to Cybertip.ca have resulted in a number of arrests, as well as numerous children being removed from abusive environments.

Government Orders

Our government takes the safety of our citizens, particularly children, very seriously, whether in cyberspace or out in our communities. The creation and distribution of child pornography is an appalling and odious crime in which children are brutalized over and over again.

A mandatory reporting regime across Canada will improve law enforcement's ability to detect potential child pornography offences, help reduce the availability of online child pornography, facilitate the rescue of victims and help identify and apprehend offenders.

Through this legislation our government is continuing its progress in protecting Canadians, improving our justice system and ensuring that it keeps pace with modern technologies. At the same time, we are reiterating our commitment to protect children from sexual exploitation.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I ask the member who has just spoken whether the government has done some best practice searches across the world to see whether there are other jurisdictions that maybe have dealt with the matter more effectively? Has the government looked at Sweden, Brazil, Germany or other countries in the EU as examples of places where more effective options may be found?

Mr. Gordon Brown: Mr. Speaker, I know that the government has looked at what a number of countries, provinces and territories have been doing, because I know that Canadians consider this issue to be very serious.

I know that we need to look at all of the possibilities to ensure that we do protect our children. This bill does so much to remove what has stood in the way of police being able to investigate and get at the perpetrators of this terrible crime.

• (1055)

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, I have a question for my colleague. Maybe just to preface that a little bit, a number of years ago I tabled a private member's bill in the House to deal with child pornography. We had noticed at the time that the Criminal Code contained no provision to take away the equipment and materials used to create child pornography. Thus we brought forward that bill, and to the government's credit at the time, it included the provisions in a bill, which became law. So we feel pretty strongly about some of these issues.

I ask my colleague how many cases of Internet child pornography are investigated annually in Canada? He indicated that the ISPs are offering information now, but I would just like to know what is happening presently in Canada.

Mr. Gordon Brown: Mr. Speaker, I would like to thank the hon. member for Lethbridge for that question because it is very important and I know it is something that is very important to him.

The latest statistical data we have relating to child pornography is from 2007. During that year there were over 1,400 police reported child pornography incidents, 440 of which resulted in charges. Unfortunately we have no way of knowing if any of those cases were initiated by an Internet service provider report.

What we do know is that the proliferation of images over the Internet really is a growing problem. According to the special report by the Federal Ombudsman for Victims of Crime, "Every Image,

Every Child", which I spoke about in my presentation, the number of images of serious child abuse quadrupled between 2003 and 2007. The images are getting more violent and the children in the photos are getting younger.

I know that this is something the hon. member for Lethbridge takes very seriously and I do too. I know that our government does, which is why this legislation was introduced.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the member for Moncton—Riverview—Dieppe outlined in his speech that in Sweden child porn is blocked. Germany and the EU also block access to child porn sites. Brazil has set up ethics rules which the ISPs have signed on to.

I wonder if the member might see these options as being more effective or maybe additions to the effects of this bill.

Mr. Gordon Brown: Mr. Speaker, that is excellent input.

We are at second reading debate on the bill. I think there is strong support among all parties for the bill to move to committee so that the committee can look at it. I know members of Parliament will want to hear about all of the possibilities to make sure that we do everything possible to fight child pornography.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am pleased to speak to Bill C-58. It is important to summarize again what the bill is about.

This bill would impose reporting duties on Internet service providers, ISPs, and on those who offer Internet services to the public when child pornography appears in accounts provided to their subscribers, or if they have reasonable grounds to believe that their service is being or has been used to commit a child pornography offence. That basically summarizes the bill. As a party, Liberal members support the bill at second reading and sending it to committee.

It is important to look at some of the history.

The governing party tries to leave the impression that it is the only party that believes in law and order. However, this has been on the agenda for a long time. We looked at it when we were in government, when I was the solicitor general. We were very worried about child pornography.

Although the Internet is a wonderful tool in terms of providing information to citizens, it is also a tool that others can use to exploit children and exploit people in many other ways.

Although the government tries to indicate that it is the only party that believes in law and order, it is not. I think all of us in this House believe in law and order.

When we pass laws in this place we have to ensure that they are balanced laws and that they will do what they are intended to do without creating unseen consequences and complications for others in society.

As with all legislation that mandates a third party to report online dealings to the police, a balance needs to be struck between policing and privacy concerns to protect Internet neutrality. We intend to examine these questions at committee.

Government Orders

That is why it is extremely important that we send the bill to committee and allow the proper witnesses to come forward, people who work on the Internet system and understand the technicalities and the difficulties of imposing this new burden on providers, albeit for all the right reasons. We need to understand the implications of that in terms of the laws that we make as well.

I might point out another reality, which the member for Moncton—Riverview—Dieppe mentioned yesterday in a somewhat similar tone. The reality is that in 2005 the mandatory minimum sentence of one year for an offence of possessing and creating child pornography was instituted by a Liberal government. The definition of child pornography was broadened by a Liberal government to include depictions, digital or otherwise, in order to trap more perpetrators of the crime. That took us up to late 2005. Then we take the canvas over to January 23, 2006. The hon. member for Moncton—Riverview—Dieppe said:

I have sat through the justice committee meetings and read the literature since that time without interruption. I have not attended every meeting, but I have been there for the whole agenda. There has been nothing on child pornography in that time. If we are all united in Parliament to try to do some good and combat the ill effects of the web and child pornography exploitation in particular, we ought to say to each other that this is not good enough.

The key point the member is making, with which I agree, is that we have to come together quickly. As I said, this was an issue when I was solicitor general in 2003. Each and every day the Internet system is used for the exploitation of others, so we have to get this bill to committee and deal with this issue. It has taken the government a considerable amount of time to bring this bill forward.

● (1100)

As well, I would point out that all attorneys general across Canada, based on the attorney general meetings with the provinces, basically support the move in this direction. Because of the slowness of the federal government in terms of moving forward, some of those governments are taking action on their own.

If we are going to have good laws in Canada, there has to be coordination across the board. That is why it is so important that the federal government take the lead in terms of the implementation of these laws. It is important that we get Bill C-58 to committee, have our hearings and get it acted upon.

While I am on my feet talking about law and order issues, and I have mentioned this before in the House of Commons, there is an area that I am really concerned about and it fits into this debate in some fashion. That is the whole way the Minister of Public Safety is undermining the rehabilitation aspect of inmates by abolishing the prison farms.

I have said before that this is an extremely important issue. We have a government that is talking about law and order, but its law and order agenda seems to be to go out there and build super-jails and put more people in prison. If we are going to have a justice system that works, it has to be one that rehabilitates people. One of the best rehabilitative aspects of that system in fact is for those inmates to work on farms.

There are six of those farms across the country. One of the most productive farms is in the Kingston area. I have been there. In fact, it is in the Speaker's home riding. There are six institutions in that area.

Frontenac Pen Farm is in that area. It has one of the best and most productive dairy herds in Canada, and the government is talking about closing it down. It is a farm in which inmates get out there and work with cattle and produce crops and supply other institutions in the Kingston area and across the country to Laval, Quebec, with food. This is productivity in which they take pride.

Contrary to what the Minister of Public Safety states, that skills of farmers are no longer worthy, they are in fact worthy. The inmates do not just learn how to be mechanics or how to milk a cow. They learn teamwork. They learn management. They learn computer skills. They learn how to relate through the use of feeding and working with cattle and livestock.

I want to take the opportunity, while I am on this bill, to emphasize this point again. The government, with no supporting data, has decided to close those prison farms across the country and lose that productivity, lose the rehabilitative aspects of inmates working on farms. That is a terrible decision. It is a wrong decision. I would encourage the minister to come to his senses and recognize that those farms are an important part of our corrections system and should remain.

I will admit that I got a wee bit off track from Bill C-58, but my point in expressing the seriousness of the decision of the government on prison farms is that while it talks about law and order, while it is great on messaging, its actions are not always in the same direction in which it is leaving the impression it is moving forward.

Bill C-58 is important. It stems from an agreement reached at the 2008 meeting of federal, provincial and territorial justice ministers to enact mandatory requirements for ISPs and online content providers to report cases of child pornography.

● (1105)

The major components of the bill that we support are: the mandatory reporting of all website addresses that ISPs are aware may contain child pornography; mandatory reporting to police when ISPs believe that a child pornography offence is or has been committed using their services; and that the provider must also preserve the relevant computer data for 21 days after notifying police, unless required by judicial order that the data is to be destroyed after the 21 day period.

Those are valid reasons and our party is willing to give support to this legislation, to send it to committee to be studied further and to be implemented, I hope quickly, so that this terrible issue of child pornography and the exploitation of children on the Internet can be dealt with.

● (1110)

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, when my colleague from Malpeque got around to talking about the bill, it was good to hear his arguments in support of it. When it comes to the issue of child pornography, we as members of Parliament need to stand united in any kind of fight to stop this most terrible of crimes. The fact that we are willing to work together to protect the most vulnerable in our society is important.

Government Orders

I want to relay to the member opposite that a number of years ago I believe it was Detective Matthews from the Ontario Provincial Police and others who came to the Hill to talk to us in committee about this issue. Detective Matthews set up his computer in the committee room, went on the Internet and went into, I do not know where they go, a chat room or something and indicated that he was an underage person looking for some company.

By the time our meeting was over, we had reviewed some disturbing images that none of us will ever forget related to child pornography. I do not know how people who deal with this day after day can keep their focus because it is absolutely terrible.

In the matter of an hour, there were a number of hits on that website from people to take advantage of this supposed child. I think the more we can do and the faster we can do it, the better off our children will be. That is simply a comment for the member.

Hon. Wayne Easter: Mr. Speaker, I just want to re-emphasize the hon. member's point, Detective Matthews, who appeared a considerable number of years ago, is one of the leading people in getting not only the Canadian government but governments around the world to deal with this serious issue.

I do not think any of us who were sitting in the room that day will forget those images. As I sat there looking at them, I wondered how human beings could do to other human beings what they sometimes do. I guess I will put it that way.

The member's comments remind me of a meeting I happened to attend in Paris as solicitor general on the same subject. This exploitation can take place anywhere in the world and then is viewed across the world. The abuse of human beings and children for people's thrills or, in some cases, financial gain is absolutely shocking. It is one of the worst crimes. It has been on deck for a considerable time and very definitely must be dealt with if we are going to do the right thing for future generations.

I agree with my hon. friend that what we saw that day was very disturbing. I think all of us in the House would agree that police officers and others who track down these kinds of crimes on a daily basis need to be congratulated because it has to be a mental drain to look at these images, track them down and then deal with them constructively.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I am pleased today to stand in the House of Commons with parliamentarians from all parties to talk about Bill C-58. In this Parliament probably one of the most important things we are doing is addressing the protection of our most vulnerable citizens, our children.

Bill C-58 would provide a level of certainty for all those who supply an Internet service to the public that they would be held to the same reporting standard with regard to child pornography. We have heard in the House that child pornography is on the increase. The images that are displayed are becoming more and more violent. Our government recognizes the efforts of major Internet service providers in voluntarily reporting this type of material.

However, creating a uniform mandatory reporting requirement with respect to Internet child pornography on all who supply Internet services to the public across Canada will strengthen our ability to protect children from sexual exploitation.

As I have listened to the speeches, there has been a thread throughout and this thread has been that all members feel that this is a horrendous crime against children. Mr. Speaker, you have small children and I know that it must touch your heart because our children are our most precious gift.

The bill would improve the law and improve law enforcement's ability to detect potential child pornography offences and help reduce the availability of online child pornography. It would also facilitate the identification of victims so they may be rescued and help identify and apprehend offenders. This is a very important piece of legislation. We have heard in the speeches that there are 1,400 police reported child pornography incidents of which 440 resulted in charges, and that is not even up to date. There are more today in the year 2009 going into 2010.

Many good people across this nation are watching and putting the lens on what Parliament is doing in terms of protecting our children. Traditionally speaking, Parliament is a place that sometimes can go wonky. Even though a good bill is presented, sometimes it does not get passed. We have a lot of unnamed people making a lot of unnamed speeches that sound good, but in the end the laws sometimes do not get passed.

As we know, after we deal with the laws here in the House of Commons, they then go into the Senate where they must be examined before they can receive passage.

I want to talk about people across the country who have made a big difference and who are watching what our government is doing in terms of child pornography. I am proud that our government also introduced related bills that have supported Bill C-58. So there is a concerted effort with our government to address our most vulnerable citizens and to protect our children.

Our government recently produced three hard-hitting related bills and one is Bill C-46 which was brought forward on June 18. That bill would require Internet service providers to provide police with email and ISP addresses of those viewing child pornography. It also would require ISPs to freeze child pornographic data for 21 days. It also would require cell phone companies to assist police in tracking child porn on cell phones and BlackBerries.

Again, Bill C-47, which was passed on June 18, was a bill that permitted police to obtain information about clients from ISPs and requires companies to acquire the technical ability to allow police to intercept information. Bill C-58 is just another building block on this foundation that helps protect our children.

• (1115)

In my travels over the past decade, I have met many of the people working on this issue of human trafficking and child porn in our country. As a mother of six children and the mother of an RCMP officer who used to be in the integrated child exploitation unit, I have seen first-hand the cost that a lot of these police officer have paid. They sat there and viewed those images. They went out and tried to get the bad guys. I pay honour and respect to all the police officers who have done that.

Government Orders

Many of the projects across the country outside of Parliament Hill have really put pressure on all of us as members of Parliament to stop this horrific crime. When we talk about child porn over the Internet, it brings to mind Mr. Brian McConaghy who was the founding director of the Ratanak Foundation. He is a forensic scientist with the Royal Canadian Mounted Police and has served with the Royal Canadian Mounted Police for 22 years. He worked tirelessly to help build the case against Donald Baker. For 19 of those 22 years, he performed his duties with the RCMP while setting up and running this foundation. After that, he continued on.

I was talking to Mr. McConaghy yesterday. He and I work on different things.

When we are talking about the Olympics, human trafficking or child porn, they are all connected. What makes these police officers and front line workers who work with the victims of Internet child porn so special is their heart.

The Baker file has been forgotten in some cases but other files keep coming up. They come and go. They are horrendous and yet they are forgotten. I know everybody remembers the Willie Pickton file in B.C., which was a horrendous case that hit the front pages. The RCMP officers and the police vice officers who were working on Internet child porn and on these cases were deeply touched by the victims of this crime.

When we have people watching these images on the Internet and when they go across the ocean and act on those images and fantasies, they come back and continue that appetite for acting on the fantasies because they have allowed themselves to go into that dark place that human beings often have with child pornography.

We talk about the front line officers and we talk about the victims but I want to talk about one victim just to impact our Parliament today so that we understand.

Serena Abbotsway was killed by Willie Pickton. She was a kind young girl who was on the streets helping young people who were victims of human trafficking and child pornography. She underwent many beatings in trying to rescue people because she herself was a street person.

Mr. McConaghy is off to Cambodia right now but when I was talking to him the day before yesterday, he was telling me, as a forensic scientist, how he became attached not only to the cases but also attached to the victims.

• (1120)

He told me what it felt like to look at the skull of Ms. Serena Abbotsway and to look at the picture he had of her. She was baptized at a church on the east side. She worked on the streets and was involved in all kinds of different things. There, before him, was her remains.

He treated her remains with respect as he went through her particular case. When he finished doing his forensic science work, he put her skull away and said goodbye to her. He told her that he would never forget her and that he would do the best he could to ensure that other victims were not hurt.

We can talk about people like Matt Logan. In Parliament the public needs to know about these unsung heroes who work so hard every day. Matt Logan is a recently retired RCMP officer. He has penetrated the psyches of countless psychopaths, pedophiles and hostage-takers. He has spent time in the jail system assessing predatory sex offenders. He is one of only seventeen people in North America who are both police officers and qualified psychologists, and one of even fewer who specialize in the criminal mind.

The member opposite mentioned the toll it took on the police officers. I know many police officers who have taken that toll because of their work. Matt Logan knows an awful lot about pedophiles and about their minds. He knows how to get into those minds and how to rescue the victims.

Staff Sergeant Logan has done so much to bring this issue to the forefront on our national scene. He said that he had a hard time believing that, given an opportunity, the child predators, when after watching victims, would not act on their fantasies. He said, "Child pornography exists primarily for the consumption of predatory child molesters".

It is the beginning of something that can grow. Logan, who is a criminal psychologist in the RCMP's behavioural science group, has done extensive work with sex offenders. He has been called on more and more to consult on child exploitation cases.

RCMP Matt Logan describes two types of child molesters, the situational and the preferential. He says that most molesters fit into the situational category. He says that means most are male and are indiscriminate with victims, committing sexual assault based on accessibility to a victim. If they have a pornography collection, child porn is usually a small portion of it. He says that the preferential child molester can be of any age, driven by fantasies centred on a specific age, gender or even the look of a child. Most gravitate to prepubescent. Is that not shocking?

RCMP Logan said that although he had worked with some whose fetish was newborns, preferential child molesters also had a long-term pattern of behaviour and almost certainly collect child porn. He says, "The images and erotic stories fuel the fantasies that "drive the bus" to hunting and molesting a child". This is a statement from a seasoned 22-year RCMP officer who worked in this area.

Bill C-58 is extremely important.

Talking about close to home, my son is an RCMP officer and is in the ICE unit. On his days off, he goes all over the country, talking to associations and groups about how to protect their children against child molesters. In fact, next Friday night he and I will do a joint presentation at one of those locations.

There are other people, like Lianna McDonald, who is the head of the Canadian Centre for Child Protection. She does so much to try to get the cybertip lines up and running. She works hand-in-hand with Beyond Borders, with Roz Prober.

Government Orders

•(1125)

For the first time, businesses across the country are putting money toward organizations that are fighting child trafficking and child porn. One of those organizations is The Body Shop. It has recently launched a huge initiative about hand cream. My Christmas baskets are going to be filled with its hand cream because of its support for the protection of child victims from human trafficking and from child porn.

I want to talk about Paul Gillespie. Paul Gillespie was on the streets protecting children, victims of child abuse. He worked on the ground with many of these young women. I have met some of the young women whom he has rescued. Now he is with KINSA, the Kids Internet Safety Alliance. He works with Canadian law enforcement and other partners to deliver training and build capacity among the police of developing nations to help them find and rescue victims of child abuse, whose images are shared on the Internet. Once rescued, he helps the victims and their families receive support to help them heal through the Mothers Online Movement, MOM. It is a powerful community network. These are the unsung heroes who are listening today to what is going on in Parliament.

Paul Gillespie, a former police officer, built and led the child exploitation section of the Toronto Police Service Sex Crimes Unit. He has become widely known as a world leader on this issue. I consider him a very good friend of mine and someone who is one of those unsung heroes. He has never been brought to the forefront for his work. Today I want to do that and to thank him.

Then we have the small groups that are springing up all over our nation, those groups that do not receive any money from anyone, but they find out about human trafficking and child porn. They go out and educate people. I have always said that education is our greatest tool.

We can talk about Naomi Baker from Canada Fights Human Trafficking. She has brought so many people together and educated many of them on how to protect their children.

We can talk about Natasha Falle. She is my hero because she was a victim of trafficking and was the daughter of a cop. She is off the streets now. She has helped so many people. She now runs Youth Unlimited. We will never find a more articulate, more beautiful, more grounded person than Natasha Falle. She is the poster girl for getting programs in place that will protect and help these victims because they can be rehabilitated.

We can talk about the beautiful Temple Committee Against Human Trafficking in Montreal, started by Rabbi Lerner.

Many people are working so hard to ensure that this horrendous crime is suppressed. Even today in the other chamber, Bill C-268 is awaiting the passage by the Senate. We look forward to all senators supporting that bill.

Over and over we hear in Parliament that this issue has to be a non-partisan one. When it comes to the protection of our children, parliamentarians have to work together. It is so important.

The Olympics are coming upon us in a very short time. I happen to know the bad guys now are getting all the girls together. I know some towns from where they have taken some of these girls.

We cannot sit and wait. This is Canada's hidden secret. This is one of our darkest spots in history when child sex slavery is allowed and when child porn has become something of a joke to some of the people in our country. We have to take this seriously. We have to speak out. As parliamentarians, we cannot afford the luxury of in house bickering. We can only afford the luxury of the privilege of putting laws forward that will protect our most vulnerable victims.

•(1130)

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, I want to thank my colleague from Kildonan—St. Paul for her message today and for her tireless work on the issue of human trafficking. She has chosen that as a focus for her efforts and she has done a tremendous job on that.

I would like to ask for her opinion and her thoughts on the fact that our government has passed legislation to increase the age sexual consent from 14 to 16. I was certainly in favour of that and we worked for many years to make that happen, hoping to protect our children for two more years of their lives.

In the hon. member's focus and in her specialty on human trafficking, has the bill worked? Has the raising of the age of sexual consent helped our police officers and our authorities in the fight against the terrible crime of human trafficking?

•(1135)

Mrs. Joy Smith: Mr. Speaker, raising the age of consent was long overdue. I wish we could have raised it to 18 or 21, but we did get it raised to 16 and I am grateful for that.

Throughout the country children are now being targeted. Children who are virgins get a higher price when they are sold to predators. This is alarming and unconscionable. We always thought it happened in other countries, but it is also happens in Canada.

Our government has put a lot of very strong laws in place that are very important to protect our most vulnerable citizens. I applaud members opposite who have supported these bills and these initiatives. I know there are many good members in opposition who take the welfare of our most vulnerable citizens seriously over their own personal gain.

Parliament is about that. It really does not matter who is in front of the cameras. It really does not matter who gets the credit. We have to stand very firm as a federal government, with the support of opposition members, to help these bills go through.

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to speak on behalf of the Bloc Québécois to Bill C-58 on mandatory reporting of child pornography sites, which requires Internet service providers to report child pornography activities they are aware of.

I will start by saying that the Bloc Québécois supports this bill in principle. We will vote in favour of the bill at this stage so that it can be analyzed in depth in committee.

Government Orders

It is always necessary to examine Conservative bills individually, because of the Conservatives' approach to tackling crime. We have to be extremely vigilant. It is important that the men and women who are watching are aware of this. The government may want to crack down on crime, but it has decided to replace the judiciary with minimum sentences—that is its approach—instead of addressing the issue of judicial appointments. The government sees that people are very much opposed to this. In any case, should judges be replaced or brought into line with the right-wing Conservative philosophy? Yet the government has decided to introduce minimum sentences in bill after bill. Its goal is to increase sentences and fill the prisons with criminals, and yet it wants to abolish the gun registry.

What does this mean? It means that everyone could have hunting rifles at home, yet the government is going to try to fill the prisons with criminals and to increase sentences. I have a lot of trouble following the government's logic when it comes to issues like the gun registry. I just renewed my licence, because I used to be a hunter. I say that I used to be, because I do not have time to hunt now. I have other demands on my time. In politics, you often have to give things up. I do not have time to hunt now, but I still have my hunting rifles. I had to ask my wife to sign my licence form, but I did not have a problem with that. She was very proud to sign it, because she knew I did not have a history of violence or anything. She signed. I think that this is a good way to ensure that couples continue getting along and also that people who might be violent think twice about getting a licence. Obviously, if I had been violent, I never would have dared ask my wife to sign my form. I would have known she would refuse.

I cannot understand how anyone could be against the gun registry when one of its purposes is to prevent violence against women. I have difficulty understanding the Conservative philosophy. But again, only the Conservatives and their republican way of seeing things can answer my questions. Nonetheless, it is only logical that a spouse's signature be required on forms or applications for obtaining a firearms licence for owning a gun or maintaining ownership of a gun. I am having a hard time understanding the Conservatives' philosophy behind this.

Meanwhile, next week they will be all worked up in the days leading up to the national day of action on violence against women. Once again, they will get all dramatic and say that we must do something about violence against women. However, they are against the idea of getting the spouse of a prospective gun owner to give permission by signing a form.

That is why, every time the Conservatives introduce a justice bill, we have to ask questions. That is what the Bloc Québécois has done. We will not rely on the Conservatives' conclusions to support Bill C-58, but on statistics and studies conducted by the Canadian Centre for Child Protection.

We have to wonder how it is that today, in 2009, Internet service providers can allow themselves not to have a policy to prevent child pornography from ending up on their sites. It is scary, but that is what it boils down to.

I have had many discussions with my teenage son. He is an adult now. He is part of the Internet generation.

● (1140)

For this generation, all information should be available and accessible. The Internet is a global meeting place where anything goes. I have had some serious discussions with my son and I told him that even though all information is accessible, illegal information should not be on Internet sites, no matter their origin.

Even though it should not have happened, it has. I will give some statistics from the analyses and surveys prepared by the Canadian Centre for Child Protection. That way we will have some benchmarks.

The following statement is found on the centre's website: "Parents list abduction and sexual exploitation as 2 of the top 3 concerns facing Canadian children." Naturally, every good parent wants their children to be protected against exploitation or abduction. It also states that: "Most Canadian parents are using outdated and ineffective information to teach their children about personal safety."

It is difficult for parents to be told by an organization such as the Canadian Centre for Child Protection that we are using outdated and ineffective information to teach our children. However, that is the reality. But why is that?

For one thing, I did not grow up with the Internet but my children did. Inevitably, parents of my age, in their early fifties, are not accustomed to this new technology. Because of my work I have had to learn quickly. But it has not been easy for some of my friends. Our children have learned to use this technology much more quickly.

The Canadian Centre for Child Protection is right: parents are using ineffective and outdated means to teach their children about safety, especially on the Internet. The following statistics are from its website.

Children account for 61% of all victims of sexual assault reported to the police and 21% of all victims of physical assault.

Thus, children are involved in many sexual assaults.

I will continue.

72% of Canadians feel that if someone wanted to access child pornography online, it would be very easy to do so.

92% of Canadians are concerned about child pornography being distributed on the Internet and 96% feel it is important to have a place to report child pornography online.

Cybertip.ca processes over 600 reports per month relating to the sexual exploitation of children on the Internet and receives over 800,000 website hits per month from people seeking educational information.

In homes without rules about Internet use, 74% of children report that an adult is never present when they use the Internet.

Cybertip.ca is a tip line operated by the Canadian Centre for Child Protection.

According to a study conducted by the centre, parents are using outdated and ineffective information to teach their children about the Internet. Some 74% of children say that they are not supervised at home. Parents need to understand how important it is to supervise their children's Internet usage.

There is software that prevents certain kinds of data from downloading. Computers look harmless. They are just machines that we turn on, nothing more. But there is all kinds of information out there on the Internet, and more and more abusers. We have to take control of the situation.

Why does the House have to discuss Bill C-58? Because this is 2009, and website owners are still allowing child pornography on their websites. That is unbelievable, but it all comes down to money. Where there is money, there are humans, and where there are humans, there is human nature. People will do anything to make more money, so they allow child pornography on their websites, or they do not take necessary measures or spend money to keep it off their websites.

• (1145)

The purpose of this bill is to make the operators of these sites responsible. They will have to pay the fines because they were not vigilant and did not do their best to prevent this. Legislators are often accused of passing laws, putting up obstacles and going in circles. I am sorry, but these website operators have gone too far; it is over.

The Bloc Québécois wants this bill to be passed as quickly as possible. However, it must be carefully examined in committee, because this bill deals with parts of Canada's and Quebec's charters of rights and freedoms. We must ensure that human freedoms are being respected. But when we are talking about child pornography, rights and freedoms will have to take a back seat. We must carefully protect our children. Once again, we must hold those who run these sites responsible.

According to statistics from the Canadian Centre for Child Protection, 21% of children report having met someone in person they met first online. That is very worrisome. This study was conducted in 2005. This means that one out of every five children reports having met someone in person they first met online. Since we know that there are predators online, we cannot ignore this statistic.

My teenager would not like to hear me say this, but children are often naive. That is the truth. They think they are the best at everything. We must try to understand them and try to remember how we were at their age. They must all have their own experiences, but when we know that 21% of children report having met someone in person they met first online, that is worrisome. Good for them if they are meeting people their own age. But the problem with the Internet is that people lie about their ages and claim to be teenagers when they are really adults.

We know this, and we know that 74% of children use the Internet at home without an adult present, because as parents, we think that the computer on the desk is not that important or dangerous. We think all they do is play games on it. But that is not true; they do more than play games. They chat and talk, and can fall victim to online predators. More and more pedophiles are showing up on the Internet, to the point that now, we need to protect our children from sexual exploitation. That is what Bill C-58 would do.

I would also like to read part of a press release issued on November 18, 2009 by the Canadian Centre for Child Protection. I hope everyone is listening, because this is important. It says the following:

Government Orders

“What makes this particularly concerning is the very young age of the children in the images [the child pornography sites were analyzed]. These children are most likely being accessed and sexually abused by someone they know. Not only is it devastating for a child to be abused, but to have the abuse recorded and distributed on the Internet adds another layer of trauma,” said Lianna McDonald, executive director of the Canadian Centre for Child Protection. “This is a call to action to all Canadians to learn to recognize the signs of abuse, and to report their suspicions of abuse. We need to disrupt and hopefully stop child sexual abuse and prevent it from being memorialized and traded on the Internet.”

This is important because it has become a money maker. That is what I was saying earlier. We might still wonder why, in 2009, the operators of these Internet sites have not resolved this problem. The answer is because there is money to be made.

• (1150)

I am not accusing them. I do not want to make any accusations, but the fact remains that technology certainly must allow them to block these images on their sites, to track down these people wanting to send them links to a website or images of child pornography, and report them themselves.

That is what should have happened. We should not have to legislate this issue. However, because of business and money, certain situations arise, and of course I mean exploitation. Any time there are images of young men and young women on the Internet, this generally implies sexual exploitation. We must track down all these exploiters, these abusers and these criminals, because exploiting children is a horrible offence. That is why the Bloc Québécois supports this bill.

I wanted to come back to the study done by the Canadian Centre for Child Protection, which issued 12 recommendations in the areas of education and public awareness, technical and policy development, and research opportunities. This goes well beyond simply saying, fine, we will pass legislation in order to find the perpetrators of those horrendous crimes or we will impose specific fines on the operators of the sites that break the law. The fact remains that we all need to be more socially aware.

I would like to talk first about the importance of the bill, because it addresses situations that need to be addressed. First, under the bill, providers of Internet services—Internet access, email, hosting and social networking sites—will now be required to report to a designated organization any information they receive about websites or child pornography that may be available to the public. They will be required to do so once the bill is passed, because the bill still has to go through a few readings and needs some work, and it has to go to the Senate. I will not talk about how useless the Senate is, but once again, because the Senate has not been abolished, we will have to waste two or three months talking with the senators, when they spend half their time sleeping.

Now, operators who provide Internet access, email and hosting and networking sites will be required to report to a designated organization any information they receive about websites or child pornography that may be available to the public.

Second, they will be required to notify the police and preserve the evidence if they believe that their Internet service has been used to commit a child pornography offence.

Government Orders

Again, we should not have to pass this bill. They should be dealing with this themselves. But no, we will force them into it because they have taken this a bit too far.

Failure to comply with the duties under this act would constitute an offence punishable by graduated fines of up to \$1,000 for a first offence, \$5,000 for a second offence, and \$10,000 for a third offence. Obviously, there is something in place for sole proprietors and corporations. For a corporation, the graduated fine scheme would be up to \$10,000, \$50,000 and \$100,000. This legislation covers more than just Internet service providers, a term that is commonly used in relation to those who provide access to the Internet. The legislation would apply to all persons who provide an Internet service to the public.

Since I have just one minute remaining, I would also like those who are watching us to know that the Canadian Centre for Child Protection issues very important recommendations to all members of the community. Parents, families and friends have to take charge and educators and the entire system have to do whatever it takes to make sure these pedophiles who use cyberspace to commit their crimes are reported. The sexual exploitation of children is a horrible crime. Rest assured that the Bloc Québécois will support this bill.

• (1155)

[English]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to thank the hon. member for his contribution to the debate. I must admit that when this member gets up, he always adds to the debate. I was most interested in, and I would like to speak to it as well, other things that we should be doing, particularly, in the area of prevention. We need to anticipate much more than to simply punish after we have a problem. A dollar best spent in most situations is a dollar spent on preventing a problem, in the first case.

The member outlined a couple of items, such as the need for public education, awareness, et cetera. I wonder if the member would like to simply highlight some of the other approaches that would be appropriate with respect to the matter before the House.

[Translation]

Mr. Mario Laframboise: Mr. Speaker, I thank my colleague for his excellent question. This will allow me to quote some of the recommendations made by the Canadian Centre for Child Protection. Its recommendations for public awareness include the following:

The creation of educational materials for children 12 years and under in order to help young children recognize signs of the abuse process...

Collaboration between tiplines such as Cybertip.ca around the world to begin tracking infants and toddlers in child abuse imagery...

Creation of gender-related educational materials in response to the large percentage of girls depicted in abuse imagery.

Working with law enforcement and Internet service and content providers to remove illegal content from Canadian servers.

Establishing international standards for the personal information a registrant is required to provide when registering a new domain name [for the entire Internet].

Partnering with domain name registrants to have domains hosting illegal content discarded from use so new website owners cannot purchase domains known to host child pornography and reuse it for the same purpose.

Need for further research on the impact of child sexual abuse on victims and whether the Internet has changed the nature and extent of their trauma and healing process.

Collaboration and data sharing between organizations...

Research is needed to determine how words are being used on websites...

There are three other recommendations but I am short on time. We have to be able to foster awareness in the entire community. The sexual exploitation of children is a very serious crime, a horrible crime and a scourge that will only be eradicated by our entire society working together.

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the member for Mississauga South talked about prevention being the answer. I think he is totally right. It seems that this bill, while it is well-intentioned and one that we can all support, in fact, would perhaps just slow the problem down a bit because it would depend upon how many people reported.

The fact of the matter is we had a member in the House report yesterday that there are better practices in other jurisdictions, such as Germany, Sweden and Brazil. I asked a government member earlier today whether the government had even looked into those cases and he could not answer the question as to whether it had or had not.

In the case of Germany, for example, it simply blocked access to the sites. To me, that makes sense because that provides a solution to the problem rather than simply tinkering with the problem. We already know we are not going to get very solid results, or at least not as good results as we would get if we simply blocked the site in the first place.

• (1200)

[Translation]

Mr. Mario Laframboise: Mr. Speaker, my colleague is absolutely right, and that is why the committee will carefully examine this bill. Our problem is that we have charters of rights and freedoms in both Quebec and Canada. In both jurisdictions, there are website operators, and these businesspeople will say that they also have rights and freedoms. So what I was saying is that perhaps the charter of rights and freedoms will have to take a back seat to the prevention of sexual exploitation of children on the Internet.

This is an issue that could probably be resolved very quickly but, considering the laws that protect our rights and freedoms, we will have to examine this bill carefully, so that everyone, including website operators, understands its objective.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, first of all, I would like to congratulate my colleague, the member for Argenteuil—Papineau—Mirabel on his speech. The member brought up how difficult it is to follow the Conservatives' logic regarding the firearms registry. The only explanation for this is their ideological position.

I would like to hear some more about how he feels about the Conservatives' attitude. We agree on the principle of the bill; that goes without saying. The government knew and tolerated, for example, that a child soldier was tortured at Guantanamo. It also tolerates the torture that goes on in Afghanistan.

Government Orders

Mr. Mario Laframboise: Mr. Speaker, my colleague is right. Because of how they do things, we have to analyze and pick apart every justice bill the Conservatives introduce. Often the only thing they are trying to do, especially when it comes to justice, is win the public opinion battle so they can go up in the polls. That is how the Conservatives operate.

That has never been the Bloc Québécois' position. Everyone knows that we have always been very respectful. We have always stood up for Quebec. We have always opposed all forms of pedophilia and child abuse. We have always been consistent in our stances. We have always trusted our judges, and we have always believed in our justice system.

Judges have been appointed. Every case is different, and we have always had faith in the justice system. We have never been drawn into the media storm whipped up around certain cases. That is not what the Bloc Québécois has chosen to do. We have always been against torture, not just when the media are paying attention, like the Conservatives. Since first coming here, and for as long as we are here, we have always been and will always be against the torture of children and prisoners. That has always been our position, and we believe that it is consistent with the values of Quebecers. That is what we have stood up for every day in this House, and that is what we will continue to do, as long as I am here, at any rate.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Madam Speaker, I have a question for the member about the situation in Quebec in particular.

I would like to know whether the police have enough resources to enforce the provisions of this bill. When this government introduces new legislation to combat crime, it does not give the Standing Committee on Justice and Human Rights enough information to determine whether there will be enough money and resources to enforce this legislation.

The hon. member may know the situation of the Sûreté du Québec very well. In his opinion, does it have sufficient resources to implement this bill?

• (1205)

Mr. Mario Laframboise: Madam Speaker, I thank my colleague for his question.

Before I came to the House of Commons, I was head of the Union des municipalités du Québec. Quebec has the Sûreté du Québec, and municipal police forces, as well, which are also important. Successive ministers of public safety in Quebec have always said that to strike the right balance, it was necessary for the Montreal urban community to have one-third of the police officers, the Sûreté du Québec to have one-third and the other municipal police forces to have one-third.

That is the reality. My colleague asked a good question. We are probably going to pass a law, but will there be enough money so that the police forces can work together? In order to combat cybercrime and child sexual exploitation on the Internet, there has to be enough funding.

As I said earlier, the Conservatives' goals are to score political points in the short term in order to boost their popularity in the polls. They have introduced a bill, but what will happen once it is passed?

It will be difficult to implement, and it will take money. The necessary funding will have to be in place so that all the police forces can work together. In Quebec, the Sûreté du Québec and the municipal police forces will have to get their share in order to combat cybercrime against children.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, I am pleased to participate in this debate at second reading of Bill C-58, the latest bill the government has brought forward.

It struck me as peculiar that the bill was just tabled and, all of a sudden, it is before the House for debate without briefing notes from the minister, without a legislative summary, and without consultation or somehow engaging the members to consider the issue before us.

The issue is not really about Internet laws, but about the protection of children. That is what the bill is about. If we put it in that context, we will understand that this specific bill relating to child protection is a very small piece of the discussion. That concerns me, and I think that concern is slowly emerging.

We are at second reading of this bill. The reason I wanted to rise is that I would like to encourage members to put on the table as many recommendations as possible for committee to consider, not just this very narrow bill as it stands. We need to examine how this bill could have been part of a comprehensive approach to child protection beyond simply dealing with those who happen to detect child pornography on a computer, whether they be individuals or organizations.

When I saw the penalties for a first offence, in this particular case a \$1,000, I thought, "My goodness, child pornography probably generates millions of dollars, so the \$1,000 just does not seem to be in the ball park". My premise is that if one is not part of the solution, then one must be part of the problem.

The previous speaker from the Bloc raised for members' consideration the issue of prevention and, of course, the Canadian Centre for Child Protection raised the need for us to do much more.

Whenever a criminal justice bill is before the House, not being a lawyer, I can enjoy the luxury of asking, what do I know about and how do I feel about this bill and what does it do to address the problem before us? I look at the issue that we are talking about and why we are doing what we propose and the elements of penalties and incarceration that are included. I also ask what are the issues with regard to rehabilitation, if possible, and what are the issues with regard to prevention?

I say this because when we talk about criminal justice issues, we have to deal with them before and after we have the problem. We know from all of the work that has ever been done on health and justice issues and from wherever we have social problems that understanding and admitting that we have a problem is the first step. The next step has to be, how do we prevent some of these problems?

Government Orders

I should say at the outset that the bill, in its narrow way, is worthwhile sending to committee and, I suspect, supporting to become law. But it is so narrow in its approach, it is tinkering. How many times have we asked why does the government not come forward with comprehensive legislation that actually addresses the issue? The issue is child protection, and we have problems there.

When I looked at the speech by the Minister of State for the Status of Women, who gave the government's position, I am pretty sure that somebody wrote it for her. Nonetheless, at least two or three times it mentions that Canada has "one of the most comprehensive frameworks in the world to combat child pornography" and that "we can and must do better". A little later in the speech, the minister continued that "Canadian criminal laws against child pornography are among the most comprehensive in the world and apply to representations involving real and imaginary children". That point is later repeated.

● (1210)

We can say that is the truth, but if Canadians look at the statistics, they should know that 39% of those accessing child pornography are viewing images of children between the ages of three and five years of age, and 19% are viewing images of infants under three years old. The public does not really know that, but we should consider that we are talking about a significant problem of children five years of age or younger. The vast majority of this problem is among children five years of age or younger.

Why does the government not ask itself how is it that a child five years or under could actually be a victim of child pornography? Can we imagine our own children being involved in this? If so, why? If not, why not? From our knowledge and experience, we know collectively the conditions that are fertile for bad or wrong things happening. We understand those things, but we are tinkering here. We have a serious problem. The minister of state admits it, but also says that we have the most comprehensive framework to deal with it. Well, we do not.

When we have a problem as pervasive as this, we can look back at some of the history of it and recall that we had a joint Commons-Senate report entitled "For the Sake of the Children". It dealt with issues of family breakdown and recommended, for example, that if there were a custody dispute in an acrimonious divorce, there must be a parenting plan in place before a divorce can be granted by the courts. That was a joint Commons-Senate report done years ago.

It never happened. I have spent a fair bit of time working on children's issues. I wrote a book called *The Child Poverty Solution* dealing with the causes of child poverty. Child poverty is one of those things that tugs on the heart. Who could be against dealing with child poverty? However, it is family poverty, because every child in a poor family is poor. Why are families poor? On a scale divided into quartiles, no matter how much anybody makes, somebody will be in the fourth quartile.

Under the definition we have right now, if one is in the fourth quartile, one is basically counted as being among Canada's poor. Poverty needs a definition, but I am not going to get into that because the bill is not about child poverty other than the fact that such poverty is a contributing factor to a child being accessible and vulnerable to being a victim of child pornography.

I wrote another book called *Divorce—The Bold Facts*, which also dealt with family breakdown and the impact on children. The research that I did was just amazing. The implications for children of family breakdown are enormous. Where those children end up and the quality of care they get and the circumstances they have to live in, tell me that these are fertile areas for bad things to happen.

I wrote another book called *Strong Families... Make a Strong Country* dealing with the same thing. It showed statistically that the intact family, a child with a biological mother and biological father, had the least incidence of bad outcomes for children. The statistics show this out; it is not a subjective opinion. It is subjectively determinative, and this has been shown so many times. Another related book I wrote was called *TRAGIC TOLERANCE... of Domestic Violence*.

● (1215)

I am wearing my white ribbon because we are talking right now about an area that is extremely important. Domestic violence and violence against women are still rampant in our country. I spent five years on the board of my shelter for battered women, called Interim Place, and helped them get a second shelter built. However, I am hoping that these shelters will go out of business. In a perfect world, we would not need shelters for women and children who are abused.

We just considered Bill C-36, the bill dealing with the faint hope clause. Here, four out of the six women who applied for the faint hope clause were abused women who had killed their husbands and been convicted of first degree murder. All of them had children. Four of the six who applied actually were granted early parole, and while they still have a life sentence, they were granted early parole because of the compassionate understanding that bad things happen. In a couple of those cases, the husband was having an affair on the side and there were other consequential things, but there was a first degree murder. It is terrible that murder occurs, but Bill C-36 eliminates the opportunity for parole after 15 years. It says that if someone commits first degree murder, that person is going to serve 25 years before he or she gets the first opportunity for parole. Can we imagine what that does to a family with children? I do not understand why repeal of the faint hope clause is going to happen. I do not support the elimination of faint hope, but that is not before us right now.

I have said so many times in this place that public education—

Mr. Brent Rathgeber: You did not vote against it.

Mr. Paul Szabo: I did.

Public education is always part of the solution for all of our problems. When there are social problems, we have to look at them and understand them. Canada cannot pretend to be the creator of all good ideas; those ideas do come from other places. Other countries have done a lot of work on this, and yet the bill was so hastily put together that it actually is anemic in its approach to the issue of child protection. While it is okay to do what the bill proposes, and it will not harm things, I do not think the bill is going to help as much as people think it is.

Government Orders

We even have a question with regard to how we should police this and how we should make this happen. When we pass laws in this place, by and large, the federal police, the RCMP, will not be responsible for enforcing the laws we pass, but the provincial and regional police forces across the country. They are the ones. Ask them today. Ask them province-by-province, region-by-region, territory-by-territory, what is the shape of their budgets with regard to policing.

Why pass laws that we cannot enforce or whose potential we cannot actualize? If we cannot support the policing, is it there? Have we talked concurrently of a special fund being set up, or special task forces or special policing forces, because when one finds a “little nest”, that nest may be part of a whole colony. It is going to take time, but if we are serious about dealing with child protection in the context of child pornography, there has to be a strategy. The strategy should not be a matter of our tinkering with this and that. Then we cannot boast that we have the most comprehensive strategy and are the best in the world. It is misleading Canadians.

The previous member from the Bloc who spoke said that we have to make people aware. We all have to be part of the solution. We all have to be aware. We need the tools and the information, but here we are as parliamentarians and what we have is: a bill. Here is the bill. After one rips out all of the boilerplate pages that have nothing to do with the law, the document comes down to four items: Situations where there may be an offence by individuals or persons, and then there are the offences and the punishments for them.

● (1220)

For the first offence, an individual who has knowledge of but does not disclose that there is child pornography on a particular site can be fined not more than \$1,000. When I read that, I thought we are not serious. We cannot be serious.

If we think that maybe the ISPs just did not realize what their legal obligation was, and that probably will be the case, that in itself is a reason for us to launch a major national public education and awareness campaign about this problem and about the tools we have and we should ask Canadians to be part of it. However, that is not in this bill.

Somebody decided that we ought to do this just because of what is happening in the world regarding domestic violence and crimes involving children and because we should get tough on crime. This is about punishing people after problems occur or after people get sick.

When I was elected to Parliament, the first committee I wanted to be on was the health committee. I remember that at the very first meeting I attended, officials appeared to give us the state of the union of the health care system in Canada. They told members of the committee that 75% of what we spend on health care deals with curing people after they have a problem, and 25% is spent on prevention. Their conclusion at the time was that the model of 25% prevention and 75% remediation after the problem occurs was not sustainable.

They built on it to say that the benefit of \$1 spent on prevention was worth three times more than the benefit of \$1 spent on cures and remediation. In other words, the value of prevention has a multiplier

effect in terms of good and better outcomes. The same principle applies to criminal justice.

It is not good enough to say that if people do the crime, they will do the time, that we will throw people in jail and throw away the key because they are bad people. If we could reduce the number of people who are in jail or who have to be fined, that would be a good outcome.

We know statistics bear that out for things like conditional sentencing. They say that people who qualify for conditional sentencing, house arrest or whatever actually have a lower recidivism rate than do those who have to serve all of their time in jail. That is not just my opinion. Those are the facts, that there is lower recidivism if fewer people go to jail and more get conditional sentencing or early parole.

It makes some sense, but we do not make sense when we come forward with bills that are so narrow. They are almost political documents as opposed to justice documents. This is a political advertisement.

We will support the bill, but why not come forward with notes and information for members of Parliament so they can discuss it and make recommendations to the House, so that when the committee receives this bill it will be able to address some of the items that we addressed? That is what we should be doing at second reading, telling the committee what we are concerned about and asking it to look at our concerns. It has the opportunity to do it. I know the members on the justice committee will look at it.

We have to stop bringing bills forward that are not our best work. They could be much better. I hope that hon. members will get engaged, start debating this bill, and instruct the committee on the kinds of approaches we should take to make this legislation better, and, further, recommend to the House that there are other areas in which we should consider bringing forward legislation for the protection of children.

● (1225)

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Madam Speaker, I thank the hon. member for his contribution to this debate, which I listened to with some interest. I have a couple of questions.

He talked about the faint hope clause. I am not sure there is a clear nexus or relation between that and the bill under consideration, but he spoke in favour of the faint hope clause and, by definition, against what happened yesterday when the House voted at third reading to abolish it. I am curious as to why he did not vote against Bill C-36 yesterday if he felt so strongly.

Government Orders

With respect to his rhetorical question as to why a child under five could be the subject of sexual abuse, which is a very good question, I am curious as to his thoughts respecting this government's universal child care plan, a plan that provides families with support to make choices and to provide balance between work and home thus allowing parents to be more interactive in the raising of their children.

Mr. Paul Szabo: Madam Speaker, we should not be talking about the faint hope clause. The issue was that there was a feeling that we had to punish rather than prevent.

With regard to the faint hope clause, I gave the example that four out of the six women who were abused and who murdered their husbands, after going through the very rigorous process, were able to apply for early parole.

I voted in favour of the motion to strike out everything in the bill and refer it back to committee. That was my vote, to negative the bill. That was a clear vote. I voted to scrap the bill and throw it back to committee.

With regard to the universal benefit, it is not universal in the same sense because \$1,200 a year is not enough for a family to be able to afford to put one child into child care for more than about three or four weeks.

I would suggest to the member that it is a very weak argument in regard to child protection issues.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I want to thank the member for his comments. Yesterday when the minister was introducing the bill, she said that \$42.1 million over five years was being provided to law enforcement as more resources to deal with the problem.

When I asked her whether that was new money or not, she said that she did not know and she was going to get back to me. I guess that just points to what the member for Mississauga South has said, that the bill has been rushed, the notes are not available, and the government has not done the research it should have.

For example, earlier on today I asked one of the members from the government side whether or not they had done any research as to best practices in other jurisdictions. That is a logical thing to do. Clearly, the government has not been doing that in some other cases, for instance when it followed the California prison system, which has been a total failure for 20 years. The government does not really have a history of checking around the world for best practices.

Yesterday the member for the Liberal Party very clearly pointed out that in Sweden they block child porn. In Germany they block access to the sites. That takes care of the problems.

This bill is only going to take us partway. It is a bill that we are going to support and it should be supported. The horse is out of the barn here, and the way to deal with the problem is to look at what works in other countries.

• (1230)

Mr. Paul Szabo: Madam Speaker, I think the member is quite right.

First of all, this was not the best effort of the government, quite frankly. It has not thought it through carefully. It has not taken the opportunity to look at ways in which we can have legislation that is going to deal with the incidents.

For some odd reason, the government seems to think that if we have a tough enough penalty out there, that is going to be a deterrent. That does not work. Bad criminals simply do not respond. They do not think about what the penalty is under the Criminal Code, and then decide whether or not they are going to do the crime. That is not the case.

With regard to the question about the money, the member is quite right. If the government has a bill and is prepared, then it has anticipated the questions and it will have the answers.

When Bill C-36 was before committee, the government did not even have an answer about how many people actually applied under section 745. Why is it that the government does not get it? It does not understand that if it is serious about legislation, it better bring forward the facts and the information, put it all on the table and let it stand on its merit. That would be good legislation.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Madam Speaker, the hon. member will recall, and I will not because I was not here, that in November 2005, in the last days of the last Liberal government, there were changes to the Criminal Code, which broadened the definition of child pornography. The changes included more offences out there, which was a good thing, and mandatory minimum sentences were introduced for this crime. That was four years ago.

The hon. member has been sitting in Parliament with me for four years while we have heard train after train of the Conservative government's crime agenda come in and out of the station so often. Why does he think the Conservatives have forgotten this very important aspect?

We know from Cybertip.ca, and everybody in the House also admits, that because of the burgeoning distribution through the Internet, this is a very quickly growing crime. Why did the Conservatives wait four years to do something about it? Why have they not moved the minimum mandatory sentences, and they seem to love minimum mandatory sentences, for simply making pornography to one year and for possession of pornography to 45 days? Why have they not attacked those in a bill like this rather than going after the Internet providers in a private, out of the Criminal Code bill, and why did they keep the defences? There are defences to making child pornography. Why did the Conservatives not take those out of the code?

Mr. Paul Szabo: I could not say it better, Madam Speaker.

Government Orders

I ask why we have this bill and why now. Why is it so weak? Is it just another facade? Is there any commitment to the issue of child protection? We can use all the words we want to say that we really care about that, but I bet I could pick a half-dozen people out of this place, get together as a committee, look at best practices around the world, get the facts, hold some public hearings and come up with a draft piece of legislation for the government to consider. I would love that opportunity, because I think that members in this place who were not muzzled and were not forced to follow linear thinking on criminal justice issues, members who were free to openly discuss and deal with these things would come up with much better legislation.

• (1235)

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Madam Speaker, I have listened to both the speech and the questions and answers. The hon. member talked about prevention at length. Prevention comes through the health transfers, the social service transfers, which of course we have increased every year compared to what the Liberals did when they were actually in power, because it is the provincial governments that are dealing with a whole host of issues in that area.

There are a number of things that I have done in my own riding in terms of prevention, which the federal government has funded. We are not talking about prevention here. We know prevention is important. We are talking about protecting children. Instead of ambling into many areas, this is an important bill, and if the member could clearly speak to the importance of the bill in protecting children, I would really appreciate it.

Mr. Paul Szabo: Madam Speaker, the member has to admit that fining someone \$1,000, as the penalty for a first offence, for having pornography on their website that is available for distribution is an anemic punishment.

The member has to admit that this has nothing to do with protection; it has to do with punishment. Somehow the member thinks that the bill and its anemic response to the problem will reduce the incidence. It will not. That is the difference in the Conservatives' thinking on criminal justice issues. They think it will provide some sort of prevention or deterrence. That is just not the case.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I am very pleased to speak to this bill today, Bill C-58.

It is our second day of debate and I would expect that we will be moving this bill to committee in very short order because it seems to me that all of the parties are onside.

There are certainly some criticisms as to the government's role, how it promulgated the legislation, and how it presented the legislation in the House, because as the member for Mississauga South has just said, there has been no legislative summary, no briefing notes, no nothing. As a matter of fact, the first we heard of it was from CTV's 24-hour news coverage from Monday morning on and we never got a copy of the bill until yesterday.

Nevertheless, it is a bill that is going to be supported and hopefully will be improved in committee. Certainly, when the minister announced it yesterday, she said that \$42.1 million would be provided over five years to provide law enforcement more resources,

so I asked her about that because it seemed to me that that had to be the focus.

We have a very effective law enforcement system in this country. As a matter of fact, the police tend to be the ones who do catch the guilty people, up to this point anyway. Our concern is that they do have proper resources, so I really wanted to know whether this was another \$42 million on top of what they are already getting or simply previously announced money that they were dealing with, and she was not aware.

As the member for Mississauga South said, one would think that on a basic information piece like this, the government would have that answer available.

Best practices is another area that we should always look at when looking at legislation. I have made the argument that while the Conservatives claim to be tough on crime, we on this side of the House want to be smart on crime. We are prepared and we have examples where jurisdictions have used best practices, have looked around the world and picked examples of where a certain action worked, and simply adopted that, as opposed to the Conservatives who simply rely upon old, outmoded crime initiatives from Ronald Reagan's days in California, which have proven not to work.

They seem to be very still in their ideological approach to government. I know that it is dissipating over time. They are moving slowly but surely to the middle, and I think we are going to see more of that in the future.

I want to give a brief history of this problem, how it developed in regard to dealing with the web.

It was not until 1995 that email became prevalent. It had been used in universities for a few years before that, but email became prevalent right around 1995 and the web started after that, but at that point, most people still had monochrome screens. The frame rate was very low. It started at 15 frames a second and then they got it up to 30 frames a second.

I recall the Rolling Stones, just about the time they were appearing in Winnipeg a number of years ago, claiming to be the very first rock band to put one of their songs on the web. I looked at it and it was very slow. People here will remember when the first webcams came out. People were trying to talk to their relatives in other parts of the world and the voice did not match with the picture, and the picture was very choppy.

There was a period there where this really was not a problem. In fact, bandwidth became a problem around the mid-nineties.

• (1240)

Once again, to make this system work successfully they had to get faster speeds and they had to have better bandwidth. The ISPs had to do that in order to be able to transfer the material that we are talking about right now.

Government Orders

As other members have alluded to, we have had a virtual explosion of child pornography on the web just in the last five years. Once again, clearly the horse is out of the barn. As usual, the government is in a reactive position. Governments rarely lead. They usually are found to be following. In Canada, over the last few years, we have had a lot of instability with a change of government and an election every two years, starting back from scratch again on legislation and a fairly substantial slowdown.

The development of peer-to-peer computing was mentioned yesterday. That was a very big development that basically exploded overnight. We have all heard of Napster. It is out of business right now, but that was basically the beginning of peer-to-peer computing and making file sharing easy.

Therefore, logically when the technology developed the way it did and as fast as it did over time, it was just common sense that organized crime would be getting involved in the system. The police forces are aware that it is not only child pornography but it is also organized gambling rings who set up their servers outside of U.S. jurisdiction because they did not want to be prosecuted and put in jail by United States laws. Clearly, laws have had some effect.

There was a Bloc member yesterday who pointed to the bill and was touting the fact that these offences are going to slow these people down. However, as mentioned by the member for Mississauga South today and others, the fact of the matter is the penalties are not that large at all considering the money that is involved.

When we are dealing with organized crime and drug dealers, fines of \$100,000 are probably just part of the cost of doing business for these people. These are not particularly strong fines in any sense.

We have the organized crime syndicates involved, so a system of penalties, fines and imprisonment and so on will deter some people for sure, but I think at the end of the day, if we pass this legislation and we find after a couple of years, and hopefully we will monitor its results, that the legislation is not working and the fines are not high enough, we will have to increase them. If we find that child pornography is still being produced at an increasing rate, then we are going to have to look at something more drastic.

I asked one of the government members of the government today whether the government had looked at best practices in other jurisdictions and the member said no, that he was not aware that the government had looked at other jurisdictions at all. Yet, yesterday the member for Moncton—Riverview—Dieppe was very clear in his presentation on the bill when he pointed out that there are other jurisdictions that have taken action and have dealt with the problem. These are his words and his claims. I would assume that he is correct in making these assessments and it should be easy to check. For example, the member drew our attention to Brazil where he said that the ISPs in Brazil have to follow a set of ethical rules that govern what they accept on their sites

• (1245)

He mentioned Sweden. It had a policy of blocking child porn. He mentioned Germany and the European Union as the best examples. Once again, he said that Germany was blocking access to the sites.

So, who are we trying to kid here? If the answer is to simply block the sites, and if it works in Germany, then why are we getting ourselves tied up in knots here, spending huge amounts of money on police forces, \$42 million over five years? That is probably on top of what we are already spending. Police forces are doing great work, and there is no doubt about it, to basically play a hide-and-seek game with these perpetrators over the Internet.

To me, a far more decisive, a far more effective, certainly cost effective, way of dealing with this would be to simply block the sites completely, and it is being done. I do not know what the rules are in Cuba, but I believe there is no Internet porn there either. It is certainly technically possible.

I know members may not agree with that and that is fine. The fact of the matter is, when the United States set up its penalties, people simply went offshore. To get around the American penalties, they simply took the path of least resistance and moved to a country that does not have penalties, that does not have these laws.

Another member, yesterday, pointed out that Canada is very high up in terms of not only sales of child pornography but also the production of it. This country is either number two or number three in not only the production but the distribution, the selling and the possession of child porn. So, it is certainly a major problem in this country and it is certainly growing.

Another fact to mention is that local computer repair depots have been reporting child pornography on laptops and computers brought in for repair. Recently, the customs people have been finding it on laptops. They have been checking laptops routinely for the last three or four years now at airports and customs sites, especially when people come from Thailand and places where there is a lot of sex tourism. This is just basically, I think, making a small dent in the problem. As a matter of fact, the statistic I picked up on in the conversations over the last couple of days is that Canada is second in the world for hosting these sites.

In September 2008, the federal, provincial and territorial ministers responsible for justice agreed that Canada's response to child pornography could be enhanced by federal legislation requiring any agency whose services could be used to facilitate the commission of online pornography offences to report suspected material.

I know this was an initiative of the provinces, and I do give the provinces top marks. Yesterday we had a couple of Liberal speakers pontificating about how it was their party who started the ball rolling in this whole area and how the irresponsible Conservatives in government did not do anything for four years, and here we are today. That is fine for parties to pick their own little victories here and there, and try to embarrass the other side.

• (1250)

However, there has been activity at both the federal level and the provincial level over the years. My home province of Manitoba is one of three provinces that has rules stating that all people must report child pornography. I believe Nova Scotia and Ontario also have laws in place right now. Manitoba was an early mover in this area.

Government Orders

The Government of Canada's proposed legislation would enhance Canada's capacity to better protect children against sexual exploitation by making it mandatory for those who supply an Internet service to the public to report online child pornography. This legislation would help safeguard children by improving law enforcement's ability to detect offences and reduce the availability of child pornography on the Internet. This is a requirement in the bill but providers would not be obligated to search for it. If they happen to notice it, then they are obligated to report it.

There also is a 21 day rule in the bill but I do not know if that is a long enough timeframe. I am looking at a lawyer here in the House who could probably tell me whether that would be long enough or not. However, when the bill goes to committee it might look at making that a longer period of time because 21 days might be too short.

Under the proposed legislation, suppliers of Internet services to the public would be required to report to a designated agency tips that they might receive regarding websites where child pornography may be available to the public. They are required to notify police and safeguard evidence if they believe that a child pornography offence has been committed using their Internet service.

I am told that the well-known large ISPs are fairly cooperative in this area and that it is the smaller ISPs that are evidently less inclined to want to report, so they are the ones that will need to be given a bit of extra attention.

The legislation was carefully tailored to achieve its objectives while minimizing the impact on privacy. We will want to deal with that issue at committee because members of our caucus are concerned about that aspect.

Suppliers of Internet services would not be required to send personal subscriber information under this bill and that would be helpful as well.

Failure to comply with the duties under the bill would constitute an offence punishable by graduated fines of up to \$1,000 for the first offence. The member for Mississauga South, among others, has taken exception to that as being too low. We might be looking at making an improvement there in committee, maybe a higher limit.

The bill also indicates that for a second offence the penalty would be \$5,000 and for subsequent offences the possibility of a fine up to \$10,000 or six months imprisonment, or both for sole proprietorships.

If it is a corporation, I would suspect there may be some sort of organized crime involved in it, but I may be wrong in that. However, if a corporation fails to comply with its duties under this act, the graduated fine fee would be \$10,000, \$50,000 and \$100,000. Once again, I do not have a comment about whether that is a high amount or a low amount but it seems to be awfully low. If a criminal organization is producing child pornography and making a huge amount of money, although I have no idea how much money it would make on something like this, but \$10,000 might be nothing more than the cost of doing business.

Again I find that I am short of time and once again only about halfway through my comments. I am used to those 40 minute speech

slots that we had in Manitoba for many years. It is a hard habit to break. As a matter of fact, in the House of Commons just 30 years ago members had longer periods for their speeches. However, I do like the current time allotment as well.

• (1255)

Mr. Malcolm Allen (Welland, NDP): Madam Speaker, I think my hon. colleague was right when he said that when we think about the Internet, pornography and child pornography, all of us in the House agree that it is an odious thing that happens to young children and we need to put a stop to it.

I would like him to articulate a little further about how we should address the issue to ensure it ends and that we protect our children, which, in the end, is what we really want to do. Clearly, the bill is lacking in some areas where it perhaps needs to be stiffened and could be helped out.

The hon. member started out to explain jurisdictions in the world that are making progress on this very heinous crime that is perpetrated on our young. I was hopeful that he could perhaps take some more time. I know he indicated that in other legislatures in this country members gets a little more time and perhaps, through my question, he could take some more time to explain to us what other countries are doing and how effective they are in ensuring these crimes are not perpetuated against children.

Mr. Jim Maloway: Madam Speaker, from what I have been able to glean from the comments of pretty much all of the speakers on this side, no one is super critical of this bill. We are all saying that we will support it, but we just do not think it is tough enough to deal with the problem.

This probably would have been the measure to take five or six years ago when the problem was not as big as it is now. I think the member for Mississauga South was right. We should be looking at the best practices we can find. There may be others. We mentioned that Sweden simply blocks the porn sites and that Brazil has set up ethical rules.

If we do not want to follow Sweden's example and block the sites, then maybe we should look at Brazil where the ISPs have ethical rules set up that somehow must restrict access to them. We are told that Germany has the best system where it blocks access to the sites completely. To me, that would grind it to a halt, at least as far as our jurisdiction is concerned.

I was not born yesterday. I know the criminal elements will try to find a way around it. Maybe they will move their servers to some other country and then at a certain point we would need to chase down the perpetrators somewhere else. However, the bill covers the whole range. It covers production and possession.

Once again, I am saying that we need this bill because it is important. The provinces want it and they agreed to it. It is all part of a package.

I know the member for Mississauga South thinks we should have a complete package and add even more things into it, even beyond the scope of the bill. I do not think we need to look at that right now, but in terms of this bill, I think the government should seriously look at other possible alternatives that it can throw into this as a package and move along together with this bill.

Government Orders

•(1300)

Mr. Malcolm Allen: Madam Speaker, at the beginning of my colleague's speech he talked about some of the questions he had asked the minister about resourcing. He asked some other members whether they had done this or done that when it comes to resource allocation, new moneys and old moneys, but he could not get a response because they were not sure.

This leaves one to question. If the bill is so seriously needed, one would think that they would want to resource it appropriately so that we can act on it. We need to not only get this done, we need to resource those law enforcement agencies.

As my colleague pointed out, we can go after and get ethical rules around ISPs, perhaps following the examples of Brazil and Germany in doing that, but what happens if there is a criminal element? We need the resources and a police function that will attack that. Some of the police agencies across this country have said that they are underfunded and under-resourced. They do not have the people because of the resource part of it to get the job done that they need to do to curtail this heinous sort of crime. All of us in the House agree that child porn is heinous and that we need to stop it.

What does my colleague think the government should do when it comes to resourcing? If it slides toward the criminal element and away from the legitimate providers, how will they be resourced and how should they tackle that particular crime group that would want to do those sorts of things?

Mr. Jim Maloway: Madam Speaker, I would draw back to the original speech by the minister in the House when she said that \$41.1 million over five years would be provided to law enforcement to give more resources. Properly resourcing the police force is something that we on this side of the House are particularly interested in because the police are the ones who will be dealing with the problem.

I think the bill was hastily drawn together. The government basically lurches back and forth like a ship in a sea. One day it is doing one thing and another day it is doing something else. The bill starts to be reported on CTV News on Monday morning. Every half hour it is being reported on and Parliament does not have a copy of it. We have no notes to go on. When the minister does make the statement and I ask her about the \$41 million of resourcing for the police, she has no idea whether that is new money, old money, enough money or what it will do. Surely members who are going to speak on the issue would be well briefed, would have notes and would have answers to possible questions.

Even today, when I asked the member for Leeds—Grenville, who made a very well informed speech, for best practices, he could not tell me whether they had even looked at any other best practices.

I worked on bill 31 in Manitoba, which, at the time, was the electronic commerce legislation, the most comprehensive of its kind in Canada about 10 years ago. We used a uniform law template to put that legislation together. We cannot just make things up as we go along. There is always some sort of basis upon which we start when drafting legislation.

We know the Conservatives must have looked at other jurisdictions. I would be shocked if they had not. I just want to know who

they looked at and why they rejected, for example, Germany. If they did look at the rules in Germany, I want to know why they decided not to follow the German example. If they looked at Brazil, I want to know why they decided its system was not what they liked. If they looked at the Swedish example, I want to know why they decided its system was not what they wanted.

The member talked about organized crime. We tend to think that people involved in child pornography are average people. I am sure thousands of them are, but given the amount of money that is involved in this business there has to be the long tail of organized crime. If we do not know that, we had better start looking. If we talk to police forces that deal with organized crime they will tell us that, certainly those in my home city of Winnipeg,

I want the focus of the criminal justice system to be on chasing the Mr. Bigs. We keep chasing the little guy at the bottom of the totem pole who gets nailed for a little bit of cocaine or distribution, but the reality is that it is the guys at the top who are making the big money. Those are the guys wearing the suits. As a matter of fact, most of them do not even own motorcycles in Winnipeg and they live in fancy houses in the suburbs. That is the kind of criminal that I want to see us focus on. I think we will see that some of them are involved in this area as well.

•(1305)

[*Translation*]

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Madam Speaker, I am pleased to rise today to speak to a bill that has been a long time coming. This bill is important for all members and for all Canadians. It is absolutely crucial that Parliament take a closer look at this bill and address an extremely important issue, that is, the protection of our children.

[*English*]

This is not a new issue for me as a member of Parliament. It is not a new issue for some of my colleagues who were here with me in 1999-2000 when a decision was made in British Columbia by Justice Duncan Shaw with respect to the Sharpe decision. That decision created a panic throughout Canada. The protections that had been passed by Parliament in the past were then subject to judicial review and many provisions meant to protect children were knocked out.

It became very clear to parliamentarians, many of us who took these issues very seriously on a bipartisan basis, I might add, that what we were witnessing at the time was a lack of understanding and appreciation of those who were excited, those who would offend and those who would continue to use any means at their disposal, including technology, which I will come to in a moment, the purpose for which this bill has been created, to feed their addiction of exploitation of children.

It appeared at the time that there seemed to be a lot of misunderstanding, if not innocent ignorance, as to what was behind it. Many people thought this was a matter of expression, that we could not ban some of this information, particularly if it was written, because it might be analogous to banning the book *Lolita*.

Government Orders

No one wanted to put those two imperatives of protection of children against the right of privacy, one against the other. Rather, what we have seen in the past eight or nine years from parliamentarians, Canadians, psychiatrists, police forces and coordination through our crowns and judges is a better understanding of the pernicious nature of child exploitation and child pornography.

I want to give a message of a much stronger Parliament. I know there has been some discussion about where Canada falls short, but in my experience of working with the Toronto police force, going back to 2001, with the Ontario Provincial Police, under Project P, and with the RCMP, we are further ahead than we give us ourselves credit for. I am not here simply to toot our horn, but we are teaching other countries how to coordinate and build capacity to combat child exploitation, particularly through cyberspace exploitation or exploitation through the Internet.

Part of what is being addressed here today is about obligations. Many colleagues have spoken about how Internet service providers are in fact responding to the call and helping our law enforcement agencies trap, monitor and detect those who are engaging in the distribution of this information. This no doubt leads at one end to exploitation and at the other end to deal with providing people the medical and other kinds of interventions and help they need. What we have before us today is a very important first step in terms of ensuring and compelling Internet service providers to do what is necessary.

Some of this did not just happen in a vacuum. We will recall in April of 2002, I convened a meeting in which about 40 or 50 colleagues from all parties joined in a film or demonstration or depiction of the seriousness of the problem. I recall full well Paul Gillespie, who is now with the Kids' Internet Safety Alliance, a pre-eminent advocate, as well as Detective Sergeant Gary Ellis, who later became inspector before his retirement, along with Sergeant Bob Matthews from Project P, Roz Probert from Winnipeg and others attended a conference organized very quickly by members of Parliament.

After that 30-minute presentation, we got it. Not only did we get it, but within about two months our good and capable parliamentary secretary at the time, Paul Macklin, former member for Northumberland, was able to convince the government to provide the initial fund and first tranche of some \$50 million to create a cyberspace network to help and facilitate so in smaller communities across Canada police could get the kind of training they needed to detect, share and arrest the behaviour.

We have done a lot over a period of time dealing with Internet service providers. We have also encountered some very unsavoury examples of where there has been reluctance by carriers not to provide information for whatever reason, such as privacy, cost, et cetera. We got around some of those.

• (1310)

However, I suspect the biggest stumbling block we faced then continues today. When a police officer is confronted with all these images, perhaps in the thousands at any given time, and a charge is brought against the individual, in order for the process of the charge to be laid and to be heard in a court, the evidence has to be sworn through each and every image. Because of a decision in the *R. v.*

Stinchcombe case, it makes the job of our police forces practically impossible.

We are at a stage now, although there is better understanding of how to help police do a better job, where we need to do more. Certainly the bill goes in that direction.

I want to talk about something that is far more important to where we go. The minister was asked by several reporters what would be done once the domain of someone who was distributing child pornography was identified. We have no way of breaking down or knowing how to combat or how to address this issue. It is great to have a database and to be able to provide and get this information, but can we go after each and every one? I am not sure. We need to look at whether we have the ability and the resources to tackle the great numbers that we see out there.

This leads me to a bigger point, which I hope the committee will be able to address. I would ask the indulgence of all colleagues in the House to understand that it is more than just Internet service providers and people downloading information. It is really the peer-to-peer expression or the peer-to-peer sharing of files that is the most pernicious part of this. I am not sure if the legislation will be able to cover this, let alone if we can get our minds around the more modern way of distributing this information, which is undermining the integrity of young children and destroying their futures.

Short of going to the Orwellian perspective of big government watching everything people are doing, we need to come up with a better solution, not just for Canada but around the world. I salute those many organizations, including our RCMP, the Toronto police force and the OPP in my province, that have done yeoman's work of training the rest of the world.

However, we need to begin to look more fundamentally, more specifically, at the underlying new way in which information is shared, file to file. How we get around that will require a bit of dexterity in looking at these networks. We will have to find ways to train them. We will need to have the best practices, but we will also have to avail ourselves of the greatest technology out there.

Yes, questions will be raised about privacy. I suggest, as the RCMP has done in the past, that the number of people who may be sharing this information is not 65,000. There was some information a while ago from the RCMP that there may be as many as 65,000 people in the country who are in receipt of this information and share it. However, this number could easily exceed one million.

I am not one who is given to the notion of throwing numbers around, but the committee that looks into this legislation will need to know and be comfortable with the size, the dimension and the seriousness of this issue. While we have a number of solutions, there is no point in talking about solutions if there is not a better understanding of the problem.

As we look at not only trying to provide practices and building capacity in other countries and recognizing the mandate of Parliament, I hope we are prepared to give a very strong and important blank cheque to our law enforcement officials, to those on the front end, the smart people, those who understand how the Internet works.

Government Orders

We need a forum and focus to match what the private sector does. I think of the Kids' Internet Safety Alliance that is going it alone. It does not have support from the government. We have nice words coming from the government about how it is going to do this and it is going to set up a facility here and there. Frankly, this is taking off. Canadians understand this. Agencies involved in good will recognize the ability for us to use our collective strengths, the brains that we have out there, the technological wherewithal to understand the complexities by which child pornographers try to hide and disguise their craft and their evil.

I suggest for all members and colleagues that each and every one of us can talk about this issue, but we do ourselves a service as members of Parliament if we anticipate the road ahead, not just for the purpose of protecting our children but to help other countries that do not have the technological capacity yet alone the resources.

• (1315)

On the road of goodwill, we have lost a few things along the way. Frankly, we are going down a road and we do not know where it is taking us. It is very clear to us that if we are not prepared to recognize that the bill, which is several years late, and I will not get into the politics of it, is really to address an issue that took place some time ago, the next big challenge for Parliament will be to deal with new technologies in the digital age that are used to circumvent, to get ahead and to continue exploitation.

Canada does not play a minor role in this regard. We have heard stats provided by a number of colleagues in the House of Commons as to the number of Canadians who may be involved with it and where we are in terms of protection of children. On the surface, the statistics look grim, but there is no doubt there is a will within Parliament. There are other very good statistics that demonstrate that our front line men and women, psychiatrists, police officers and those in the judicial system, are doing yeoman's work and are trying to find what is the best way to approach this ever-changing challenge.

Someone said that it was a little like trying to tack jello on to a wall. However, the frank reality is we have to continue to be aware of where the emerging problems lie in order to provide the kind of solutions that we owe our next generation.

Behind the technology are broken individuals who exploit. These are individuals who, short of legislation, also need therapy. These people cannot help themselves. These individuals need the state, they need society and they need rehabilitation. We can talk about penalties, but we also have to talk about prevention, as my good colleague from Mississauga South alluded to a little earlier. I cannot think of a better example of where we have to get it right for the benefit of all the children out there who might otherwise be exploited.

These are not comments that we simply take as members of Parliament wanting to do good. We recognize in our country and around the world that the issue of child exploitation is a greater threat than most, perhaps, against the next generation. We have to marshal the collective forces in our country and around the world to work co-operatively. I do not see that in the bill. I see we will do our own job from the ISPs' perspective, and this is only ISPs that exist

within Canada, because we have no international reach. I suggest that is the way we ought to go.

I want to point out something we did in 2002, with a number of colleagues present. I recall one colleague, who was also very big on this, and I miss him a lot, Myron Thompson, the member for Wild Rose, who, with myself, made it abundantly clear that on both sides of the House we would work very hard to see this legislation would someday be a reality. Though he is not here today, I am sure he is very pleased to see we have moved down this road.

In 2002, to be specific, we suggested that there ought to be some changes on retention of information by Internet service providers. I will read what all colleagues at the time, or their predecessors would have known and were participating in legislation required or an amendment to the existing legislation at the time with Bill C-15, said concerning the retention of client information, records by Internet service providers. They said that ISPs must be able to furnish police with data, records on suspected child pornographers. We also urged, at the time, to make it mandatory for ISPs to keep client logs for at least one year, following the U.S. model in subjecting ISPs to substantial fines for non-compliance.

Those were some of the ideas that flowed from a very quick meeting that members of Parliament had. There is no doubt that the intention of Parliament has been focused on that ever since. Yes, there have been several elections in between, but thank heavens we have continued in the belief that we can stand up for those who have no voice and who would otherwise see their lives destroyed by those who truly need our help.

I am also convinced of the proliferation, the sophistication, the pervasiveness of technology. I had my BlackBerry here a few minutes ago. When I was elected as a member of Parliament in 1993, such devices did not exist. The ability to communicate, good and bad, is ever present and, as I suggested earlier, pervasive.

• (1320)

This requires parliamentarians of all parties to recognize that the changes that are taking place are challenges that we can overcome, particularly if they are used for nefarious and heinous ends, such as exploiting children, not just in Canada but around the world. We have an obligation to listen to those who can demonstrate a better way.

There is only so much bandwidth. I will not get into the issue of telecommunications; I will leave that for a consumer story at some point down the road. We have the ability to monitor the traffic. We cannot be seen as intrusive but at the same time we have to be ever vigilant. If we know something is taking place and it is being done by certain modalities such as, file sharing, network to network, or computer to computer, the government has an obligation to look and to test judicial chill, or Cartesian charter chill, with a view to saying that what must be done here is in the higher and best interests of Canadian citizens.

Government Orders

It is not good enough to say that we will adopt best practices from other countries or that we are going to look around the world and vicariously get some form of child protection in Canada. We have to be at the table. We have to recognize the changes that are taking place. In none of the speeches that I have heard today have members been focused on the next concern, which is the existing means by which child pornographers are disseminating their material.

I am asking parliamentarians, as they go through the committee process and as they ponder and consider this, to be more focused on what are some very obvious challenges to us, but ones which I think we can overcome.

[*Translation*]

I would also like to take a moment to thank the former members of this House who helped develop this bill and to point out some of the measures previously taken by our Liberal government.

I was proud to be here to see the changes and to see the amount of money invested to ensure that our agents, our police officers and Crown officials are not only aware of the scope of the problem of the exploitation of youth, but also that they can continue to promote and ensure best practices for other police forces around the world.

Last month, I attended a conference in Durham, in my region, at the University of Ontario Institute of Technology. A KINSA agency was giving training to representatives of police forces from Indonesia, Chile and Brazil. Other countries may know what to do, but we also have practices that are the envy of the world. However, we still need to make some improvements and recognize the people who work with us.

• (1325)

[*English*]

My hope and experience leads me to believe that the committee will bring forth the experts that I am referring to, the psychiatrists, those who understand technology, the software program writers, those who know how the devices used to exploit are being used against us and against the next generation. These are the people we should be hearing from.

If we really want to protect and stand up for the next generation, for posterity, I suggest we get with the program, that we understand the technology and bring in the bright lights. In that way we will guarantee for the next generation a much safer future and at the same time, keep Canada where it ought to be, defending the interests of those who have no voice.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Madam Speaker, I appreciate the good work the member opposite has done over the years. I know he has put a lot of time and effort into this issue. He has hosted various seminars on the Hill, which members who were around in those days definitely benefited from in terms of the specific help, the specific exposé the police gave on those occasions.

The member opposite mentioned the very important need of monitoring, keeping on top of the ever-changing technology. We need to be vigilant so that we can truly protect our children the vulnerable, innocent children of the present and the future, from

these heinous crimes against these most innocent vulnerable children.

Having said that, I would be interested to know at this juncture, either in a private member's bill or maybe some very specific amendments for the committee, what might be the major outlines going ahead from here, acknowledging as he did the good benefit of this government bill?

What might be the major outlines of a bill that he would do to even improve upon this bill, or that he might see in the future in terms of things that we could do further to get at and stomp out this very pernicious evil that we have in society today?

Hon. Dan McTeague: Madam Speaker, I know the member for Saskatoon—Wanuskewin was there back in 2001 and 2002.

It is a reflection of the genuine belief that we can do better. We should look at having a full-time committee, a blue ribbon panel that would report to the Minister of Justice, but more important, to Parliament as to the evolution of best practices. It should be something that provides an annual report on the state of cybercrime in Canada and the state of the level of child exploitation in this country. It should not be used to panic people but to actually give some focus and perspective.

Some of this commissioning of information is done through the victims of crime organizations, but to put this in proper perspective, the RCMP and a number of agencies that are involved with child exploitation internationally and domestically who hold conferences could also bring out what is being done internationally and relate that to whether Canada is a hindrance or part of the solution.

We need annual reports and updates. By the time we get through elections and parliaments get around to doing good work, often those who exploit children have moved on. We need to continue to have a rapporteur, for lack of a better term, that would provide an update to Parliament each and every year on the best practices and most important, on what we are doing and what we are not doing.

I appreciate the hon. member's suggestions. That is an area the committee should look at. We have a bill and that is great. It deals with the problem today or perhaps the past few years but we need to look ahead.

• (1330)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, the hon. member for Pickering—Scarborough East said he was elected in 1993, but I remember him from when I was the consumer critic for gas prices among other things in Manitoba. I would listen to him quite often on the radio and I would marvel. He is a very knowledgeable guy.

I notice that the definition in the bill includes more than ISPs. It also includes those who provide electronic mail services, Internet content, hosting services and social networking sites. Does the member think that is the all-encompassing, all-inclusive group? I am not up on all these issues as much as I used to be.

I would like to ask the member about peer to peer. Peer to peer came in big time with Napster and peer to peer is still around. He seems to think that is the most difficult area to work with.

Government Orders

I would like the member to take some time to explain to us why he thinks peer to peer is the biggest problem.

Hon. Dan McTeague: Those are excellent questions, Madam Speaker, and I am very happy to answer at least some of them to the best of my knowledge.

A cursory discussion with those on the front lines will tell us that peer to peer is de rigueur. It is the new means by which file sharing and downloading is occurring. It does require working through the networks but that seems to be the favourite way of doing things.

When police attempt to break a cyber network the police are actually finding a lot of mirrors. A lot of sites that come up exist for three hours and then move on. It is a very elusive game.

Does this legislation cover this? Yes and no. It talks about things in generalities but does not get to the specifics. My colleague from Moncton and I discussed this over the past few days. It does not actually get into where I think many of those who are on the front line are actually pointing to as being an area on which we need to focus.

The hon. member talks about Kazaa and Napster and other things. Of course those have been regulated in certain ways. I do not want to get into the issue of music or content, but rather deal with where the infrastructure is that is being used to deliver this information. It makes the job of trying to cover so many angles that much more difficult. I want to focus on this.

ISPs are not just the hosts, those who host websites, for instance Google and others. I am thinking of URLs that are used with hotmail. All of these are now caught by this legislation.

I want the committee members to focus on where the problem exists as it stands today. I do not think this is hot off the press but I also think that we have to be purposeful. We should be asking what we are doing with the information too.

Is it good enough to say we are going after ISPs and URLs? We get the domain names, but how are we prosecuting them? I do not think that question has been answered. It is important that we look at that as well.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Madam Speaker, I want to get right to a question involving the Criminal Code.

This bill is outside of the Criminal Code. Section 163.1 of the Criminal Code makes it an offence for any person who accesses child pornography. How is it different? Why is it a lesser offence for the people who allow and set up the system and do not report the fact that child pornography exists than for someone who accesses it? I want to know if he thinks that is proper.

In part V of the Criminal Code there is a hierarchy of offences: sexual offences, public morals and disorderly conduct. Why is it that the government is leaving these offences in the realm of public morals and not sexual offences? At the root, these images are evidence of criminal sexual abuse or rapes. The images reflect a crime. Those images, therefore, should be higher in the hierarchy than saying that we feel it is not proper conduct in this realm.

Why is the Criminal Code not used, and does the member endorse using the Criminal Code?

Hon. Dan McTeague: Absolutely, Madam Speaker. I agree wholeheartedly with the member for Moncton—Riverview—Dieppe.

He has raised a point which I had not considered until now, the question of hierarchy of harms.

We all agree that there is child exploitation. Child exploitation is the destruction of human life, whether we like it or not. If the Criminal Code is not able to reflect that, or this legislation is not consistent with the opprobrium that Parliament and the Criminal Code hold against those who exploit children, that also would have to be a decent recommendation or amendment that the party should, on behalf of our critic, propose at committee.

I am not on committee. I am simply trying to provide some guidance with the latest of information which I think parliamentarians from all parties are going to have to look at more intensely.

I say these things because I think it is anticipating where we ought to be and it will put Canada back where it must be.

Yes, some Internet service providers have been helpful, some have not. Some have charged. Some have obstructed. Some continue to use issues of privacy, I think, indiscreetly. I agree with my colleague that optimal legislation would also include the ability to have a reasonable expectation of conviction, a reasonable expectation of stopping the practice in Canada. As well, what I think is the maximum of importance of this legislation is to give enforcement agencies the resources they need. If agencies in this country are creating true centres of cybercrime prevention that are in fact protecting Canadians and the international community, we have to be backing them with resources by Parliament, and not leave it to the private sector to, shamefully, do what we as parliamentarians want our government to do.

• (1335)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Madam Speaker, I am proud to rise to debate an initiative that is extremely imperative to anyone who is a parent.

Child pornography has been with us in many forms for many years, but it is extremely despicable on the Internet because a lot of it goes underground.

I want to congratulate a former colleague, a long-term member of Parliament, a former attorney general of Saskatchewan, Mr. Chris Axworthy. In early 1994, Mr. Axworthy introduced a child Internet pornography bill that was supported by many police organizations across the country. When he left the House of Commons, I resumed his bill and I have re-introduced it on four separate occasions. Every time I have done that, I have handed the bill over to justice ministers to get them to do something about the scourge of child pornography on the Internet.

I am pleased to see today that the Conservatives, under their justice minister, have tabled a bill that mentions child pornography and what may or may not be done.

Government Orders

We have to ensure that this is simply not window dressing. We cannot just say that we are going to do something about Internet pornography and then not give the people who operate under these confines the resources they need to do it. This cannot just be about political opportunities.

I want to tell the House about an event that happened a few years ago that was told to us by an officer of the Ontario Provincial Police. This particular officer worked eight hours a day sniffing out child pornography on the Internet. His job was to find the scourge of our society and bring them to justice. For over three hours he explained how quickly young children can be trapped by professionals who lure them on the Internet. They entice young children to do acts beyond their comprehension.

He told us that he posed as a father with an eight year old child who were both willing to swing in this regard. That information is put out on the Internet to try to get people to latch on to it. He put that information on the Internet, and by the time he was finished talking to us he had over 50 hits, 20 of them from Ontario alone. In those three hours, 50 people wanted to partake in that type of activity.

I do not know how sick we have become as a society, but the reality is that something needs to be done and it needs to be done quickly. The NDP had a similar bill in the House over many years. We have given it to various justice ministers, asking them to carefully look at it to see what parts they wanted to use in their own bill.

Nothing will come of this if the government does not put the financial and human resources and the tools that are required to allow our police forces, the RCMP, the OPP, the Sûreté du Québec, municipal and regional police forces across the country to do their job effectively, the end goal of which is protecting our children.

Child abuse and child pornography have been with us for a long time. We have heard about the Christian brothers in Newfoundland, the residential school abuse. I just cannot imagine what it would have been like to have been ripped out of my parent's arms, put into a residential school, and then abused for many years.

I am glad to hear that a truth and reconciliation commission will be coming forward in order to help first nations, Inuit and Métis people deal with what happened at that time. I only pray to God that they find some solace and peace when they get their stories out.

It is rather quite ironic that a guy like myself would stand up and talk about the Internet because I do not use a computer. I do not have a Blackberry. I still wish that Blackberries were banned because I find them a lazy way to communicate.

The reality is that the Internet can be a wonderful tool for information, but it can also be a dangerous place for unsuspecting individuals. What we need to do at the end of the day is make ISP providers, large and small, partially responsible for assisting and monitoring their sites. They do not have to do it all on their own.

• (1340)

This is where the federal government has to be proactive and ensure they get the additional resources, so that they can monitor their sites and with judicial oversight, we can protect the privacy of

all individuals and ensure that they have legal rights. We must ensure that if the ISPs suspect something is happening that they are able to forward that information to the police. That is enough of what we should be doing.

As a father of two young girls, and I know many of us here are parents, it would be just a horrendous feeling to know that possibly one's child was sexually abused because of something on the Internet. I do not understand that for the life of me. I have tried to comprehend the thinking of an adult who thinks it is pleasurable to have sex with infants or very young children, but I just do not understand that type of thinking. I do not know if there is any type of rehabilitation for those types of individuals, but what is most important is that the government has recognized this as a scourge on our society, and we are please with that. I remind everyone that the number one goal of any government is the protection and security of its citizens including those who are most vulnerable, our children.

We will work with the government through the committee process. I know my colleague, the justice critic for the NDP, from Windsor—Tecumseh is one of the most knowledgeable people in the country and in the House when it comes to justice issues. I am sure he will be offering recommendations and amendments to make the bill even stronger, so that at the end of the day what the government purports to do, which is to rid or as best as possible eliminate child pornography on the Internet, we will ensure that the justice minister gets the help that he needs.

Most importantly, the justice minister in turn must provide those financial and human resources to all the police agencies across the country. They need the technology. They need the human element and they also need the financial commitment to ensure that they have the tools to do the very really dirty job that we ask them to do, which is to protect our children from child pornographers.

If we do that it will not only compliment the minister but it will compliment the House, and at the end of the day maybe one less child will be subjected to child pornographers on the Internet.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, I rise to speak to Bill C-58 today with mixed emotions. We have been dealing with this issue in the justice committee since late 2006 or early 2007. It has been better than three years now. We actually had some consideration of it in Parliament in 2004 and 2006 as well, so it is going on five years.

I rise with mixed emotions because I am concerned. We are supportive of this legislation as far as it goes. Our major concern with Bill C-58 is that there are a number of other issues that should have been addressed long before this. Some of them have now been addressed in this bill, but there is a number that have not been addressed.

Government Orders

Addressing those issues and building a framework so that our police, prosecutors and judges would have greater ability to try to stamp out child porn on the Internet and the technological transmission of it would be a major step forward. We have not gone far enough on this and I am going to address at least some of those points.

I do want to set this in its historical context. When we were dealing with the legislation that dealt with the luring of children over the Internet, what came forward at that time was a good deal of evidence from various police forces, particularly from the Ontario Provincial Police and the Toronto Police Service. I do not want to disparage other forces, but at that period of time they were probably the most advanced forces in trying to combat child porn on the Internet.

The problem that we are now addressing came forward three to five years ago. We are addressing it to some lesser degree in Bill C-46 and Bill C-47, which are now before the public safety committee. The problem is getting at the service providers, which are in most cases the methodology, mechanism and technology by which the producers and traders of child porn are using to trade and sell this child porn.

What came out in the course of those hearings was that a number of service providers were refusing to co-operate with police forces both here in Canada and internationally. As a result of a number of fairly strong comments that came from members of that committee at the period of time when we had to deal with this, we have seen an increase in co-operation from the service providers in terms of giving police officers information, putting them on notice when they identify child porn on their service technology, and co-operating as fully as they can with the police.

That is not universally true to this day and that is why we are seeing this legislation. We really should have seen this legislation at least three years ago because it was very clear at that point that we had a problem. It was only because of some of the threats that came out of the justice committee at that time that we got greater co-operation from the service providers here in Canada.

It is still a major problem when we try to deal internationally. There are certain countries who are very co-operative with us and are actively engaged in trying to shut these sites down and to prosecute those who they trace the child pornography back to. However, there are other countries in the world that have no mechanisms at all to deal with this.

In that regard, I think it is worthwhile to note the assistance we got from Bill Gates and Microsoft. They assisted the police forces in developing a technology at quite a substantial expense to that corporation. It was in the range of about \$10 million in human resources to develop the technology and the actual expenditure of funds to produce it.

• (1345)

It is important to note, both with regard to this bill and just generally, how child pornographers work. They put the information on one service provider and then skip it through a number of service providers. We have been told in some cases this material will go through up to as many as 50 service providers around the globe.

Through this technology, which was developed by Microsoft, through the Toronto police force's initiative, and funded by Mr. Gates, we are generally able to trace the material back to the source. So we may skip through a whole bunch of service providers, but we can eventually get back to the source and get the site shut down. We have seen at least several major busts in Canada as a result of this technology being deployed. A number of people were charged and in some cases convicted. Other cases are still working their way through the courts.

The technology was crucial and it was the first time it had been developed in the world. We are now sharing that technology with other countries with whom we are cooperating so they can use it to track things back to the child pornographers.

That was a major step forward. It was interesting to see in the media this week that some of the other technology that we have been working on in order to be able to register sites has not been developed. We had a five-year program that I think was initiated in the 2004-06 Parliament. We are close to the end of that. Under that program, people identify the site and advise the police, and then we have a registry of that.

That registry is still not up and running, because of technological problems. According to the article in the *Chronicle Herald* on November 25, as much as 40% of the budget that was allocated over that five-year period has not been spent because we do not have enough police officers actually working on this, and we do not seem to have been able to put enough resources into fully developing that technology.

That five-year period is just about up. I have no idea what the government is going to be doing in terms of continuing that funding until the service is up and running effectively. It is quite clear from the article that more police officers should have been specifically trained and designated to work in this area, and that has not happened.

With regard to the bill itself, one of the concerns I have is that, as is typical with the government, the government is out front, promulgating the notion that this is the be-all and the end-all. I am being a bit too harsh on them and I will admit that, but the reality is that the real work that needs to be done by government is to fund our police forces.

There are very few large police forces in this country that do not have at least one or two police officers specifically designated to deal with child pornography, mostly on the Internet but in print as well. We need more of those officers. We need a lot more of those officers in order to be able to deal with this problem.

This is a growth industry. It continues to grow because of the Internet. We have always had child pornography in print and even in paintings. We can go back hundreds and hundreds of years, maybe even millenniums. The explosion occurred with the Internet, which provided for easy transmission of this pornography, and it tapped into a substantial market that was unavailable before, crossing international boundaries and making it very difficult for national police forces to be able to deal with it.

Statements by Members

I have to say this, and it is not just about the current government but also about the previous Liberal government and also about a lot of other countries. There are very few countries we can point to, England may be one of the exceptions, that have in fact dealt with this problem in an efficient manner, that is by moving enough human resources into combatting this.

We know that the province of Manitoba was one of the provinces that moved on this by establishing a snitch line. England has done the same thing and has funded it. It seems to be fairly effective in getting the public, when they are scanning various websites, to identify child pornography and to get that information to the police. The police can then deal with it in an efficient and rapid fashion, to shut the sites down and to try to track the producers of the sites.

● (1350)

It is working in that regard, in that we have a methodology, but we do not have enough resources. It is really a shame that our police forces are still struggling with that, because they have nowhere near the capacity to combat the sheer volume of what they have to deal with on the Internet.

In that respect, I urge the government in this coming budget to take another look at this area in particular. If we are really serious about protecting our children, we need to put more resources into doing that.

This legislation will help a little. I do not want to deny that completely, but it is a very small step in comparison with how much more effective we would be in combatting this scourge if there were more police officers working on it and also on developing technology. Police officers need training and they need companies like Microsoft to come into the field and cooperate with them to try to develop better technology to track this right back to its source. That is the only way we can effectively shut it down.

With regard to the bill itself, I have some concerns. There was a lot of debate before the bill got to the House over whether service providers would have a legislatively mandated responsibility to monitor their sites.

Going back to the bill on child Internet luring, the committee heard some evidence to the effect that it was going to be difficult for the smaller service providers to do that. On the other hand, it might, quite frankly, be possible to develop technology so that the computer would do the monitoring.

There are any number of other technologies and services that we use on computers that can do the search on a random basis. That technology needs to be developed and deployed. Maybe that is something we have to impose on the industry.

However, we have just given up. This bill does nothing to require the service providers to do any monitoring at all. All it requires is that if somebody tells them there is a site on their technology, the ISPs have to report it to the locator and a police force. They are under no affirmative obligation to monitor the websites using their technology.

I think the government backed down too much. At the very least, we should be looking at imposing some responsibility on them. It appears obvious that this bill is going to go to committee, and I am

hoping that the committee can look at this again and perhaps strengthen the bill in a meaningful way to impose some responsibility.

I want to make a point about the penalties in the bill. The penalties assume that service providers are all corporate, so there are only fines in the bill. We need to take a look at that and see whether we should be pulling back the corporate veil.

I know the test will not be easy from a legal standpoint, but where we have been able to identify service providers that are abusing their responsibility to protect children, we should be pulling back the corporate veil, and police and prosecutors should have the ability to prosecute individual members, whether they are part of the executive or the board of directors, of those companies for these crimes.

We have been able to identify that in some cases it was quite clear that the corporate entity knew about the sites and did nothing about them, simply allowed them to continue on. If we have that kind of a scenario or that kind of conduct, then we in fact should be going after individuals and not just the corporations.

● (1355)

The Acting Speaker (Ms. Denise Savoie): The hon. member will have five and a half minutes remaining in his speech as well as time for questions and comments.

STATEMENTS BY MEMBERS

[English]

VOLUNTEER FIREFIGHTERS

Mr. Ted Menzies (MacLeod, CPC): Madam Speaker, some Canadians voluntarily put their lives on the line to help others. They are our volunteer firefighters.

Cities and towns across Canada have volunteer firefighters who, when the call comes for help, answer. They answer these calls no matter whether they are at their regular jobs or spending time with their family and friends or it is the middle of the night. They use their training, done on their own time, with equipment they helped raise funds to buy to save lives and property.

This happens while their families wait at home hoping for their safe return.

These dedicated volunteers do all this and much more to make our communities safer. These facts were highlighted when a fatal car crash in my riding last weekend claimed the lives of four young women. Our thoughts and prayers are with their families.

First on the scene were our volunteer firefighters, who helped save the life of the sole survivor of the head-on collision, a six-month-old baby girl. Their brave response to such a terrible tragedy is to be commended, and we remind them that all their efforts were not in vain.

Statements by Members

●(1400)

HOLODOMOR MEMORIAL DAY

Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.): Madam Speaker, at the height of the Holodomor, the Kremlin-engineered famine genocide in Ukraine of 1932-33, Zina, a village girl, wrote to her city-dwelling uncle:

We have neither bread nor anything else to eat. Dad is completely exhausted from hunger...unable to get on his feet. Mother is blind from the hunger. Uncle...Please do take me, please. I'm still young and I want so much to live a while. Here I will surely die, for everyone else is dying...

When the uncle received the letter, he was told of her death.

Hundred by hundred, thousand by thousand, million upon million lay down their starved skin-and-bones bodies and became one with Ukraine's fertile black soils, their life extinguished.

On November 28, we memorialize the Holodomor. All our resolutions and our statements of responsibility to protect are nothing more than fine-sounding rhetoric unless each of us makes a pledge of a responsibility to intervene, to act when genocidal crimes occur.

[Member spoke in Ukrainian as follows:]

Bil'sh nikoly.

[English]

Never again.

* * *

[Translation]

FRANCINE OUELLET

Mr. Claude Guimond (Rimouski-Neigette—Témiscouata—Les Basques, BQ): Madam Speaker, I am proud to point out that, on October 17, because of her work in the maple syrup and forestry industries, Ms. Francine Ouellet, from Sainte-Rita in the Lower St. Lawrence, was named the 2009 female farmer of the year at the Saturne gala held in Drummondville by the Quebec federation of women farmers.

This multi-talented woman also co-owns the Erablière April et Ouellet sugar bush. During the economic downturn, she applied her leadership skills to launching a cooperative to produce medicinal plants, Les BIOproduits de Sainte-Rita.

The citizens in her area have also recognized Ms. Ouellet as an outstanding woman and re-elected her Mayor of Sainte-Rita in the Basques RCM.

My Bloc Québécois colleagues and I warmly congratulate Ms. Ouellet for her entrepreneurship and leadership.

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[English]

CHRISTMAS

Ms. Chris Charlton (Hamilton Mountain, NDP): Madam Speaker, with the Christmas season fast approaching, I am really looking forward to watching *A Charlie Brown Christmas* again.

Part of it is to remind me of my childhood, but this year in particular, it is because I find myself asking the same question as

Charlie Brown, who spent the whole episode wondering why Christmas was so commercialized: "Isn't there anyone who knows what Christmas is all about?"

The Conservative government sure does not. It wants Canadians to go out and spend, anywhere on anything, as long as consumer spending gets us out of the recession, but that is asking the victims of the recession to fix the recession.

Many Canadians are barely scraping by. Adding to their difficulties by encouraging rampant spending is irresponsible, especially when the government has done nothing to regulate the credit card interest rates that will make life even harder once the bills come in.

It is fun to have people over, to go to parties and to give and receive gifts, but let us help each other in the process whenever possible. Let us support charities, buy local, buy union or buy green, and above all, let us remember that all of that is really secondary to what the season is really about.

Charlie Brown knew it, and we know it too. Merry Christmas.

* * *

HOLODOMOR MEMORIAL DAY

Mr. Peter Goldring (Edmonton East, CPC): Madam Speaker, today we remember Ukraine's Holodomor, truly a genocide, a crime against humanity that the world had chosen to forget.

More than seven million souls perished in Ukraine in a forced famine created by Stalin's despotic 1930s regime. This annihilation was not caused by the ravages of nature, nor the scourge of pestilence, nor by the obliteration of war, but by the hand of a dictator consumed with hatred.

Why mankind wreaks death and destruction on its own in such unimaginable numbers might not even be understood by the Almighty in the hereafter.

The millions of Ukrainians starved to death in the breadbasket of Europe are being remembered in ceremonies across Canada and around the world. We remember today the victims of the Holodomor, of the dark side of humanity, and by remembering that we help the world guard against those who would repeat such genocide.

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●(1405)

EMPLOYMENT INSURANCE

Hon. Gurbax Malhi (Bramalea—Gore—Malton, Lib.): Madam Speaker, the Conservative government has claimed that 90% of the economic stimulus package was already under way and creating jobs. However, every day we are witnessing more and more Canadians suffering from job losses.

Since October of last year, approximately half a million Canadians have lost their employment. The recession's toll and the government's inaction is being seen in record increases in the use of food banks.

In March alone, almost 790,000 Canadians visited a food bank, which is an increase of 18% from March 2008, and 37% of those assisted were children.

The government needs to wake up, stop spending money on shameless party promotion and instead focus on the Canadians who are having serious difficulty making ends meet, and immediately reform employment insurance.

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[Translation]

MONTREAL ALOUETTES

Hon. Maxime Bernier (Beauce, CPC): Madam Speaker, after the Alouettes' commanding victory over the BC Lions last week in Montreal, our heroes are returning to the field this Sunday in Calgary to play in the 97th Grey Cup.

For the Alouettes this is their second Grey Cup in two years. Last year they played on their home field.

I hope their victory in Calgary against the Saskatchewan Roughriders will be as resounding as their victory last weekend in Montreal in the East division final. As a former football player, and one who plays fair, I would like to tell the Roughriders to get ready to face one amazing team.

As an Alouettes fan, I want to wish them the best of luck. You have what it takes to succeed and win the Grey Cup. Go Alouettes! I hope to watch the Grey Cup parade in the streets of Montreal.

* * *

YOUNG PEOPLE IN THE REGIONS

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, on Tuesday, my colleague from Chicoutimi—Le Fjord and I delivered 3,000 postcards in support of Bill C-288 to the office of the Minister of State responsible for the Economic Development Agency of Canada for the Regions of Quebec.

Bill C-288 proposes the introduction of a tax credit to encourage the return of young graduates to designated regions, and allow the development of secondary and tertiary processing industries by giving our entrepreneurs access to qualified workers.

In the last parliament, only the Conservative government refused to put in place these measures that would benefit both our young people and the regions.

With Bill C-288 soon heading to committee, we hope that the Liberals and the New Democrats will continue to support this Bloc Québécois initiative and that the Conservatives will set aside their partisan ideology and act in the interests of young graduates and the regions.

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MARCEL PRUD'HOMME

Mrs. Sylvie Boucher (Beauport—Limoilou, CPC): Mr. Speaker, I would like to pay tribute to a great Canadian parliamentarian, Senator Marcel Prud'homme, who is retiring from the Senate.

After first being elected to the House of Commons in 1964, he was re-elected eight more times. He was appointed to the Senate by

Statements by Members

Prime Minister Brian Mulroney on May 26, 1993, and has now devoted a total of 45 years to parliamentary life.

Senator Prud'homme represents a true institutional memory for Canada. He is known for his openness towards every country in the world and for emphasizing the importance of maintaining dialogue.

He believes that Canada should play a unique, original and positive role in the world, and suggests that we put more time and effort into dealing with international issues.

Senator Prud'homme, today, all of Canada thanks you for passionately defending the country and for representing us with integrity all over the world.

* * *

[English]

TERRORISM

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, one year ago today, we joined with people across the world in horror as we watched what was to be two days of terrorist actions in the Indian city of Mumbai.

Like so many other such assaults upon humanity, these terrorist attacks served to remind us of the terrible hatred and extremism that still exists in our world today. Those innocent people who lost their lives in Mumbai will live on in our memories forever.

Anyone doing these deeds can never win however, because in the end good people always triumph over evil.

As Mahatma Gandhi once said, "You must never despair of human nature". The world is full of good.

We in Canada join with our brothers and sisters in India in commemorating this dark day, but more important, we remember those who left us and whose light will continue to shine forever.

Our resolve will never falter as we join good and decent people everywhere in resisting hatred, intolerance and destruction in our world.

* * *

● (1410)

[Translation]

OFFICIAL LANGUAGES

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, yesterday in the House, I rose to denounce the Bloc's attitude because, in committee, its members denied me the right to have documents translated from English to French. I rose to defend the right of francophones to work in their first language.

Because I denounced that attitude, the Bloc leader attacked my integrity yesterday during a scum. He knows what he said.

Is that any way to behave, to insult a unilingual francophone member because he wanted to stand up for the French language in Ottawa? French is my language, and I am proud of it.

By reacting as he did, the Bloc leader insulted all unilingual Quebec francophones.

Statements by Members

Where I come from, in the regions, unilingual francophones are the majority, and we fight for our rights.

Where I come from, nobody insults people who speak French. People stand up to defend the values of the Quebec nation.

* * *

[English]

MIDDLE EAST

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am honoured that the report of the parliamentary delegation to the West Bank and Gaza this past August has been presented.

It was a significant and compelling experience, and I am committed to raising awareness about the worsening humanitarian disaster in Gaza and the need to end the blockade, normalize borders and end the occupation of Palestinian lands.

I am deeply concerned that the Conservative government has so politicized the situation in the Middle East and has gone so far as to attack MPs and organizations who criticize the actions of Israel as being anti-Semitic. Let us be clear. Anti-Semitism has no place in Canada.

The Conservative attacks are reminiscent of McCarthyism and also have no place in Canadian society.

Rather than trying to silence and denigrate legitimate public debate, including its contempt of the Goldstone report, the Conservative government must stand up for international law, human rights and the fourth Geneva Convention.

I hope all members will consider this report and ensure that Canada affirms its commitment to peace and justice for Palestinians and for a lasting—

The Speaker: Order, please. The hon. member for Calgary East.

* * *

TERRORISM

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, today, Canada remembers the victims of last year's deadly attacks in Mumbai. A year ago, cowardly terrorist attacks took the lives of 166 innocent civilians, including two Canadians.

Our thoughts are with the families of the victims and with the survivors of this terrible tragedy.

Last week, the Prime Minister, the Minister of Foreign Affairs and I stayed in Mumbai at one of the hotels that was attacked.

Canada itself is not immune to terrorist attacks. Canadians lost their lives in the Air India bombings, as well as in the September 11 attacks in New York.

Canada has designated June 23 as the National Day of Remembrance for Victims of Terrorism, which aims to denounce terrorism and honour the memory of its victims, such as those who lost their lives in the deadly attacks in Mumbai.

Canada and India have agreed to continue to fight against global terrorism.

[Translation]

MARCEL PRUD'HOMME

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, I rise here today to pay tribute to Senator Marcel Prud'homme. First elected on February 10, 1964, in the riding of Saint-Denis, in Montreal, and appointed to the Senate in 1993, Marcel Prud'homme is Canada's longest serving parliamentarian with a total of 45 years of service.

Senator Prud'homme possesses immeasurable experience of political life and a solid understanding of international affairs. In fact, he helped establish several interparliamentary groups that work tirelessly to promote and encourage participation in the dialogue needed between various countries to ensure the future of humanity.

He has become friends with some of the world's most influential individuals and has always worked to ensure understanding and friendship between peoples. Throughout his career, he has never been afraid to become involved in the most controversial issues in the pursuit of justice. He has been a tireless advocate for peace, human rights and the dignity of all human beings.

Senator Prud'homme, we wish you all the best in your future endeavours.

* * *

● (1415)

MARCEL PRUD'HOMME

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, the dean of Parliament, the hon. Senator Marcel Prud'homme from Montreal, a member of the Privy Council, will retire in just a few days' time, on November 30, the day he turns 75.

After spending 45 years, 9 months and 20 days as a member of the House who won nine consecutive elections from 1964 to 1993 in Saint-Denis as a Liberal and as an independent senator since May 26, 1993, he leaves us as the corporate memory of Parliament. Senator Prud'homme is a proud French-Canadian nationalist who has always believed and still believes in our federation, and he was a true patriot when it came to defending Canadian interests on the international scene.

Marcel Prud'homme's political vision of a more just world and his fight for nuclear disarmament, peace in the Middle East and gender equality are a political legacy that we must preserve.

I wish Senator Prud'homme a wonderful retirement and every success in his future endeavours.

* * *

[English]

AFGHANISTAN

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, today a Liberal MP will stand on behalf of the Liberal leader and ask a question about detainees in Afghanistan. The Liberal leader's stand-in will throw mud and make allegations, smearing our armed forces and our mission.

However, no matter what the question or the answer, the Liberal leader has proven what we have been saying all along: he is just in it for himself. He proved it because the Liberal leader is actually fundraising on this issue.

My colleagues and I do not support this calculated cynicism and we are not alone. The Liberal member for Vancouver South, when asked if this was an appropriate issue to fundraise on, said “no, it’s not”.

Shortly, mark my words, a Liberal member will stand on behalf of the Liberal leader and ask a question about Afghan detainees. But the question is: How long before the Liberal Party uses that trumped up question to fill its war chest? It is deplorable.

ORAL QUESTIONS

[*Translation*]

AFGHANISTAN

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the Conservative government has shut down the Military Police Complaints Commission. It has refused to renew the commissioner’s mandate. It is obstructing the hearing of witnesses and is telling Richard Colvin that if he cooperates with the House committee, he could end up in jail.

How is this compatible with seeking the truth behind allegations of mistreatment in Afghan prisons?

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, what is not compatible, and what is a shameless attempt to raise money, is for the Liberal Party to malign Canada and question the actions of our public servants and our brave men and women in uniform.

The Liberal Party is politicizing a very sensitive issue on the backs of our brave men and women in uniform. It is unwarranted, it is appalling and it is absolutely shameful.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the only party that has attacked the credibility of a public servant serving in Afghanistan is the Conservative Party of Canada in its attack on Mr. Colvin. The Conservatives are the only ones who have done it.

We now have the spectacle of Mr. Colvin, the three generals yesterday and, no doubt, Mr. Mulroney today all having full and complete access to documents that members of Parliament cannot see. We are barred from having access to information the government has full control of and that ministers, and even retired generals, can review.

We are asked to do our work blindfolded and in the dark. Does the minister not realize that only a public inquiry—

The Speaker: The hon. Minister of Transport.

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, to be very clear, we have and will continue to provide all legally available information to Parliament and to the committee. We think that is important.

Oral questions

The member opposite talks about darkness, but I will talk about the darkness that members of the Canadian armed forces remember, the decade of darkness of the Liberals’ time in power.

I know the member for Toronto Centre. I know he would believe it is wrong to raise money on the backs of our men and women in uniform by maligning Canada. I would call on him to match the statements by the member for Vancouver South and stand in this place and call those types of shameless fundraising tactics wrong for what they are.

• (1420)

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the fact remains that partially and heavily blacked-out documents with key information missing are not disclosure. Non-answers in the House are not disclosure. Rhetorical personal attacks, such as the minister has just indulged in, are not disclosure and do not amount to disclosure.

We need to get at the truth. Why is the government afraid of a public inquiry to get at the truth? What is it about the truth that the government is afraid of?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, a great Canadian hero spoke to the House of Commons committee yesterday. General Rick Hillier, a great Canadian hero, dismissed the claims against the Canadian Forces as ludicrous and uninformed. We heard another general who said he was “mortified” at the questions being put by some members of the opposition.

I know the member for Toronto Centre and he was never more correct in his life when in the House of Commons on June 10, 1980, he said:

Nothing embarrasses the Liberals because they do not know the meaning of shame. They are without shame; they are shameless.

He was right then and is just as right today.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, for years there has been a compelling body of evidence about the risk of torture in Afghan jails in the public domain: the U.S. Department of State, the UN, Human Rights Watch, Amnesty International, the Afghanistan Independent Human Rights Commission, the Red Cross and even DFAIT itself, to name just a few sources.

The Dutch were so worried that they wanted to build a NATO prison to ensure the proper treatment of prisoners.

Why the cover-up? Why no disclosure? Why not have a public inquiry?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, as we have indicated a number of times, when we had credible allegations, we acted. When we had evidence that substantiated concerns, we moved. We invested. We helped Afghans.

Oral questions

Let us take a look at what General Gauthier, a highly decorated 36 year veteran of the Canadian Forces, had to say yesterday. He said, "I can very safely say there is nothing in any of these 2006 reports that caused any of the subject matter experts on my staff, nor, by extension, me, to be alerted me to either the fact of torture or a very high risk of torture, nothing".

That is what the general had to say. I will take his word over that of the member opposite any day.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, General Gauthier also said, release the documents, because that would prove that the government has continued to transfer detainees to the risk of torture in Afghan jails.

In February 2008, the Federal Court of Canada said:

The evidence...clearly establishes the existence of very real concerns as to the effectiveness of the steps that have been taken thus far to ensure that detainees transferred by the Canadian Forces to the custody of Afghan authorities are not mistreated.

Why the cover-up? Why no disclosure? Why is there not a public inquiry? What does this accountable and honest government have to fear from the truth?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, more verbiage and volume from the member opposite add nothing. I thank him for pointing out that we are an accountable and honest government.

Let us look again and get beyond the rhetorical flourishes. Let us get beyond those who are in partisan mode. Let us look at what a highly decorated, recognized former chief of the defence staff had to say:

We didn't base our actions upon people making statements that all detainees were being tortured. How ludicrous a statement is that from any one single individual who really has no knowledge to be able to say something like that.

We are putting documents out that we are legally obliged to. We will continue to do so.

• (1425)

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the government has always claimed that it did not receive any information regarding allegations of torture of Afghan detainees. Two former high-ranking army officers reiterated this yesterday before the parliamentary committee. Yet, Richard Colvin sent emails to the Minister of Foreign Affairs in May and June 2006 informing him that the Red Cross could not track prisoners once they were transferred to Afghan authorities and that all sorts of things were happening.

Why has the government always denied receiving warnings about the fate of Afghan detainees?

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): When the government gets credible evidence the government acts, Mr. Speaker, but we require proven, substantiated and credible evidence to act.

Yesterday, the House of Commons committee heard from two great Canadian heroes, General Rick Hillier, who called the allegations ludicrous. We also heard from one 36 year veteran in the Canadian Forces, Lieutenant-General Michel Gauthier, who said that he felt mortified to see members of the opposition basically label the troops as war criminals. That is a disgrace and that is shameful.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, for security reasons, the government is refusing to provide the opposition parties with reports on allegations of torture of Afghan detainees. And yet, former military personnel, who have now returned to civil life—those who testified yesterday—were given the reports before appearing before the committee, even though they are no longer in the armed forces.

Will the Prime Minister or the minister admit that security is just an excuse to save face in a matter where the government has lost all credibility?

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the generals who appeared yesterday reiterated exactly what this government has been saying all along, and in the House for more than a week. They dismissed the allegations against themselves and the government as completely baseless. I would encourage the member opposite to accept that.

If we have to hear from people, there is no more credible Canadian on this issue than General Rick Hillier. I believe what General Hillier said. I support our men and women in the military. Those of us on this side of the House will never ever do anything that will not ensure the complete security of our men and women in uniform.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, the government is doing everything it can to hide the truth. Without immunity, the diplomat Richard Colvin does not wish to provide his reports on torture to the parliamentary committee. The government's lawyers are threatening him with reprisals, including incarceration.

I am asking the government to confirm for the House that Mr. Colvin has immunity, as do all witnesses, and that he has the right to table all documents he believes are pertinent.

[*English*]

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, Mr. Colvin gave his testimony. That testimony was the subject of cross-examination, as was the testimony given yesterday by three top generals.

With respect to this question of emails and communications, we have answered this question a number of times. When our military, when our diplomats, when individuals involved in the mission received information, they acted. They acted quickly. They acted decisively. We have invested to make improvements in the Afghan system.

Disparaging remarks and rhetorical flourishes are not going to help us get to the bottom of this issue. We are co-operating with the parliamentary committee and will continue to do so.

Oral questions

[Translation]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, this goes to the core of what will happen in the next few days with witnesses. Not only do we not have the documents but witnesses are now being threatened, as is the immunity of parliamentary committees. That is unacceptable.

The minister is not answering my question and I am asking him to answer. If Mr. Colvin comes to the committee and tables his documents, does he run the risk of being incarcerated? If so, that is totally unacceptable.

[English]

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, again, as has been said a number of times, documents that are legally required to be made available will be made available.

The committee passed motions just yesterday, I note, with reference to requests for information. We will respond appropriately, but appropriately in keeping within the laws of Canada, within the laws of the evidence, the National Defence Act, and protecting national security.

The hon. member opposite may not be concerned with that. I would have thought that former members of government would have an understanding of the need to protect national security, but apparently not.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Minister of National Defence has told the House that he did not even know who Richard Colvin was. Then he called him a Taliban dupe. Last week he said he may have received a report to which Mr. Colvin contributed, but that he did not bother to read it.

Today he stands up and says that he is co-operating with the standing committee, but he has just enumerated a whole list of excuses why certain documents are not going to be provided. Of course, the government is going to wrap it up in so-called security concerns.

Why will the government not agree with our call for a public inquiry?

• (1430)

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the government has been very clear. We have and will continue to provide all legally available information.

We think national security is important. We also think the safety of our men and women in uniform is paramount, and that is something we will never ever negotiate. Our government stands solidly behind our men and women in uniform and we make absolutely no apologies for that whatsoever.

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[Translation]

COPENHAGEN CONFERENCE

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Copenhagen climate change conference is very important for the future of our planet.

American President Barack Obama will be there. The German Chancellor, the prime ministers of Britain and Australia will be there, as well as the presidents of Brazil and France. More than 65 heads of state and government have already confirmed that they will attend.

Will the Prime Minister confirm that he will be in Copenhagen to discuss this issue that is very important to us and to our future?

[English]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, Canada is committed to a successful climate change outcome. The Prime Minister stood up in the House yesterday and said that if a significant number of other world leaders were attending, he would. In fact, he will be in Copenhagen.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, we are glad that the Prime Minister is finally taking this issue seriously and has taken his head out of the tar sands.

The question is whether he is going to go with any kind of plan. So far, we have seen no plan, even though it was promised by the Minister of the Environment.

Canada's true north is at risk. That is why we need to be more concerned about this issue than perhaps even some other countries. The permafrost is melting. Infrastructures are falling apart. Aboriginal people and their way of life are being threatened fundamentally.

Where is the plan? Why is the government disappointing Canadians and the world on climate change?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, as I said, Canada is committed to a successful climate change outcome in Copenhagen. Many government officials, the Minister of the Environment, even the Prime Minister, will be there to forcefully argue for a strong agreement. We believe that an agreement must be effective. We believe that an agreement must be ambitious and must include all emitters.

Due to the integrated nature of our economies, the Prime Minister and the Minister of the Environment have been working closely with the Obama administration and will continue to do so in the days and weeks ahead.

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[Translation]

AFGHANISTAN

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, We now have the sad spectacle of Mr. Colvin, the three generals yesterday and no doubt Mr. Mulroney today all having access to documents that members of Parliament cannot see. We are barred from having access to information that the government itself has full control of and that ministers and even retired generals can review. We are asked to do our work in total darkness. This is a flagrant case of obstruction of justice.

How can the government justify this charade?

*Oral questions**[English]*

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, I cannot help the hon. member if he feels he is in the dark.

Just yesterday, the committee passed a motion asking that legally available information be tabled. That will happen. The committee passed a motion seeking those documents. As would be expected on issues that involve national security and sensitive information that could affect troops in the field, it will be looked at as far as the Canada Evidence Act and National Defence Act are concerned, always keeping national security front and centre.

[Translation]

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, bits of blacked-out documents with key information missing are not disclosure. Non-answers in the House are not disclosure. Rhetorical personal attacks are not disclosure. We need to get at the truth. The international reputation of Canada and our military is at stake here.

Why is the government afraid of a public inquiry to get at the truth?

[English]

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, this matter is being aired in a parliamentary committee. It was heard by the Military Police Complaints Commission until it was shut down by the chair. There have been other arm's-length bodies that have also looked at the issue.

With respect to the highly sought after reports, this is what General Hillier had to say. The allegations that officials turned a blind eye to torture are "ludicrous" and "absolutely untrue".

Those are the words of a high-ranking general.

There was "nothing about abuse, nothing about torture or anything else that would have caught my attention or indeed the attention of others" in those reports.

This again is from a trusted general, not a partisan opposition.

•(1435)

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): Mr. Speaker, yesterday the Afghanistan committee was told there was nothing in Mr. Colvin's reports that would set off alarm bells among ordinary Canadians.

Let me quote one of Mr. Colvin's reports: "They hit us with cables and wires". One detainee reported he was "shocked with electricity" and personally "showed us a number of scars on his legs, which he said were caused by the beating".

That report predates Canada's decision to halt transfers.

Why did that information not set off alarm bells in the government?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, I guess the obvious question is, was it a Canadian transferred detainee? That would be the question I would have.

We would certainly have general concerns, as we did, which is why we acted, why we invested in the prison system, why we began to train prison officials and police, and why we invested in the physical infrastructure. One hundred thirty-two million taxpayer dollars went into improving that situation. That is how seriously we took it.

Let us look at it. We did not base our actions upon people making statements like all detainees were tortured. How ludicrous a statement is that from one single individual who really had no knowledge to be able to say something like that?

We believe General Hillier, not the member opposite.

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): Mr. Speaker, "I do not know" is not a responsible answer.

The report also notes that Afghan officials had no list of Canadian detainees and they only had "reasonable confidence" that the detainees interviewed were transferred by Canadians.

Will the minister tell the House that he can account for the whereabouts, the treatment and the status of each and every Canadian transferred detainee? Does he know that information, up to date, today?

Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC): Mr. Speaker, clearly she does not know. That is a question she may have for herself.

Here is what General Hillier had to say about the reports, "nothing about abuse, nothing about torture or anything else that would have caught my attention or indeed the attention of others".

These are generals, highly respected leaders in the Canadian Forces, on the ground during the period in question, who have cast serious doubt over the allegations of one individual who has given testimony.

Let us wait for others, like the generals yesterday, to have a full picture of what took place during the period in question, not the partisan attacks, not the righteous indignation, not the feigned concern of the member opposite.

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*[Translation]***THE ENVIRONMENT**

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, the National Round Table on the Environment and the Economy has given the government a serious warning. Canada must not only reduce its emissions, but immediately reorient its policies to adapt to the effects of climate change already being felt, particularly in the Arctic, where temperatures are rising twice as fast as anywhere else in the world.

Will the Minister of the Environment listen to this appeal and come up with an ambitious plan to reduce greenhouse gases and deal with anticipated climate changes?

[*English*]

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, our government understands that, as a northern country, Canada is particularly vulnerable to climate change and is interested in adaptation. That was why the Mayo B hydro project in Yukon was the first project approved by this government under the green infrastructure plan, a \$71 million hydro project.

Since 2007, this government has invested over \$85 million to help Canadians adapt to climate change, \$21 million of which has actually been invested in the north. In addition, we have the massive expansion of the Nahanni, protection of East Arm of Great Slave Lake and other things that the government is doing to deal with—

[*Translation*]

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

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, the government needs to acknowledge that a greenhouse gas reduction plan that uses 2005 or 2006 as its base year instead of 1990 will penalize companies that have acted responsibly in the past, such as those in Quebec's manufacturing sector. Such a plan will end up rewarding industrial sectors that have done nothing for the past 15 years.

Instead of rewarding oil companies and the auto sector, will the Conservative government come up with a plan that recognizes the work Quebec has already done?

• (1440)

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, we have a strategy. We have a policy. Yesterday evening, I met with my provincial and territorial colleagues to finalize our preparations for the Copenhagen conference. Canada wants an agreement to come out of Copenhagen, an agreement that will include all major emitters. In Copenhagen, Canada will speak with one voice and will ensure that the new agreement is consistent with Canadian realities.

* * *

EMPLOYMENT INSURANCE

Mrs. Josée Beaudin (Saint-Lambert, BQ): Mr. Speaker, according to the former EI chief actuary, Michel Bédard, the contribution rate announced for self-employed workers in Quebec, \$1.36 per \$100, is far too high. It should be 41¢ to cover the real costs of the new benefits provided for in Bill C-56.

Will the minister admit that the contribution rate for self-employed workers in Quebec is three times the actual costs of the special sickness and compassionate benefits, the only new benefits they can receive under Bill C-56?

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, I am glad to see that the Bloc Québécois finally believes we have done something positive by introducing measures to support self-employed workers and provide them with additional benefits.

Oral questions

Of course, we have looked at the costs. We know that the benefits must be self-funding, and our system was designed to reflect the fact that Quebec already provided certain benefits for self-employed workers. There is a difference between the rest of Canada and Quebec in this case, but what we have done is perfectly proper.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, I have here the document that the former EI chief actuary sent me. It confirms what we thought, which is that the contribution rate announced for self-employed workers in Quebec is excessive, in light of the real costs of the benefits in the bill. The Bloc Québécois is proposing an amendment to correct this inequity.

Will the government set aside partisan politics and support our amendment to be fair to self-employed workers in Quebec, who already have access to parental leave?

Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC): Mr. Speaker, as hon. members know, this is the fourth measure our government has introduced to support workers who lose their jobs in these tough economic times. In addition, it represents the fulfilment of an election promise. We had said that we would introduce benefits for self-employed workers. From what we are hearing in the field, I believe that self-employed workers are very happy that our government is bringing in measures to help them.

* * *

THE ENVIRONMENT

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, every Canadian province already has a climate change plan.

Eight of the provinces have an average reduction target of 14% below 1990 levels by 2020. That is almost five times more than what the Conservatives are proposing.

How are we to believe that the Prime Minister will show leadership in Copenhagen, when, just two hours ago, he was not even planning on going?

Seriously, he does not have a plan. He has nothing. Are we going to become the laughingstock of the entire world?

[*English*]

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, here we have another lecture from the Liberal Party, the party of Kyoto, the party of the carbon tax, the party of European targets superimposed on a continental North American cap and trade system. I do not think so.

I would ask the hon. member this. He said a few weeks ago, "We need to hear more about the American position before we decide". He has now heard the American position. It is identical to the Canadian position. Why will he not adopt it? Why does he insist on a position that will isolate Canada?

Oral questions

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, the minister can duck and hide, he can bob and weave, he can say whatever pops into his head, but the fact is he has no plan. After four years and three ministers, Canada has no plan. We are entering the most important negotiations ever and our businesses, our provinces and our municipalities have been left to fend for themselves.

Now that the Prime Minister has been reeled out of his corner and done an about-face on Copenhagen, will he now show just a smidgen, just a bit of leadership and order the minister to do his job and get a plan for Canada?

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, I think Canadians know the only ones really fending for themselves are those in the Liberal Party and it is not going so well with their on-again, off-again carbon tax.

Our domestic policies will be harmonized on a continental basis, integrated with an international treaty that we are currently negotiating at Copenhagen. One thing the Conservative government will never do is fly over to Copenhagen, pull a target out of the air that is ill-suited to our industrial base, to our geography and agree to damage the Canadian economy. That will not happen on our watch.

* * *

• (1445)

CONSERVATIVE PARTY OF CANADA

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, perhaps the saddest thing about the comments from the member for South Shore—St. Margaret's is that they were not totally surprising, given the history of smears by Conservatives. The member called the unemployed no good. The member for Nepean—Carleton has suggested that aboriginals need to develop the values of hard work. The member for Saskatoon—Wanuskewin makes offence toward women and their right of choice. The member for Regina—Lumsden—Lake Centre has his legendary list of As and Bs.

How can the Prime Minister sit quietly and allow these comments to go without an apology? Is his continued silence an indication that he actually agrees with these outrageous comments?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, I think what is truly disturbing is the level of smears that have been coming from the party opposite. I was a victim of that myself earlier this week by the hon. member himself.

Recently, the Liberal Party has been sending out flyers to homes that have been smearing our good men and women serving in our armed forces, smearing their credibility, smearing their integrity. Those members should be ashamed of that.

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, our country is shedding jobs, food bank use is skyrocketing, people are worried and the government offers insults.

The Prime Minister's failure to stand up and apologize for comments made by his MPs, comments that offend women, the poor, the homeless, the unemployed, aboriginals, homosexuals, can only mean he agrees with them. Or is the reason he will not stand up his own sorry record, his smear when he referred to Atlantic Canadians

as having a culture of defeat? Is that the reason the Prime Minister will not stand up and apologize for those outrageous comments?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, I have to wonder if the hon. member thinks that sending out flyers that smear the integrity and the good name of our great men and women who serve in our armed forces, so the party opposite can try to raise funds off of that for its own partisan purposes, is acceptable. Does he think that is the decent thing to do? Because if he does, that explains why he is sitting there.

* * *

JUSTICE

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, Canadians expect that when serious crime is committed, the individual responsible for the crime actually should face the appropriate sentence. Canadians are rightly concerned when they perceive the rights of criminals being placed ahead of the rights of law-abiding citizens.

Could the Minister of Justice remind the members of the House just how this government's legislation to amend the Transfer of Offenders Act will help protect Canadians?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I would be glad to. Our government believes that those who commit serious crime must face serious consequences. That is why, today, the Minister of Public Safety has introduced legislation to provide additional factors that the minister can consider when making a decision on the transfer of a criminal to Canada.

Under this legislation, the government commits to making the protection of society a guiding principle in decisions affecting the corrections system. This legislation would do that by emphasizing offender responsibility when assessing requests for transfer from other countries.

We are putting public safety first. I hope this has the support of all hon. members of the House.

* * *

CONSUMER PRODUCT SAFETY

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, Canadian families with newborns cannot test all of the products for safety. They rely on the government to protect them.

Three entrapments and 43 incident reports should be enough to set off all the alarm bells in the department and to give lots of warning to Canadians. We took the government at its word when it said a year ago that it had tightened its complaint protocol, but the government knew about unsafe cribs for 14 long years.

Could the minister have lived with herself if one of our children had died because the warnings came too late?

Oral questions

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, every complaint that is filed by consumers to us in regard to any product is investigated. Once the full scope of the problem is determined, necessary actions are taken.

The legislation we have right now is currently not adequate under the surveillance. The surveillance system is very weak. Under the current legislation, we also have to negotiate a voluntary recall with a company whenever we discover a product is unsafe. This is unacceptable to Canadians and that is why the Liberal senators need to pass the Canada consumer products safety act.

• (1450)

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, we have complaints about crib safety going back 14 years. Canadians are wondering if the list of safety complaints not acted on by Health Canada now really goes back 40 years. For 40 years, the government has had the tools to protect Canadians, to investigate complaints, to issue warnings and advisories. Yet after 43 incidents and dozens of complaints, it failed to use those tools. Canadians are wondering what other dangerous products the Conservatives know about but are not telling them.

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, again, our current legislation is not adequate under surveillance. The surveillance system is weak. There is no mandatory reporting from the industry to us whenever there is an incident with any product that it sells.

We rely on consumers to provide information to us when incidents happen. We investigate every one of those incidents and make a determination on how to respond, which is why we recognize it is not adequate. This is why we introduced Bill C-6. This is why the Liberal senators need to pass that legislation so we can protect the health and—

The Speaker: The hon. member for Jeanne-Le Ber.

* * *

[*Translation*]

CITIZENSHIP AND IMMIGRATION

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, in his brief to the Federal Court, the Deputy Attorney General of Canada takes issue with the use of French in immigration court. The Deputy Attorney General says, in writing, that he is acting on behalf of the Minister of Citizenship, Immigration and Multiculturalism.

Does the minister realize that he can no longer hide behind the independence of the IRB and that he is directly responsible for the legal system's guerrilla warfare against the use of French in Montreal?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, the hon. member should calm down. A hearing was started in English at the IRB and then, for some reason, the lawyer decided to switch and demanded a hearing in French, even though the client was not francophone. The IRB agreed to proceed in French, but the lawyer now wants all the documents from the Canada Border Services Agency to be translated into French even though they were originally accepted by the lawyer in the language of the IRB hearing.

This is not an Official Languages Act matter.

* * *

ABORIGINAL PEOPLES

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, for the past two years, Innu communities in Quebec have been asking for a meeting with the Minister of Indian Affairs and Northern Development to present their grievances, but without success. Their request has never even been acknowledged.

The chiefs of five Innu communities in Quebec are in Ottawa today. Will the minister have the decency to meet with them?

[*English*]

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, we continue to have good success with the three Innu communities on the coast. We are working with the Quebec government and negotiations are proceeding well.

We are prepared at all times to meet with members of the Mamuitun Tribal Council to discuss ways that we could move forward with them in some sort of agreement as well. That offer stands and, of course, we would be delighted.

In one of those communities, I am very pleased today to announce the completion of the water system that was built over the last year. That is evidence that we can work together.

* * *

[*Translation*]

ELECTION EXPENSES

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, two elections ago, the Conservatives tried unsuccessfully to pass off national expenses as local expenses.

The Conservatives are the only ones to have used this strategy. The proof is that they were the only ones to have their headquarters searched by the RCMP.

Their arguments are so weak that only the Parliamentary Secretary to the Prime Minister has the audacity to use them in public. Does this not speak volumes about their credibility?

• (1455)

[*English*]

Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, the hon. member poses a question about party financing. Unfortunately, I have in my hands a letter that the Liberal Party is using to fill its party war chest. It is a letter that raises money on the backs of our soldiers who are sacrificing so much to serve our country abroad.

My hon. Liberal friend would increase her own credibility on matters of party financing if she would now rise and apologize on behalf of the Liberal Party.

Oral questions

Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.): Mr. Speaker, repeating a falsehood, as the member does over and over again, does not make it the truth, and Canadians want the truth.

We have Conservative candidates admitting to electoral wrongdoing and apologizing for it. We have a federal agency doing its job in bringing this to light, and yet we have a government that thinks it is above the law.

The Conservatives should simply do the right thing. When will the Prime Minister order his party to stop wasting taxpayer dollars, respect Elections Canada and co-operate with real electoral reform?

Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, I would like to give the Liberal Party a second chance to apologize for this very important letter. This is a letter that seeks to raise money off the backs of the reputation of our soldiers, at the great expense to the morale of our men and women in uniform. This is not the way the party should be raising funding.

We accept their right to pose questions about Taliban prisoners but I ask that they please do not raise money on the backs of our soldiers.

* * *

HUMAN RIGHTS

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, Uganda's anti-homosexuality bill is reprehensible, vile and hateful. It violates human rights by imposing life in prison on gays and lesbians and a death sentence for those who are gay and have AIDS. It will jail anyone who fails to report people they know to be gay.

At the Commonwealth meeting, will the Prime Minister meet face to face with Uganda's prime minister to help stop this bill, and will he make gay, lesbian and trans rights essential to development and educational work supported by Canadian foreign aid in Uganda and elsewhere?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the current legislation before Uganda's parliament is vile, abhorrent, offensive and it offends Canadian values and decency.

We strongly condemn that and the Prime Minister will make that strong condemnation as well.

* * *

FOREIGN AFFAIRS

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, Canadian citizen, Huseyin Celil, has been imprisoned in China on trumped up charges since 2006.

Before the Prime Minister heads to China, I want to remind him of his own words on the Celil case. The Prime Minister said:

—I don't think Canadians want us to sell out important Canadian values.... They don't want us to sell that out to the almighty dollar.

Canadians agree.

Will the Prime Minister use this trip to China to do what he knows Canadians expect and ask for the release of Mr. Celil?

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, Mr. Celil's case remains a top priority for this government. We are deeply concerned at China's refusal to recognize his Canadian citizenship and permit Canadian consular access to visit him.

We continue to raise Mr. Celil's case with senior Chinese officials, in particular the issues of respect for human rights, consular access and due process. We will continue to be in contact with Mr. Celil's family and provide them with all consular access.

* * *

CONSUMER PRODUCT SAFETY

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, this morning, as chair of the health committee, I tabled a report back from committee urging Liberal senators to pass Bill C-6. This bill is about protecting Canadian children from consumer products, such as cribs, which have been found to be dangerous.

The Liberal senators have been delaying the passage of this important piece of legislation and keep finding reasons why they cannot proceed to clause by clause.

Could the Minister of Health please tell us why it is so crucial to pass this legislation?

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, the Liberal leader should encourage the Liberal senators to pass Bill C-6, the Canada consumer product safety act. This bill is currently in a Senate committee where Liberal senators have been delaying clause by clause consideration since early November.

Without Bill C-6, our government does not have the authority to order a product recall when companies fail to act on safety concerns. Without Bill C-6, we do not have the tools needed to protect Canadians and their families.

The Liberal leader should encourage the Liberal senators to follow the fine example of all MPs in this House who passed it unanimously.

* * *

● (1500)

ABORIGINAL AFFAIRS

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, in March 2008, the Federation of Newfoundland Indians and this government signed an agreement to establish a non-reserve Mi'kmaq band in the province.

The deadline to register is November 30. Twenty thousand Mi'kmaq submitted their applications and, to date, less than half of these applications have been processed. Eleven thousand Mi'kmaq are still waiting. With the deadline just three days away, it is obvious that all of the applications will not get done.

Will the Minister of Indian Affairs agree, in fairness, to have the deadline extended?

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, it was a very historic moment when we signed that agreement with the Mi'kmaq people in Newfoundland. It was something they had been waiting for for generations and it was an honour to be there for that important ceremony.

I do know there is a process that we need to work through as far as the actual adjudication and the committee work that is necessary to ensure all the people who apply have Mi'kmaq heritage. We do not control that entirely but, by all means, I am willing to talk to the chair of that committee, which is not the federal government, and see if there are arrangements we can make to get as many people registered as possible.

* * *

[Translation]

STATUS OF WOMEN

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, yesterday the Minister of State for the Status of Women refused to condemn the unacceptable remarks of a Conservative member who suggested that abortions might cause breast cancer. Not only is that statement medically untrue, but it also vilifies women. One might have expected the minister to vigorously defend women and their right to abortion rather than make comments more befitting of Sarah Palin.

When will the minister stop protecting her party's dinosaurs to the detriment of what women have obtained?

[English]

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, I answered that question very clearly in the House yesterday.

The member is fully aware that there are elected members in this House who have said very similar things at different times. Members in this House represent their constituencies and they are free to have any opinion that they choose. It does not mean that it represents the government.

I am pleased to highlight one of our most recent achievements to protect women across this country. We recently revised our citizenship guide. I would like to recognize the Minister of Citizenship and Immigration for the great work he has done in specifically outlining that barbaric practices, such as female genital mutilation, are not tolerated in Canada.

Business of the House

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Hon. Bob McLeod, Minister of Human Resources, Minister of Industry, Tourism and Investment, and Minister Responsible for the Public Utilities Board for the Northwest Territories.

Some hon. members: Hear, hear!

• (1505)

The Speaker: I would like to draw to the attention of all hon. members the presence in the gallery of the dean of parliamentarians, the Hon. Marcel Prud'homme.

Senator Prud'homme was first elected as the Liberal member for St. Denis, now Papineau, in 1964 and was re-elected an impressive eight times.

In 1993, having never lost an election, he was appointed to the other place, and our loss was its gain, although I was often pleased to see him in the Senate gallery watching the proceedings in the House with, I would like to think, a sense of nostalgia.

[Translation]

Today we thank him for his wisdom, his experience and his sense of justice, and we commend the man who, over the years, has become the institutional memory of Parliament Hill.

Thank you, Marcel.

Some hon. members: Hear, hear!

* * *

[English]

BUSINESS OF THE HOUSE

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, my question for the government House leader has to do with the work over the next two weeks until the normal adjournment at Christmas.

In the remainder of the supply period, two more supply days need to be allocated. I wonder if the House leader is in a position to indicate precisely when he expects those to come.

Also, discussions have been held among House leaders about the appropriate steps to take in the House to mark the 20th anniversary of the tragedy at École Polytechnique. I wonder if the House leader is in a position to indicate on what day that commemoration is likely to be held.

Finally, we are closing in on the deadline for some changes to the Standing Orders having to do with the allocation of supply days in the calendar year 2010. I again ask the government House leader if he is in a position to make a proposal with respect to that matter pursuant to the motion that was adopted by this House in June.

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I thank my hon. colleague, the House leader for the official opposition, for his question.

This Thursday I will contain myself mainly to the traditional question which is the business ahead for the next week for the House of Commons.

Points of order

This week we are focusing yet again on the government's justice bills. Yesterday we completed the final reading of Bill C-36, the serious time for serious crime bill. We expect to send Bill C-58, the child protection bill, to committee later today. I had hoped that debate might have collapsed before question period and that bill would have already been on its way to committee. Hopefully that will happen this afternoon.

We will then be debating at second reading Bill C-31, An Act to amend the Criminal Code, the Corruption of Foreign Public Officials Act and the Identification of Criminals Act and to make a consequential amendment to another Act. We are hopeful debate will conclude on this bill as well today.

Other bills scheduled for debate this week are Bill C-54, An Act to amend the Criminal Code and to make consequential amendments to the National Defence Act, and Bill C-55, An Act to amend the Criminal Code, which is the response to the Supreme Court of Canada decision in *R. v. Shoker* bill.

Next week we will be calling for debate: Bill C-27, anti-spam, at third reading; Bill C-44, the Canada Post remailers bill, at second reading; Bill C-57, the Canada-Jordan free trade bill, at second reading; Bill C-56, fairness for the self-employed bill, at report stage and third reading; and of course, as always, I will give consideration to any bill that is reported back from committee.

My hon. colleague asked about allotted days. Next Tuesday, it would be my intention to have as the next allotted day.

* * *

● (1510)

BUSINESS OF SUPPLY

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Yesterday, Mr. Speaker, pursuant to an order made Friday, June 19, 2009, which again the hon. House leader for the Liberal Party just mentioned, you tabled a proposed formula for the distribution of allotted days in each of the supply periods of 2010. There has been discussion among all parties, and we are in agreement with your proposal. Therefore, I believe you will find unanimous consent for the following motion:

That for the calendar year 2010 in the present Parliament, Standing Order 81(10) (a) be amended as follows:

81(10)(a) In 2010, seven sitting days shall be allotted to the Business of Supply in the period ending not later than March 26; eight additional days shall be allotted to the Business of Supply in the period ending not later than June 23; and seven additional days shall be allotted to the Business of Supply for the period ending not later than December 10; provided that the number of sitting days so allotted may be altered pursuant to paragraph (b) or (c) of this section. These twenty-two days are to be designated as allotted days. In 2010, no more than one fifth of all the allotted days shall fall on a Wednesday and no more than one fifth thereof shall fall on a Friday. Commencing on the first sitting day of any supply period, no less than one and no more than two allotted days shall be designated in each ten sitting day period of the said supply period, except pursuant to paragraph (c) or section (11) of this Standing Order.

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

Some hon. members: Agreed.

The Speaker: Is it the pleasure of the House to adopt this motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

POINTS OF ORDER

RESPONSE TO ORAL QUESTION

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, during the course of question period, in response to a question that I received from the Bloc critic, talking specifically about some Innu communities on the coast, I mentioned the Mamuitun Tribal Council.

Although I do not have the blues in front of me, I fear I may have mixed up the two groups. The Mamuitun Tribal Council is currently in a final land claim negotiation with the Quebec government and ourselves, whereas the Strategic Innu Alliance, who I believe are on the Hill today, are not in negotiation.

Again, if I could just rephrase my answer, just to repeat that Canada continues to be open to exploring ways to resume discussions with the Strategic Innu Alliance, then my answer would stand.

* * *

BUSINESS OF THE HOUSE

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I was also remiss to address one other issue that my hon. colleague, the official opposition House leader raised, which was an inquiry about whether there had been agreement between all the parties as to a process to commemorate the terrible tragedy represented by the 20th anniversary of the massacre at École Polytechnique.

It is my understanding there is unanimous agreement to recognize that on Wednesday, December 2 with statements from all parties.

The Speaker: I presume we will hear about the details of that in due course.

* * *

[Translation]

POINTS OF ORDER

ORAL QUESTIONS

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I seek the unanimous consent of the House to table a document received by the member for Chambly—Borduas, to which he referred during question period.

The document is from Michel Bédard, former chief employment insurance actuary from 1991 to 2003, who conducted his own analysis of the contribution rates set out in Bill C-56. He shows that the contribution rates are far too high given the coverage proposed in the bill.

I would like to table this document in both official languages.

The Speaker: Does the hon. member for Joliette have the unanimous consent of the House to table this document?

Speaker's Ruling

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: There is no consent.

The hon. member for Jeanne-Le Ber on a point of order.

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, during my exchange with the Minister of Citizenship, Immigration and Multiculturalism, we referred to a brief submitted by the deputy attorney general of Canada. For the benefit of my colleagues, and to help them understand the exchange, I would like to table the aforementioned brief. This may also benefit the minister, who has clearly not grasped all of the elements we are dealing with here.

I therefore seek the unanimous consent of the House to do so.

The Speaker: Does the hon. member for Jeanne-Le Ber have the unanimous consent of the House to table the document?

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: Evidently, no.

* * *

[English]

PRIVILEGE

CONTENT OF FLYER—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the question of privilege raised on November 19, 2009, by the hon. member for Mount Royal concerning the mailing of a ten percenter to some of his constituents by the hon. member for Elgin—Middlesex—London comparing the positions of the Conservative Party of Canada and the Liberal Party of Canada on certain aspects of Canada's policy in the Middle East.

[Translation]

I would like to thank the hon. member for Mount Royal for having raised this important matter. I would also like to thank the Parliamentary Secretary to the Prime Minister and the Minister of Intergovernmental Affairs, the Whip of the Bloc Québécois, the member for Windsor West, the member for Saint-Laurent—Cartierville, the Leader of the Government in the House of Commons and the member for Eglinton—Lawrence for their comments.

[English]

In outlining his case, the hon. member for Mount Royal stated that a mailing purporting to contain information on three issues, namely, fighting anti-Semitism, fighting terrorism and supporting Israel, was sent to some of his constituents, as well as to other ridings with identifiable Jewish communities.

The member went on to claim that this mailing was not only, in the words of the hon. member, “false and misleading”, but also “slandrous, damaging and prejudicial” to the Liberal Party and, by extension, himself.

● (1515)

[Translation]

This argument was supported by the Whip for the Bloc Québécois, the hon. member for Windsor West, the hon. member for Saint-Laurent—Cartierville and the hon. member for Eglinton—Lawrence.

In response, the hon. Parliamentary Secretary to the Prime Minister explained in some detail the content of the ten percenter in question and defended its veracity. For his part, the hon. Leader of the Government in the House of Commons pointed out that all parties are engaged in this style of communication.

[English]

As hon. members know, in deciding on a question of privilege, the Speaker is not charged with determining the facts; the Chair's ruling is limited to whether on first impression, prima facie, the matter before the House merits priority consideration. In cases where a member alleges that he has experienced interference in the performance of his parliamentary duties, the Speaker's task is particularly difficult. As O'Brien and Bosc states at page 111:

[Translation]

It is impossible to codify all incidents which might be interpreted as matters of obstruction, interference, molestation or intimidation and as such constitute prima facie cases of privilege. However, some matters found to be prima facie include the damaging of a member's reputation, the usurpation of the title of member of Parliament, the intimidation of members and their staff and of witnesses before committees, and the provision of misleading information.

[English]

The Chair has examined the numerous documents submitted in this case. Having heard all the arguments presented, I must agree with several members who suggested that there is no denying the critical role that context played in shaping the cumulative net effect of the words used in this mailing. In my view, the end result was a negative effect that spilled over to the member for Mount Royal in a very direct and personal way.

It is not for the Chair to comment either way on the accuracy or inaccuracy of the comparisons drawn on the bulk mailing complained of by the member for Mount Royal. That said, however, the Chair has no difficulty concluding that any reasonable person reading the mailing in question, and this would, of course, include the constituents of Mount Royal, would have likely been left with an impression at variance with the member's long-standing and well-known position on these matters.

Therefore, I must conclude that the member for Mount Royal, on the face of it, has presented a convincing argument that the mailing constitutes interference with his ability to perform his parliamentary functions in that its content is damaging to his reputation and his credibility.

Consistent with the ruling given on November 19, 2009 in relation to the hon. member for Sackville—Eastern Shore and with other rulings in relation to mailings in 2005, and I suggest hon. members look at the ruling on November 3, 2005, pages 9489-90 of the *Debates*, the Chair finds that a prima facie question of privilege does exist. I therefore invite the hon. member for Mount Royal to move his motion.

*Speaker's Ruling***PRIVILEGE**

REFERENCE TO STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I move:

That the matter of the question of privilege raised by the member for Mount Royal be now referred to the Standing Committee on Procedure and House Affairs.

Mr. Speaker, shortly after I raised the question of privilege on November 19 on which you have now ruled, you ruled on another question of privilege raised by the member for Sackville—Eastern Shore to which you have now referred. Accordingly, in the light of that ruling and your ruling today, and in support of the motion to refer, I wish to tender the following submissions in support of the motion to refer and which incorporate as well the rulings that you have made and which adduce as well, for the benefit of the members of the House and the committee to which it will be referred, new evidence which has emerged that supports your ruling and this motion of referral.

Mr. Speaker, you mentioned in your references that sometimes it may be difficult to codify the criteria, but you have set forth in the ruling today and in the ruling of November 19 specific and relevant criteria. I would like to now relate to those and the evidence that can be adduced to support your ruling on the motion.

Mr. Speaker, in your ruling on November 19 on the matter of the member for Sackville—Eastern Shore, you found:

Having reviewed the material submitted, as well as the arguments made, the Chair can only conclude that the mailing sent to the constituents of Sackville—Eastern Shore did distort their member's true position on the long-gun registry and, at the very least, had the potential to create confusion in their minds. It may also have had the effect of unjustly damaging his reputation and his credibility with the voters of his riding and, as such, infringing on his privileges by affecting his ability to function as a member.

● (1520)

Mr. Speaker, as this House will recall, my original question of privilege was in regard to Conservative ten percenters targeting Jewish constituents in urban areas, such as my riding of Mount Royal.

Indeed, these ten percenters, and they go to a larger question of subvention of public funds, were also an abuse of process in the use of coupling to target more than ten percent through the aggregate use of this ten percenter.

Moreover, as I attested to in the House, the contents of these ten percenters contained serious falsehoods and misrepresentations, and this is putting it mildly, Mr. Speaker. But I want to relate to the criteria that you enunciated both today and in your ruling of November 19:

—did distort their member's true position on the long-gun registry and, at the very least, had the potential to create confusion in their minds.

That is as per your ruling, but I may add, Mr. Speaker, and again quoting from your ruling:

It may also have had the effect of unjustly damaging his reputation and his credibility with the voters of his riding and, as such, infringing on his privileges by affecting his ability to function as a member.

Indeed, what is specifically damaging, and where the breach of privilege is most evident, is in the false and cruel characterizations of my party and myself. This is the only allegation I will deal with. The

flyer states that the Liberals “Willingly participated in the overtly anti-Semitic Durban I”.

This is a particularly outrageous accusation to be made in ridings that are targeted because of their Jewish communities, as Durban has emerged for Jews in my own riding and in others as a metaphor for virulent anti-Semitism.

Accordingly, to identify any political party, let alone a Jewish MP, with willingly participating in such an anti-Semitic event is a most loathsome and dangerous accusation that one could make against that party and that member.

Indeed, Mr. Speaker, and this is the important point in respect of your rulings on breach of privilege and in support of the motion now to refer this prima facie breach to the House committee, these accusations have already had damaging and prejudicial effects on my reputation and standing in my constituency, to use your criteria, as the composite of the three accusations in the flyer constitute the most damning accusations one could make. These were attacks on me as a person, as an MP, and as a member of the Jewish community, and on the party to which I am a member.

It not only has sowed confusion, Mr. Speaker, to use your criteria, but anger among some of my constituents. It not only unjustly damaged my reputation and credibility, though that would be bad enough, to use your criteria again, but clearly infringed upon my privileges and prejudicially affected my ability to function as a member.

I might add that some of the responses to the flyers in my riding called upon me to leave Parliament, to in fact even leave the Jewish community, as I had betrayed that community. There could not be a more pernicious and prejudicial fallout from this damaging flyer as that which I have quoted, and I can tender the evidence to you, Mr. Speaker, for the record.

In that regard, I refer this House to the ruling of Speaker Fraser of May 6, 1985, wherein he said:

—anything tending to cause confusion as to a Member's identity...[can] impede a Member in the discharge of his duties is a breach of privilege.

Let me quote the full statement of Speaker Fraser:

It should go without saying that a Member of Parliament needs to perform his functions effectively and that anything tending to cause confusion as to a Member's identity creates the possibility of an impediment to the fulfilment of that Member's functions. Any action which impedes or tends to impede a Member in the discharge of his duties is a breach of privilege. There are ample citations and precedents to bear this out.

Mr. Speaker, in our ruling today and in your previous ruling regarding the member of Sackville—Eastern Shore, you have in fact contributed to these principles and precedents.

I bring up the issue of identity, referred to in the ruling of Speaker Fraser, because in my case there can perhaps be no greater betrayal for the people of Jewish religion than the portrayal of one of their own as anti-Semitic, and that holds true as well for the member for Winnipeg South Centre.

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● (1525)

This accusation, as set forth in the ten percenter, is absolutely abhorrent. Constituents have reported even receiving this same mailing in their household more than once. They have asked how I could remain with a party that is anti-Semitic, or how, as a Jew, I could be engaging in such self-hatred. This is just some of the evidence respecting the prejudicial fallout and supporting the breach of privilege on its face.

Even my wife, if I may make reference, herself a constituent and who as it turns out received a ten percenter from the President of the Treasury Board, felt compelled to write an op-ed for the *National Post* on this issue, again evincing the tumult and prejudicial fallout from these flyers. As she wrote, and it bears again on the question of privilege:

This week, I received the Conservative "ten-percenter" mailing from [the President of the Treasury Board], targeting assumed Jewish households across Montreal's Mount Royal riding...The mailing makes misleading statements about what the Liberals (including my husband, who has represented this riding for 10 years) did or did not do regarding matters of value to the Jewish community's members.

It is presumptuous enough to assume that Canadian Jews only vote on these issues—regardless of concerns over health care, the environment, social justice, poverty—and that they vote as a bloc. In fact, so far as I know, no other religious community in our riding has been so targeted. But even on the "Jewish" values issue, the flyer is a series of false and arguably slanderous statements.

I will end the reference here to her op-ed. I think it makes the point as to how this constituted a breach of privilege and the prejudicial fallout that it has caused.

I will move to one other point and with this I will close.

There is this other point that may also impede members in the discharge of their duties and constitute thereby a breach of privilege. I am referring to how the targeting of Jewish residents was compiled and their reaction to being so targeted, and the concern of a violation of privacy in the creation of such lists.

While I find it offensive enough that the Jewish community is reduced to a single issue voting block by the contents of this flyer, I realize that this matter, standing alone, is not an issue of privilege. But what may well be an issue of privilege and breach of privilege, and where members may be impeded in their duties, is where constituents may become hesitant to communicate with us if they feel their personal information is somehow being compiled and manipulated.

The targeting of specific and identifiable communities on issues of pressing importance to them may not only be regarded by them as an abuse of parliamentary resources, which it clearly is, but one that violates privacy expectations as well as further impeding members in the discharge of their duties.

The Leader of the Opposition has written to you, Mr. Speaker, as chair of the Board of Internal Economy on the issue of ten percenters. Should the Board become seized of this matter, and should the motion be referred to the Standing Committee on Procedure and House Affairs, I would be prepared to go forward to present this case study of ten percent misuse and abuse, and how it can have prejudicial and damaging effects on members and their ability to discharge their functions.

● (1530)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I understand Your Honour has found a favourable prima facie case of privilege with respect to the document in question. The matter can and will be further reviewed at committee, as it should be.

I would, however, like to put on the record certain clarifications and corrections.

First of all, the document in question does not mention any member of this place.

Let me say that the respected and learned member for Mount Royal, for whom I have great regard, went on at length about supposedly targeting people from a particular community with this ten percenter.

I will leave to the Board of Internal Economy the rules and regulations of distribution of parliamentary communications, including ten percenters, but I would point out to my learned friend that his colleague, the member for Eglinton—Lawrence, circulated similar ten percenters arguing that the official opposition's record on issues of concern to the Jewish community was superior to that of the government. That ten percenter appeared to have been distributed in areas with a particularly large Jewish population.

Therefore, everything the member just said with respect to distribution of these materials with respect to the flyer in question could equally be said of the distribution of materials from a flyer from the member for Eglinton—Lawrence. I, therefore, underscore at what is at best a basic inconsistency.

I would secondly point out that the flyers in question from the member for Eglinton—Lawrence were distributed several weeks before the flyer in question.

I did not see any members of the government rising to their feet complaining about matters of privilege because of the very similar communications tactic, in fact, the identical communications tactic being used by members of the official opposition. Apparently for them, what is good for the goose is not good for the gander.

There should be one set of rules for official opposition MPs and another set of rules for government MPs, when it comes to distribution of these ten percent documents.

Having said that, to move on to some of the substance of the member's allegations, I find spurious and reject completely the terribly mistaken inference that he draws from the document in question that it alleges that he or any other member of this place is anti-Semitic.

What the document says is that the Durban conference was overtly anti-Semitic. I am sure that members will be able to present the copious evidence in support of that contention. I think that essentially it is almost a widely accepted fact. It is hardly contentious to allege that there were many acts of overt anti-Semitism, displays of overt anti-Semitism at the first Durban conference.

It is further more a fact, not an opinion, that the previous government decided to participate at Durban I knowing full well about the charged environment of anti-Semitism at that conference.

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I can make these other points—

The Speaker: Order. I neglected to say to the minister, when he got up, that we are on questions and comments. I was not sure whether the member for Mount Royal was on a point of order. It appears it was a speech consequent on the motion which it turned into when I put the motion to the House, so we are technically on a 10-minute question and comment period.

Perhaps he would like to put a question based on his comments, but he will have an opportunity to say more later if he wishes because after the question and comment period is over we will resume debate.

I invite the minister to bear that in mind, given the length of his comments already.

Hon. Jason Kenney: Thank you for the clarification, Mr. Speaker. In that case, I will present my subsequent response in the next speaking spot, I will just terminate first, with an assertion and then a question.

I am disturbed by the suggestion that there was any accusation found in the document that any member is anti-Semitic. This is clearly outrageous. The fact that the previous government decided to participate at Durban, knowing full well the atmosphere of anti-Semitism that surrounded it, and the member knows very well because he was there, is a statement of fact. It is equally a statement of fact that this government was the first in the world to decide to withdraw from Durban II because of those concerns. Now that in my judgment is a legitimate policy difference and that is what public debate involves.

However, my question for the member is this. In the year 2000, former minister of immigration, my predecessor in the Liberal government, said that my party was filled with “racists, bigots, anti-Semites and Holocaust deniers”. Now this was not an argument over who attended a conference or the nature of a conference. This was not a conventional political debate about facts. This was truly the most vile kind of defamatory slur against tens of thousands of members of my party, myself included, and the millions of Canadians who voted for it, who she accused of being filled with “racists, bigots, anti-Semites and Holocaust deniers”. I do not recall a single member of the Liberal Party standing and condemning those remarks or even offering any kind of apology for those remarks. That member was promoted in a subsequent cabinet.

Perhaps the member makes a lot of comments that are not on the public record and perhaps he made some private condemnation of those remarks, but I would challenge him. If he really wants to get into these issues, and I hope he is aware of the consequences of this, would he stand in this place and point out where any member of his party condemned the outrageous, defamatory slurs of Elinor Caplan, a former Liberal MP?

●(1535)

Hon. Irwin Cotler: Mr. Speaker, for the record, I did, in a public forum condemn, those statements. That is number one. But the point is we are talking here and this changing of the channel is trying to take us off the issue. What we are speaking about is a breach of privilege in the use and abuse of ten percenters, which has the effect of impeding the work of the member of Parliament.

What the member said, which was not a ten percenter, which deserved all the criticism in the world, is a very different issue. If they wanted to raise it at the time as a breach of privilege, it could have been raised as a breach of privilege. However, the hon. member and no one else raised it at the time because it was not the kind of character of the targeting of a riding with ten percenters with that kind of malicious statement.

The hon. member should know better. It was not just saying that Durban was anti-Semitic, it was saying that the Liberals willingly participated in the anti-Semitic Durban I. That is the calumny to which we object.

Hon. Jason Kenney: You did, you did.

Hon. Irwin Cotler: Yes, the Liberals went there, as did every other government in the international community. That is not mentioned by the hon. member and it is not mentioned that—

Hon. Jason Kenney: Except Israel and the United States.

Hon. Irwin Cotler: The member just referred to Israel. The State of Israel commended the Canadian delegation for condemning the anti-Semitism at Durban.

So at least if he wants to deal with facts, put facts, do not continue the calumnies as a matter of public record. I find it outrageous that this statement is being continued and this calumny is still being poured into the public record. For shame.

[*Translation*]

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I agree with all those—and I think all opposition parties are in agreement—who want this motion to go before the committee. I think we can all agree on how important the ten percenters are, those pamphlets we can send to our constituents to explain what goes on in this House—the political positions, the debates and the challenges.

However, in the past few weeks we have seen some real abuse by the Conservative party, the Conservative government, the elected Conservative members, and I think we are heading for disaster, because the public is really questioning the need for these ten percenters. I think that if we do not want to find ourselves one day without the ability to use this very important tool to communicate with our constituents, we need to correct the situation immediately.

In the past week or two, Mr. Speaker, you have recognized two points of order concerning the misuse of ten percenters for purposes that practically border on demagoguery. We will absolutely support the motion before us.

●(1540)

[*English*]

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I hope not to be too long. I will just finish where I began in questions and comments.

I have to correct the record again. My learned friend from Mount Royal, whose dedication to these issues, of course, is legendary and who is a valued member of this place, I think just misspoke himself, and I am sure he will agree that he did so, when he said the entire world community withdrew from the Durban I conference. That is factually incorrect. The state of Israel and the United—

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Hon. Irwin Cotler: I did not say that.

Mr. Brian Murphy: He didn't say that.

Hon. Jason Kenney: That is exactly what he said. The state of Israel and the United States withdrew. There were calls within Canada for Canada to withdraw.

In fact, let me quote from an editorial that appeared in the *Victoria Times Colonist*, on September 5, 2001, "The continued presence at the conference of Canada's secretary of state for multiculturalism", now the member for Vancouver Centre, "no longer serves any useful purpose and, in fact, helps to legitimize what has become a propaganda forum for some of the worst anti-Jewish hatemongering since the Second World War". That was the editorial board of the *Victoria Times Colonist*.

Why do I quote that? Simply to point out that the sentiment expressed in the ten percenter in question was a commonly held view, and continues to be a matter of legitimate public debate. It is not an accusation of anti-Semitism, but rather an accusation that the previous Liberal government, of which the member was a part, made the wrong decision. It did not make the decision to withdraw from Durban. It made the decision to stay, and in the words of not the Conservative Party but the *Victoria Times Colonist* and many others, to legitimize the Durban process, which was filled with overt expressions of anti-Semitism.

The point is this. What we have here is the discomfort. What we hear is the reflection of the discomfort of certain members of the official opposition when presented with the bald facts of its own record, so, consequently, an effort to deflect from those facts by inventing charges of anti-Semitism, which are very explosive.

Let me be clear. If I heard any member of my caucus or party accusing any party in this place or any member in this place unjustifiably of harbouring anti-Semitic views, I would condemn it. If I thought this document in question made such an accusation, I would, without hesitation, condemn it. However, it makes no such accusation. That is a completely trumped up allegation.

I understand the discomfort of the member opposite. I respect his views on these issues. I disagree, however, with the decision of the government of which he was a part to stay at Durban I and, thereby, to legitimize it.

Now he says that members of his constituency and community are disturbed to think that his party, his government, did so. I would say rightfully so, they should be disturbed. That is a natural political reaction.

We need to make a very clear distinction between the trumped up allegation that this document somehow alleges anti-Semitism, which it does not. The anti-Semitism of which it speaks is not anti-Semitism of a member of this place or of a party in this place, but rather of the Durban I conference. I submit that is basically incontrovertible fact.

The member goes on at great length about his consternation that a ten percenter went to homes of Jewish-Canadian voters. I have in my hand a ten percenter distributed by the member for Eglinton—Lawrence. The last I checked he was a member of the Liberal caucus. The ten percenter is entitled "Does only one Canadian

political party support Israel?". It goes through criticizing the Prime Minister for not attending, for not visiting Israel. It talks about the Liberal Party's voting record at the United Nations on Israel. It has a Canadian and Israeli flag on the top, just in case members think there is any lack of subtlety here.

● (1545)

I am willing to accept that perhaps the member has legitimate concerns about the distribution of one ten percenter, but then I am sure his concerns are equally directed at the ten percenter distributed in a number of electoral districts by members of his own caucus, and he continues to be absolutely mute on that point. This is the fundamental hypocrisy of the Liberal Party on these issues.

The ten percenter in question says, for instance, that the Conservative government was the first government in the world to withdraw support from the Hamas-led Palestinian Authority. On the other side, it says that the Liberals opposed this government's defunding of the Hamas-led P.A. and actually called for an increase in that funding. That is not a fact. It is not a slur. It is not an allegation of hatred. It is not any of those trumped-up ridiculous overstatements that we are hearing from members of the opposition. It is a fact.

When the Prime Minister and this government announced that it was removing funding from the Hamas-led P.A., following the election of a Hamas government, or pseudo-government, in March 2006, the then foreign affairs critic and now former leader of the Liberal Party said that the government should, right away, commit itself to maintaining the \$52 million in help, that the social problems in the territories were awful, that, in fact, Canada should do more, not less, so to cut \$7 million would be a mistake.

I know it is uncomfortable for the member that some of his constituents now realize that his party wanted us to increase funding to the Hamas-led P.A., but that discomfort constitutes a legitimate part of political debate. Here is the record. This government was the first in the world to cut funding for the Hamas-led P.A.. The Liberal Party, in favour of that funding, was demanding an increase in it. Is that somehow slurring members of the opposition by stating their record? I think that reflects a lot.

Furthermore, the ten percenter question says, "On support for Israel: The Conservatives 'strongly backed ' Israel's right to self-defence against Hezbollah during the 2006 conflict". I think that is an incontrovertible fact. The Prime Minister was much criticized for that, including in this place. On the other side it says, "The Leader of the Opposition accused Israel of committing war crimes". That is not a slur, it is a statement of fact. It is a legitimate point of debate in public discourse. What is our source?

[Translation]

When he appeared on the show *Tout le monde en parle*, while he was simply the member for Etobicoke—Lakeshore, the Leader of the Opposition said that he believed war crimes had been committed by Israel in Lebanon.

[English]

Those are not our words; they are his.

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What we have, I submit, and I say with great respect for that member, is a conventional political communication, the kind that we all engage in as robust participants in a public debate. This is not an allegation that the member or any of his colleagues are anti-Semitic, and I would condemn any such outrageous allegation. It is, on the other hand, a legitimate point of information.

I would simply close by saying this. If the member is that concerned about having to defend the record of his party on these issues, maybe he has to ask himself some questions rather than trying to inflate this into a false debate about anti-Semitism, which it is not.

Hon. Irwin Cotler (Mount Royal, Lib.): Madam Speaker, I want to say this for the hon. member. If the flyer had condemned Durban I as being anti-Semitic, I would have no problem. Indeed, as I have said elsewhere in the House, I have written and spoken as much about that as any member of Parliament in any parliamentary forum in the world. However, the calumny is that in a flyer, which compares the positions of Liberals and Conservatives, it specifically says that the Liberals willingly participated in the anti-Semitic Durban I.

Hon. Jason Kenney: They did. They did.

Mr. Leon Benoit: How can you deny that?

Hon. Irwin Cotler: The clear inference is to associate the Liberal Party with anti-Semitism. Let me just quote from what my wife wrote on this issue in response to that:

—on the "Jewish" values issue, the flyer is a series of false and arguably slanderous statements....The flyer accuses the Liberals of "willingly participating in the overtly anti-Semitic Durban I [conference in 2001]," thereby associating the Liberals — and my husband — with support for anti-Semitism. That is condemnable on its own.

That is condemnable on its own, but the facts are—

Hon. Jason Kenney: They did.

Mr. Leon Benoit: Leave the party and you won't be associated with that any more.

Hon. Irwin Cotler: I would like to be able to conclude without being—

• (1550)

The Acting Speaker (Ms. Denise Savoie): Order, please. I ask all members to exercise some moderation and those who cannot wait until questions and comments to please leave the House. Otherwise, the member for Mount Royal has the floor for now.

Hon. Irwin Cotler: Madam Speaker. I will continue with what was written by my wife in the op ed:

But the facts are: [the member for Mount Royal], along with representatives of the Canadian Jewish Congress and B'nai Brith, remained at Durban I at the request of the Israeli and other governments to combat a poisoned atmosphere that descended into vitriol and hate.

Taking this matter out of context, as the hon. member did, let me repeat so that there will be no ambiguity and so that he does not misrepresent this again. All governments went to Durban because it was the first anti-racism conference of the 21st century, and we went there with the hope and with the view of condemning racism.

However, that conference turned into a conference of racism against Israel and the Jews. That is when we stood up, that was when we were asked to remain, and that is what we did. We were praised for having been the party that most condemned anti-Semitism at that Durban I conference.

Hon. Jason Kenney: Madam Speaker, I would only ask the member to tell this place whether he agreed with the position of the government at the time.

The member, quite frankly, is introducing irrelevant issues. He is contending that the Government of Israel asked the Canadian government to stay. I have information to the contrary.

If I am not mistaken, the member opposite left Durban in disgust before its end and could not persuade the Government of Canada to do the same. I understand his frustration but what he is talking about are issues of normal public debate.

I will quote again the *Victoria Times Colonist* which said that the presence of the previous government, right to the bitter end, helped "to legitimize what has become a propaganda forum for some of the worst anti-Jewish hatemongering since the Second World War".

That is a legitimate point of view. It is my point of view and it is the point of millions of Canadians. It is the point of view of many of his constituents. He is just uncomfortable with that fact and I understand his discomfort.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Madam Speaker, it seems to me that the word "uncomfortable" came up at least seven times in the minister's speech.

I could ask him if he is uncomfortable with the fact that his own Prime Minister called my people, the people of Atlantic Canada, "people with a culture of defeat".

I could ask him if he is uncomfortable with the comments made by the member for South Shore—St. Margaret's regarding the people on the streets of Halifax.

I could ask him if he is uncomfortable with the slurs against gays that a member from Saskatchewan posited on the public recently. I would love to know what his sincere response to that was.

If the member is such a defender of what is said by members of his own party that are wrong, where was he when those things were said?

One of the questions that arises from the ruling on the prima facie case of privilege is the means by which a population in Canada was targeted. The member for Mount Royal made a very good point in making that a very big part of his point of privilege.

I know the minister will not answer the first questions, but how did his party target the people of Mount Royal? Is his party willing to table the documents that prove the modus operandi of the service on the Jewish population of Mount Royal with its ten percenters in the efforts of having a full discussion of what ten percenters, and it is quite apparent, are doing to decimate the public process here?

• (1555)

Hon. Jason Kenney: First, Madam Speaker, I am not a specialist in the distribution of ten percenters, but that is not the issue.

Second, I think these are issues of interest to all Canadians, not just to Jewish Canadians. They are certainly of interest to me. I have spent much of my parliamentary career as a non-Jew working on these issues.

Third, I presume the answer to his question is that the means used to select constituencies and areas for distribution of this ten percenter were precisely the same as the ten percenter with the Israeli flag on it distributed by Liberal members of Parliament on the same issues. Sometimes the fog of hypocrisy is so thick in here that people cannot even hear.

The ten percenter in question was distributed after a ten percenter on issues of concern to the Jewish community by members of the official opposition. If the member would like an investigation into how that was distributed, I suggest he speak to the people in the Liberal research bureau.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Madam Speaker, because the hon. minister raised the matter of a ten percenter in the riding of Eglinton—Lawrence, I thought it would be worthwhile to make the distinction that the particular ten percenter was a ten percenter from the member himself to his constituents. It was not a regrouped or a party type ten percenter. I am looking at it right here.

I wanted to put that on the record. Maybe the minister does not think that is a difference. However, in this case we are dealing with a party-generated, regrouped, multi-distributed, printed, duplicated and distributed ten percenter as opposed to a communication by a member of Parliament to his or her own constituents.

Hon. Jason Kenney: Madam Speaker, I am aware that the ten percenter in question, issued by the Liberal caucus group, was issued in the riding of Thornhill and other constituencies in that part of the greater Toronto area.

I am simply saying that this is really quite ridiculous. Members opposite are trying to make a capital case out of a conventional political communication using the same tactics and distribution that they use all the time, even on the same set of issues where basically incontrovertible facts are presented that are matters of conventional political debate.

If members of the Liberal Party are not comfortable with the fact that their leader accused Israel of war crimes, that members of their caucus called for the delisting of Hezbollah, that they called for an increase in funding for the Hamas-led PA when we eliminated that funding, that they decided to stay at Durban I until the bitter end after the withdrawal of other countries and, in so doing, “legitimizing the process”, in the words of the *Victoria Times Colonist*, I say too bad.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Madam Speaker, I feel quite engaged in this issue. I want to suggest that the issue is partly that of libel or near libel and partly that of the use of the ten percenter.

If this particular issue had happened out on the street, disconnected from Parliament, it might or might not have given rise to a libel or slander action. However, because it involves material printed by the House of Commons and distributed through

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the post office through House of Commons means, it becomes a parliamentary matter.

The issue has actually been lurking. Perhaps I am one of those who actually considers it a kind of ugly administrative issue for Parliament, not a happy issue. That part of it is the way the parties have now taken the privilege of individual members to communicate with constituents and turned it into a massive political communications mechanism involving the use of tonnes of paper and millions of dollars.

I remember when I first came to this place that there was a rule that did not allow us at the time to use our party symbols when using House of Commons facilities to communicate with our constituents. I do not think we were even allowed to use the name of our party. I recall getting kickback one or two times on things that I wrote to my constituents where I used the word “Liberal”. It came back crossed out saying that I could not use it.

I actually thought it was a pretty good rule and I did not try to abuse it, but over time I think the House of Commons staff had difficulty enforcing the rules and eventually gave up. The case was made that the House of Commons should not be a censor of what MPs were sending to their constituents. Party affiliation came to be accepted in communications between the members of Parliament and their constituents.

The second big part of this question of privilege that we are now debating is the way in which the use of ten percenters has evolved from being a communication between an MP and his or her constituents, and it has gone way beyond that now. In a sense, the parties in the House and, in this case conspicuously by the governing party, have essentially co-opted that and turned it into a kind of ugly vehicle of a liable or near liable.

I want to address that piece first. I suppose I should be fair and say that I have not really concluded that this is fully a “liable”. I realize I can say things in the House of Commons and not have to account for it out on the street so I use the term in quotes.

As I read this particular ten percenter that we are discussing, I could not help but think that I, as a member of the Liberal Party, was being labelled as an anti-Semite. The words are right there. It says, “On fighting anti-Semitism abroad, the Liberals willingly participated in overtly anti-Semitic Durban 1”.

I am a Liberal and this essentially says that, which is why I call it a liable or a near liable. To my knowledge, I have never done or said anything or even thought anything that was even close to being anti-Semitic. This particular ten percenter, clearly on the face of it was designed by professionals, just did not happen.

● (1600)

It was carefully designed to convey a message. I will go back to what I said. This ten percenter vehicle is no longer just a communication from an MP to constituents; it is actually used by parties and it involves design and costs of design, careful design involving all kinds of resources, millions of dollars, all because it is political. It has become a political vehicle. It is no longer an information vehicle. It is political.

Speaker's Ruling

On this document there is a picture of the Prime Minister. It is kind of sad, really, that a document that suggests that I and my party are anti-Semitic stands over a picture of the Prime Minister wearing a big smile. Let us just say I am not happy with that. There is no member of the House who could be happy with that.

It has gone through the Conservative operators behind the scenes. It should be noted that probably no member of the House here has participated in the design of this or other ten percenters. The same is probably true of the ten percenters that come out from all the other parties. At this point in time, all the political parties mail out these ten percenters.

In the case of this particular ten percenter, I do not know who takes authorship. I do not think that has been determined. The member who moved the motion does not know who actually designed or wrote this. It appears as though the minister who just spoke is taking some ownership of it. He says it is just facts.

It is not facts; it is political propaganda. It purports to rewrite our history. It purports to rewrite Canada's role at Durban I. With 20/20 hindsight we can all see how ugly Durban I was, but we did not know how ugly it was until it was over. Before it started, all the major countries of the world were participating.

As the thing went on, a whole level of discomfort developed as a number of representatives from different countries began to express their anti-Israel views. I say anti-Israel; I do not want to get into anti-Jewish or anti-Semitic, but it was clearly anti-Israel. That became a huge problem for Durban I, and it was a huge problem for Durban II. It was a huge problem for everybody.

I think it is simply wrong and it attempts to rewrite history, and maligns everybody who was at Durban I on day one, that somehow they were all willingly participating in an anti-Semitic exercise. I was not there, but my government was. This essentially maligns all Canadians. It says that our government, that Canadians were participating in an overtly anti-Semitic Durban I.

I do not think the minister realizes the significance of that type of an allegation, designed not by him but by those cutesy writers in the back rooms of the Conservative Party, writing cute stuff that they can send out, politically, to Canadians at no cost.

There are three parts to this, and the minister can say, "Oh, they are just little facts." Everyone in this place knows people can take a fact in isolation and twist it to make it look different. The overall impact of this ten percenter was exactly what has been described by my colleague from Mount Royal and exactly as the Speaker has accepted the initial application from the floor here.

The impact is still the same. This is not just a collection of random facts. It is not just a little letter from an MP to his or her constituents. This is a political diatribe, one that is wrong, misleading and, as I say, close to libellous. It is a near libel.

●(1605)

I am saying that it libels me and my party. I am a member of the party. If it just said that we turned right instead of saying that we turned left, then maybe we could say "well, okay", but the subject matter is anti-Semitism.

If we go back 2,000 years in the history of the human race, we could probably make a list of some very ugly examples of man's inhumanity to man. We would find on that list anti-Semitism. Everybody knows that. It is still a problem in our societies.

Wherever it shows its ugly head, we condemn it. It should not have a chance of existence in our country or any country. Yet this ten percenter alleges it. It is what is alleged that is just as important as the vehicle that was used to allege it. I hope that when the committee looks at this, it will look both at the issue of how it was inserted in the design of this ten percenter and at the ten percenter itself.

I want to say here today that the evolution in the use of ten percenters generally is bringing the House into disrepute. It brings members into disrepute. Members are relied upon by their party whips to allow them to use the ten percenter privilege to combine all of the mailing rights and mail this stuff out by the thousands or millions at essentially no cost to the party. In a sense, members' privileges are being co-opted by the parties.

For the record, as I understand it, the cost of this is all borne by the taxpayer. Because it is not a normal type of MP communication, I believe, the breakdown is that the parties themselves pay for the postage but they pay for it by the pound. It is weighed.

An employee of the post office actually works in the House of Commons precinct now, and I know this because I spoke with him. His job is to weigh them. Stamps are not put on them. They are not counted. They are mailed by, I guess, the kilogram. They are mailed by weight. They are very voluminous and the party whips pay by the kilogram to send the stuff through the post office.

Who pays for the printing? That is paid for by the House of Commons. I understand that this fiscal year the House is short of money. Why is that? It is because the parties in the House have gobbled up the tens of millions of dollars already allocated for this and this expense has gone over budget. My goodness, what a terrible thing if our parties were not able to send out these pieces of junk mail.

If it were just junk mail, the taxpayers would be irritated, but when it contains a libel, they should be angry. When it contains a libel related to one of the more ugly continuing scourges on the list of man's inhumanity to man, which is anti-Semitism, they ought to be doubly angry. The House should be angry.

We have to make changes and put an end to it. The way to put an end to it is simply to remove the regrouping. I do not want to impair any particular member's right to communicate with his or her constituents. We might even allow a mailing or two beyond the constituencies. In some urban areas the ridings are close together and who knows where the political boundaries are, so a member might want to mail something to all of the east side of Ottawa.

Speaker's Ruling

•(1610)

However, the point is the committee in looking at this should be cognizant of the fact that the ten percenter privilege that we all have has now been taken over by our parties and there is a whole team of professionals writing and zinging this stuff around the country by the kilogram and our constituents are receiving it and thinking, boy, who is paying for all this junk mail, who is paying for all this junk? The answer is the constituents are paying. The taxpayer is paying.

I am going to wrap up. I have made my views known, but I could not be stronger in my view that this particular ten percenter went way over the line and was libellous in a manner that brings the House into disrepute and the system of ten percenters into disrepute, and I think it has to be fixed.

•(1615)

Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Madam Speaker, I understand that this is a difficult issue for a lot of members. When issues like the Middle East are debated in the House of Commons, issues on which the Liberal Party and the Conservative Party take opposite positions, the debate can sometimes become heated. My goal is to unpack some of that disagreement in the hope that we might find common ground.

The distinction is that this current Conservative Prime Minister led the entire world in walking out on the Durban II hate festival because we knew it was an anti-Semitic and racist event. Because of the leadership of this Conservative Prime Minister, the rest of the world followed Canada in acknowledging that. Country after country followed our Canada and this Prime Minister in making that decision.

By contrast, the Liberal government decided to stay at the Durban I conference even when the hideous facts of that conference became apparent. Now the member for Mount Royal has said that the Liberal government members could not have left because they did not know what was going on and they had to stay until the end to find out. However, that did not stop Israel and the United States from doing the courageous thing, which was to walk out.

Now I understand it was easier for the Liberals to stay at Durban I, but sometimes courage is difficult, and I would like to commend the United States and Israel which made the right decision to walk out at that conference. At the time the Conservative predecessor parties called on the Liberals to leave, but they refused. In the latest conflict between Israel and Hezbollah, our government stood with Israel against terrorism. The Liberal leader said Israel had committed war crimes. That is on the record and the member for Mount Royal cannot change the facts, nor can he silence those who are making those facts known.

Mr. Derek Lee: Madam Speaker, I would just invite the member to not change the channel. The issue is what was in the ten percenter, and what was in the ten percenter was Durban I. It says that "Liberals...Willingly participated in overtly anti-Semitic Durban I". To be honest with him, in my view it would have been a lot easier to walk out of Durban I. It would have been a lot easier to walk out with some of our allies, the few that did walk out, but some of our allies prevailed upon us to stay so there would be someone at the

conference with a hand on the tiller, somebody still there and able to participate.

I invite the member not to change the channel but to deal with the issues involved in the ten percenter itself.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, I do not intend to give a speech, and I wish other people would follow that policy, but I do have a question. It seems to me, and I hope the committee, when it reviews this, will look at things from this perspective, that with regard to the whole issue of ten percenters, there is the issue of circulation and whether we should continue to allow the regrouping and the widespread circulation. That is one issue. Perhaps we should either limit that or prohibit it.

The other issue with the ten percenters is content, and that is more pertinent to the ten percenter that was sent out in this case, not only to the riding of the member for Mount Royal but to a number of other ones as well. I wonder if my colleague could comment on whether he agrees that this is where the debate should be going, since both those issues should be addressed, and provide any comments he might have on restricting the material that could be contained in ten percenters, not only across the whole country but in individual ridings.

Mr. Derek Lee: Madam Speaker, I do not have too many solutions. The member quite fairly raises issues involving the rights of members to communicate with their constituents. I think we ought to max that. I think we ought to repress or contain the ability of parties to use those privileges.

I fully agree with him that the big issue here is the content of the ten percenter. That is what has brought this issue to the floor here. Should the House vote in favour of the motion, I think the committee should deal with the structural issue of the regrouped ten percenters.

•(1620)

Hon. Irwin Cotler (Mount Royal, Lib.): Madam Speaker, the issue is not the positions taken on matters relating to Israel and the Jewish community. I do not mind if the Conservative Party sets forth the positive positions that it has taken with respect to Israel and the Middle East. I do not mind if it wants to take credit for walking out of Durban II. I might add parenthetically that our party supported that action, and supported that publicly.

That is not the point. The point is that rather than make truthful statements about one's own party record, one is making malicious, false and slanderous statements about another party's record and the members of that party. It is not only that. What it really gets down to is the issue of the use and abuse of ten percenters, using public funds and targeting a Jewish community to make these false and misleading and slanderous statements.

That is what the issue is and that is why the Speaker found a prima facie breach of privilege, because the ten percenter also tended to prejudice the work of the member in his riding and thereby diminished his reputation and standing. Those are the Speaker's criteria. That is what we should be debating as applied to the facts, and not positions on the Middle East, which changes channel and misleads the public once again. They should apologize for their statements rather than continue to mislead the House.

Speaker's Ruling

Mr. Derek Lee: Madam Speaker, there are not very many occasions when I can improve on the remarks by the member for Mount Royal, given his other job and the fact he is recognized around the world as a leader in human rights and a lawyer, and a teacher to boot.

I really cannot improve on those. Perhaps my own remarks may have gone a bit further afield in looking at the whole ten percenter issue and the broader distribution issue, but I think the member for Mount Royal has brought appropriate focus to this.

As some point, depending on how the House votes and the committee deals with this, there may be room for an apology. However, I would hope that the process would allow the House to come together a little bit on the problem, because it is not going to get any better as time goes on. It just seems to be heating up over the months and we have a problem that we all have to deal with here.

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Madam Speaker, I am having a little trouble with the level of hypocrisy in this debate. I have a ten percenter that came to my riding from the member for Pickering—Scarborough East under the title “A Track Record of Hypocrisy”.

The hon. member used the word political “machine” when referring to us. He talked about cute graphics, or something like that.

On the ten percenter that came to my riding from a Liberal member, there is a nice big Liberal logo at the bottom, and in place of the postage stamp, a picture of Lester Pearson.

The last time I recall, the hon. member for Pickering—Scarborough East is not the hon. member in my riding: I am. I do not know how he distributed these, but unless he came to my riding and distributed them door to door, I believe he probably used the mail system to send them out.

Coming back to the topic at hand, I have a couple of questions regarding this ten percenter. A couple of members have talked as though they were specifically named in the document—

The Acting Speaker (Ms. Denise Savoie): I apologize for interrupting, but I would like to give the hon. member time to respond and there is less than a minute left.

The hon. member for Scarborough—Rouge River.

Mr. Derek Lee: Madam Speaker, I concede, as will all members, that all four parties recognize parties in the House and send out ten percenters. Most of these are designed by the parties, by professionals, and are filled with facts, and also with political invective and party logos. I receive them at my apartment in Ottawa from, let us just say, different parties. All the parties do it, and this is an issue for us.

However, in this particular debate today, as my colleague from Mount Royal points out, the issue is the content of this one ten percenter that directly, or indirectly by innuendo, alleges that my party has participated in an anti-Semitic exercise. That is grossly unfair. There is no ability for a member to rebut these types of allegations.

I do not like this scenario at all. It must be fixed, and I am quite sure that the Standing Committee on Procedure and House Affairs will look at that as it reviews this.

• (1625)

Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Madam Speaker, the member across the way for Scarborough—Rouge River has said this is a discussion about the contents of the particular ten percenter in question. Of course, the ten percenter in question refers to policy differences on the Middle East. As has been pointed out in the past, there is a vast disagreement between the Liberal Party and the Conservative Party on the question of the Middle East.

We mentioned earlier the issue of the Durban II conference. The Prime Minister, under this Conservative government, made the principled decision to pull Canada out of the Durban process before it even began, because it became clear to this government that it was going to be a forum for hatred and meanness. The rest of the world followed this Conservative Prime Minister in making that decision.

That was a very sharp distinction from the way the previous Liberal government behaved at the similarly odious Durban I conference, and I will quote what the *Victoria Times Colonist* said at that time:

The continued presence at the conference of Canada's secretary of state for multiculturalism no longer serves any useful purpose and, in fact, helps to legitimize what has become a propaganda forum for some of the worst anti-Jewish hate mongering since the Second World War.

That was on September 5, 2001.

It was clear at that time that this conference was not worthy of Canada's participation, but the previous Liberal government did the easy thing and stayed at the conference and lent Canada's legitimacy to it. Our party disagreed with that decision, and Israel and the United States of America took the courageous position of pulling out entirely.

The member for Mount Royal has made a very curious claim that Israel wanted Canada to stay at the Durban I conference. I have seen not one shred of evidence that is the case. In fact, it would seem to be explicitly contradicted by the fact that Israel itself pulled out of the conference, and so it would have no reason to advise others to stay behind.

I move on now to the subject of the conflict between Hezbollah terrorists and our democratic allies in Israel in the summer of 2006. During that conflict, this Conservative Prime Minister stood with our democratic allies in Israel and backed them up when it was very difficult to do so. By contrast, the current Liberal leader used the occasion to accuse Israel of war crimes. Members of the Liberal caucus marched in the streets with Hezbollah flags blowing in the wind behind them, and one Liberal MP even said it was a good time for Hezbollah to be legalized in this country.

That was the position of the Liberal Party. I respect the right of the Liberal Party to take that position. I disagree with it, but it is wrong for the member for Mount Royal to subsequently demand that others be silenced when they point out those facts.

Speaker's Ruling

On the subject of Hezbollah, I would like to take a moment to recognize the Minister of International Trade, the member for Okanagan—Coquihalla. He is here in the chamber and when he was in the House of Commons as a member of the opposition, he stood and relentlessly called upon the Liberal government to back down and ban Hezbollah as it was a terrorist organization.

There was tremendous Liberal resistance to his call.

• (1630)

The Liberal Party argued that Hezbollah was a social program and that it needed to remain legal, but because of the relentless efforts of the member for Okanagan—Coquihalla, who is currently serving as the Conservative international trade minister, the Liberals were reversed and Hezbollah was banned.

As we continue to look at the record of the Conservative government, we will see that this government has led the way in the global effort to defeat terrorism. Our position has been dramatically different from that of the Liberal Party.

These are facts. They are irrefutable as facts. The member for Mount Royal might not like these facts, but he cannot change them and he cannot suppress others from making them known.

Therefore, I thank the House for the occasion to speak and I honour the great Canadian tradition of free speech where members of all parties can contribute their point of view.

I humbly suggest in conclusion, that as opposed to try to suppress the facts about his party, that the hon. Liberal member for Mount Royal might renounce the positions that his party has taken, and commit that he and his party will start anew on these issues.

In that spirit of renewal I think we could all come together.

The Acting Speaker (Ms. Denise Savoie): Order. 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 Laval, Labour; the hon. member for Cape Breton—Canso, Royal Canadian Mint; the hon. member for Willowdale, Government Communications.

Mr. Dennis Bevington (Western Arctic, NDP): Madam Speaker, I would like to enter into this debate. I think quite clearly the debate, as the hon. member for Mount Royal has said, is about the nature of ten percenters and the content within them.

In my riding I have had ten percenters from Conservative MPs in the last while as well that have accused me of voting in certain ways when I never had the opportunity to vote on those issues at all.

To my mind the pattern of this behaviour on the part of the Conservative Party and its members of Parliament is really fundamentally what is going on here.

This behaviour as we are starting to see is unacceptable and the information given through the auspices of the House of Commons must be accurate. That is the kind of ruling that I have heard today. That is the kind of ruling that the Speaker has made on other ten percenters.

I suppose we could continue to bring these up one by one as questions of privilege and occupy the time of the House in debate.

However, that does not really have to take place if we can have the parties agree that these ten percenters must be used for legitimate purposes, for purposes that are not slanderous or that do not contain non-factual material.

Can my hon. colleague not see that there is an importance in coming out with a position from his party, as well as every other party, to ensure that this does not happen again?

• (1635)

Mr. Pierre Poilievre: Madam Chair, the ten percenter in question was strictly factual. That is the approach that this government takes.

Hon. Irwin Cotler (Mount Royal, Lib.): Madam Speaker, the member for Nepean—Carleton speaks about his party's position on the Middle East. He argues that it is more favourable than that of the Liberal Party. He is entitled to that view. That is not the issue before this House. That is not the ruling of the Speaker finding a prima facie breach of privilege.

The issue before this House, and the member for Nepean—Carleton never referenced it at all, is the use and abuse of ten percenters targeting identifiable religious minorities and using misleading, false, pernicious and slanderous content in that ten percenter, having the effect, as the Speaker found in his ruling, of damaging the reputation, the credibility and the standing of a member of this House.

That is what we are debating. That is what the Conservatives are ignoring. That is how they are changing the channel. They are in fact continuing to abuse this House, to abuse the processes of the breach of privilege debate in order to bring in misleading and irrelevant references to debates on the Middle East.

We are not debating the Middle East. I am prepared to do that any time outside this chamber.

We are talking about false, misleading, pernicious, slanderous ten percenters targeting a community and prejudicially affecting a party, the Liberal Party, and each and all of its members. That is what the issue is all about and that is where the issue of facts comes in.

False, pernicious, misleading, defamatory statements were made in that flyer. The Conservatives cannot escape it. It is there on its face. The Speaker made a ruling. I would like the hon. member for Nepean—Carleton to acknowledge that.

Mr. Pierre Poilievre: Madam Speaker, I acknowledge that the hon. member says that his credibility has been damaged, and I respectfully remind him that that is not the result of a ten percenter but, rather, the result of the positions that his party has taken.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Madam Speaker, I would like to ask the Prime Minister's parliamentary secretary a couple of questions.

It is ironic. He is speaking with this vein in that he made such disparaging comments himself about aboriginals for which he was forced to apologize, so he knows all about saying something and then having to backtrack.

Speaker's Ruling

I want to ask him, does he understand what defamation is? I know that he has no legal training. I know he went to various universities before making a career of politics and the drive-by smear his life's blood. But does he understand that defamation includes publishing a comment, coupled with a damaging comment, coupled with a lack of a qualified privilege that this publication would not have, in distributing an untruth?

Does he agree with the words of the Speaker who said, at 3:16 this afternoon that the critical role that context played in shaping the cumulative net effect of the words was damaging?

Mr. Pierre Poilievre: Madam Speaker, I believe the matter is that the facts of the Liberal Party's position on the Middle East are damaging to the Liberal Party, but that is not the responsibility of anyone other than the Liberal Party itself.

[*Translation*]

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Madam Speaker, I have listened to this afternoon's debate with great interest. I completely understand the distress the hon. member for Mount Royal is feeling at this time, because I think this member has an excellent reputation. However, the reason for his distress is that his viewpoints are different from those of some of the members of his political party, especially his leader.

Getting back to today's debate, I have a question for the hon. member for Nepean—Carleton.

[*English*]

In my own constituency, I receive ten percenters from members of other parties, particularly members of the official opposition. I find those quite reprehensible. I avoid sending them into their constituencies.

I wonder if the hon. member for Nepean—Carleton has received, in his district, ten percenters signed and approved by members of other political parties.

● (1640)

Mr. Pierre Poilievre: Madam Speaker, yes, I believe that some of our colleagues in the Liberal Party have sent ten percenters that Canadian soldiers have found disparaging of their vocation.

Another member of the Liberal caucus was forced to apologize for a regrettable ten percenter that she sent in which she made references to body bags. I know that the aboriginal community was very offended and hurt by that particular ten percenter.

Now we have learned that the Liberal Party is using the issue of Taliban prisoners as part of its efforts to raise money at the expense of the reputations of our soldiers and diplomats who are serving so courageously abroad.

There have been instances where political parties have misused their mailing privileges and have sent out literature that is unacceptable.

I would also like to recognize the very good work of the member for Ottawa—Orléans in serving his constituents. He has been a real model of hard work and of the parliamentary spirit in the way that he serves people around this House. I think members on all sides would agree with me that he is an inspiration to his community and

that he acts as a real leader in this House of Commons. I think we can give him a round of applause for that.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Madam Speaker, I am sad and disappointed to be rising to speak to this issue. This regrettable set of ten percenters and this breach of privilege through misleading, false, pernicious, defamatory information targeting a religious community is so damaging in so many ways.

It was a very sad day when these were sent into our communities, and it is a sad day when we have to hear from the members opposite defending this completely outrageous and undermining project.

These ten percenters undermine people's trust in government. They feed into the very kind of mistrust that the public has of their elected representatives. They undermine democracy. We are at a time when barely 60% of the public bothers to vote. Why? Because they do not trust their political representatives.

In my view, every parliamentarian should be aware at every moment that it is their job to restore that trust because that means restoring our democracy. To see those members of the House deliberately and sneeringly undermining the public trust with this kind of divisive, totally distorted smear piece is very sad for our democracy.

I think the previous speakers have pointed out where the information in these ten percenters is loaded with mistruths and where it is propaganda of the worst kind aimed at a religious group. That by itself is more than disappointing. It is outrageous. To then use the public's dollars to do that certainly is, and I do not want to say icing on the cake because there is nothing good about this.

The undermining of the public's trust is a huge breach of the contract that we have with the public. So to use taxpayers' dollars for this is completely and utterly unacceptable.

This is part of a pattern with the government. This is a government that talked about Kyoto and climate change as being a socialist plot to take money out of people's pockets, and then turned around and pretends to care about climate change though we know that with an absence of a plan in four years, it actually does not. It is hypocrisy and an undermining of the public's trust.

These ten percenters are an illustration of hypocrisy that undermines the public, that undermines the public's belief in their—

● (1645)

Mr. Jeff Watson: Madam Speaker, I rise on a point of order. Correct me if I am wrong, but the issue of climate change is not the content of the ten percenter in question. I would certainly instruct—

Mr. Massimo Pacetti: Sure it is.

Mr. Jeff Watson: We are talking about a specific ten percenter and its content in the debate, Madam Speaker. Now we are talking about climate change. I would at least ask you to advise the member to stick to the discussion at hand.

The Acting Speaker (Ms. Denise Savoie): Order, please. I have heard members from both sides of the House wander considerably from the subject close at hand, but I would urge members from all sides of the House to come back to the point of the ten percenters, specifically as raised.

Speaker's Ruling

Ms. Joyce Murray: Madam Speaker, I am using that example to underline the hypocrisy of these ten percenters. I would point out that the Parliamentary Secretary to the Prime Minister spoke on a range of issues that was not directly related.

One of the things these ten percenters do is undermine Liberals. Their reputations are impugned, particularly the member from Montreal who has been speaking on this. The undermining of the fight against anti-Semitism causes me to be beyond disappointed and angry.

Members opposite, including the Minister of Citizenship, Immigration and Multiculturalism, went to London, under the leadership of a Liberal member of Parliament, to attend a conference to fight anti-Semitism. Out of that came an agreement that anti-Semitism was far too important to be a partisan issue and we needed to fight it together.

This ten percenter sends the complete opposite message. It says that members will use anti-Semitism as a partisan issue to wedge Canadians and drive dissension in the Jewish community. There are certainly differences of opinion on the appropriateness of the ten percenter.

Sending out slanderous and defaming materials, after having agreed that this issue is too important to be a partisan one, undermines other activities of the House. One of those activities is the inquiry into anti-Semitism, of which I am a panel member.

To have this kind of material sent across the country into opposition members' ridings, targeting Liberal opposition members, and at the same time expecting the public to believe that this inquiry, for which imminent scholars are coming from London and places around the world to give testimony on anti-Semitism, makes a mockery, unfortunately, of the inquiry's work.

It is very difficult to hold up our heads as a country in which anti-Semitism is such an important non-partisan issue. How can we inquire into the incidents and causes so we can help reduce and combat anti-Semitism when the House allows this kind of breach of privilege and defamation of the Liberal Party, this kind of targeting of a religious community and these kinds of statements, which are deliberately misleading?

I would encourage the members on the opposite side of the House, who are part of the Canadian parliamentary committee combatting anti-Semitism, to think about holding their heads high as we bring people in from thousands of miles away to talk to us about this very important issue that involves human rights, racism, humanity and compassion. To have this kind of breach of privilege going on at the same time undermines the work we are doing in that inquiry. That is a very discouraging.

I know members spend hours per week on this issue because they care about it. Racism is not acceptable, nor is anti-Semitism. Why can Canada not find a way to work with dignity and determination on this issue?

Canada has a parliamentary group of some 20 people who are working very hard to combat anti-Semitism. If some of those members believe that it is acceptable to target members of the

opposition with this kind of pernicious, taxpayer-funded garbage, I find that very unfortunate.

● (1650)

What must the public think about Parliament when it gets this kind of literature, which clearly distorts, which is clearly untrue and out of context and which smears an hon. member whose life's work has been fighting anti-Semitism? What must the public think about our commitment to fighting anti-Semitism together?

Parliamentarians went to London, most of them on their own dime, to attend a conference. U.K. parliamentarians worked together on an inquiry looking into anti-Semitism. It was important work and they came up with important conclusions. They concluded that anti-Semitism was not being tracked properly, that it needed to be tracked so they could try to prevent it from happening again. Never did we hear a breath of implication that those members were undermining and smearing each other on a side initiative like this. That is simply not the case.

This makes it embarrassing to be a Canadian just as it makes it embarrassing to be a Canadian when the government is blocking action on climate change.

This is an example of complete hypocrisy. On the one hand, the Minister of Citizenship, Immigration and Multiculturalism goes to London under the leadership of the Liberal member for Mount Royal. On the other hand, he sits in the House and defends this kind of garbage. Unfortunately, that reflects on the quality of the executive council of the Government of Canada. I find that very unfortunate because we need to restore the public's trust in its political representatives.

This is just one of a number of examples of government hypocrisy, whether it is the government stating that it will be accountable for public dollars and then spending public money on advertising, or whether it is failed economic policies such as the government promising not to tax income trusts and then turning around and doing just that.

These flyers went into people's mail slots, people who may not have access to thoughtful information on this issue, people who may not read newspapers or go on websites and get both points of view. People think because they see the Prime Minister's picture on a flyer, the information in the flyer must be true. There are many people like that across Canada.

This is a huge undermining of the public trust. Each and every member opposite should be embarrassed with these kinds of slanderous statements, falsehoods, misrepresentations and out and out defamatory claims.

It is very disappointing to me personally who in good faith has been working with Conservative members, Bloc members and NDP members to combat anti-Semitism. It makes me wonder whether I should resume my role next week as a panellist on a panel of inquiry into anti-Semitism, which was set up under the principle that this issue was too important to be partisan. All parliamentarians involved on that panel decided that. They decided we would all work together and put partisanship aside on the issue of anti-Semitism.

Speaker's Ruling

Does that make sense to members opposite? It certainly did to the members who were part of the inquiry panel and part of the association to combat anti-Semitism. I will point out that the Minister of Citizenship, Immigration and Multiculturalism is a member of that group, the group that said this issue was too important to be partisan.

● (1655)

I would ask the Minister of Citizenship, Immigration and Multiculturalism and the members opposite this. Is this no longer an important enough issue to be non-partisan? Do they believe this issue is just one more thing on which to use divisive partisan tactics? Is this human rights? Is this racism? Is this disgusting, historic, human failing and weakness that we call anti-Semitism not matter to them any more? Is this not one of the things they think is worth countering? How can anyone take the members opposite seriously when this kind of drivel goes out to neighbourhoods and to household after household across the country?

I will challenge any of the members opposite who agree with me to make public their disgust at these materials. For the members who agree that anti-Semitism is too important to be partisan with, I challenge them to say publicly that this is not acceptable. We have Liberals who have been leaders on this issue. They have included members of all parties, to work together in a collaborative fashion, to draw in members of communities, community leaders, people from outside of Canada, experts, academics to bring forward their views, case studies, analyses, statistics and sociological understanding of anti-Semitism.

This ten percenter, this breach of trust of the public, this breach of privilege is not part, I hope, of the Conservative Party because it is certainly not part of our Liberal Party. The member for Mount Royal has created an international definition of the new anti-Semitism that is accepted and respected around the world. People who fight anti-Semitism around the world work with him.

To implicate that member in this defamatory breach of privilege has gone beyond anything the Conservative Party has done to date with all of the other hypocritical stances it has taken such as it claiming to be for accountability. The RCMP had to raid its offices because of alleged attempts to cheat on election advertising rules. There is a long list of hypocritical actions on the part of the government, but this is absolutely the lowest. Whether it is about advertising or tax, yes that hurts people, but this is about anti-Semitism. This ties into the kind of prejudice and hatred that we have no place for in Canada. This ties into human behaviour that is from the darkest side of humanity, behaviour that has, as we know, caused unspeakable tragedies in other parts of the world in other eras, tragedies that we must never forget and we must work toward ensuring never happen again.

One way we have been doing that, as an interparliamentary group, is through the coalition to combat anti-Semitism. It is through the inquiry that we find out what is happening on campuses and on the streets. Are people of the Jewish faith able to feel safe in their communities? The inquiry is looking into that. What can we do about it so all Canadians can feel safe, so they can be protected by the rule of law, our human rights, and have their differences and their religion respected?

● (1700)

We are working on that together, or we were working on that together. It is very difficult to see how that group can work together day after day, week after week, and have the trust, confidence and support of respected academics and respected leaders from the United States, Britain, and elsewhere around the world come and help us work on this.

How can we expect that with this kind of breach of privilege happening, this kind of disgusting piece of abuse of taxpayer dollars? How can we expect them to take Canadian parliamentarians seriously? How can we expect them to take a parliamentary inquiry into anti-Semitism seriously when this kind of abuse is taking place?

The Acting Speaker (Ms. Denise Savoie): I regret to interrupt but perhaps the hon. member could continue her comments in questions and comments.

The hon. member for Edmonton—Mill Woods—Beaumont.

Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Madam Speaker, I do agree with at least one thing the hon. member said, that all 308 members of this House should stand strongly against anti-Semitism. I do agree with that.

However, the subject matter at hand today is the ten percenter that went out. There seems to be particular focus on the three clauses of the ten percenter, the three arguments in terms of the Liberals' position. There seems to be particular focus by the Liberal members on the phrase that the Liberals "willingly participated in overtly anti-Semitic Durban I".

What I would ask the hon. member to specifically answer is which part of that phrase is untrue, according to her? She went on at considerable length about how this is untrue. Is it the part that Durban I was overtly anti-Semitic, or is it the part that says the Liberals willingly participated?

I am just curious which of the two parts is untrue, because she has made it very clear that she feels that that phrase is untrue. Is it that the Liberals willingly participated that is untrue, or is it the part that Durban I is anti-Semitic?

Ms. Joyce Murray: Madam Speaker, I will in turn ask the member opposite a question.

How can he assert that all members of this House are committed to fighting anti-Semitism when the member and his government are undermining the very process that has been put in place by parliamentarians to fight anti-Semitism, the very credibility of this Parliament and the very capability of that process to have any kind of justification or credibility in the minds of the scholars and the leaders who care about this issue and who we need to help us to reduce anti-Semitism? How can he claim that?

● (1705)

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Madam Speaker, I wonder if the hon. member would agree with me that it is interesting that the Minister of Citizenship and Immigration, in his opening defence of these egregious ten percenters, made some interesting comments which were along this line.

Speaker's Ruling

It is interesting that the minister said that he condemns anti-Semitism, then he said that we as Liberals participated in an anti-Semitic conference, but he will not say that we are anti-Semitic. How does he get himself out of that?

If he says that we all participated willingly in an anti-Semitic conference, and that is the impression that was left with the voters of Mount Royal and why the Speaker has ruled on the contextual aspect of the ten percenter, if he says we supported it and participated willingly in an anti-Semitic conference, how can he not conclude that we are anti-Semitic and why would he not say it? He knows it is not true.

That is the question.

Ms. Joyce Murray: Madam Speaker, much of what we have heard from the other side of the House is not true. Much of it is hypocritical, and that is the exact point I have been making.

We all know that the member for Mount Royal is the flag bearer for combatting anti-Semitism. We know that he is sought after as a speaker around the world because of his scholarly and parliamentary work to counter anti-Semitism.

The members on the other side of the House know that as well. They know very well that his presence at Durban was a constructive one, and that he stayed because he was asked to stay to bear witness to what was going on there.

They know very well that he spoke up publicly and loudly against participating in Durban II. I heard him do that personally in London in the conference to combat anti-Semitism. I am very struck by how there is a member of the government who is willing to be this hypocritical. The mistruths, as just pointed out by my colleague, are staggering for someone who should take his responsibility to the people of Canada and to the Jewish community seriously.

The Acting Speaker (Ms. Denise Savoie): I would just like to warn members about attributing motives like hypocritical to other members of the House. It verges on being unparliamentary.

Questions and comments. The hon. member for Mount Royal.

Hon. Irwin Cotler (Mount Royal, Lib.): Madam Speaker, I want to make a point that perhaps is getting overlooked in this debate. The flyer that was sent out was in the form of a ballot. That kind of flyer outside an election campaign is itself an abuse of process on public funds.

That flyer asked which of the two parties, Liberal or Conservative, better represents issues of value and concern to the Jewish community. Then that flyer purports to compare the position of the two parties, not what individual members in each of the parties might have said, but the position of the two parties as a matter of record.

The member for Nepean—Carleton said that we should be looking at the facts. That is the point. What was said as a matter of fact? I have no quarrel with the Conservative government setting forth its position on these matters and even setting forth its own position favourably, but that is not what that flyer did. That flyer perniciously and falsely misled the targeted ridings as to what the positions of the Liberal Party were and the members of that party.

The hon. member for Nepean—Carleton said that the facts caused me or others to have our standing reduced because of our party's position on these issues. That is not the case. It was the misleading and pernicious misrepresentation of those facts, as the Speaker found in his ruling. That is what reduced our standing and reputation.

When the hon. member says that the Liberal Party as a party sought the delisting of Hezbollah, in fact, it was the Liberal government that put Hamas and Hezbollah on the terrorist list. When the Conservatives say that the Liberal government was at Durban willingly participating in an anti-Semitic conference, that is associating us and identifying us with anti-Semitism.

Those are the misleading and false allegations and accusations made by them, which undermined us as a party and undermined every individual member's standing and reputation. For that, they still owe an apology to the House and they owe an apology to each of the constituents in each of the ridings that received, on public funds, those false, misleading and malicious flyers.

● (1710)

Ms. Joyce Murray: Madam Speaker, I agree. I call on the members opposite to make that apology.

I also remind the members opposite that those who went to London agreed that parliamentarians should return to their legislatures, establish inquiry scrutiny panels that are tasked with determining the existing nature and state of anti-Semitism in their countries and develop recommendations for governments and civil society action. That is what those of us who went to London agreed to. We agreed to do it in a non-partisan way.

We did not agree and we were not instructed to take materials, use taxpayers' dollars, and circulate pernicious falsehoods about a previous government and an opposition party for partisan gain. I think those members should be ashamed and they should apologize.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, I am pleased to rise on this motion. Quite frankly, and I say this both on a personal basis as a member of Parliament, but also on behalf of my party, I have been extremely offended by the tactics and the use of this ten percenter and the content of the ten percenter. Tomorrow, I will be here nine years and this is absolutely the worst ten percenter I have seen. I say that without any reservations. It is absolutely the worst one.

There may be one good thing that comes out of this. I really want to praise the Speaker for his ruling. It was absolutely appropriate, and I will come back to that in a minute. I am hoping that out of this, when this gets to the committee and the committee reviews it and comes back to the House with recommendations as to how the breach of the privilege should be dealt with, we may in fact clean up the process around the ten percenters, their use at taxpayers' expense. I am hoping that we never have to face this type of material going out at taxpayers' expense in the future. That should be our goal. That should be the goal of all sides of the House coming out of this experience.

Speaker's Ruling

I want to praise the Speaker for his ruling. He was absolutely right to look at this material in its general context. We can play semantic games with this kind of material. If we take it out of context, try to limit it in its scope by using semantics, we could argue that it is not what in fact it is.

What in fact it is, is a document that, to any objective observer reading it, accuses the Liberals of being anti-Semitic. There is no other way of interpreting this if we take the whole context, if we look at the ridings it was sent into and if we look at some of the people who were targeted, some of the Liberal members who were targeted. I would say in that regard, I have had the pleasure, and I hope this does not show up in a ten percenter or a householder at some time, of working fairly closely with both the member for Mount Royal and the member for Winnipeg South Centre. Their ridings were two of the ridings that were targeted. To accuse them, given their long history, both of them, of fighting for human rights, fighting for civil liberties, fighting for a just society, quite frankly is inexcusable. The same could probably be said for some of the other members. It is just that I know those two better than the others. To send it into those ridings is an all-time low for this House.

We could almost see how this comes up. It is political people, party people, who write these things. That is probably something that should be changed by all the political parties. We should take a look at the orientation. We could see this coming out in a pamphlet during the course of an election, written by people in political parties who go over the top in attacking other members of the House and candidates in other political parties. However, when we recognize that this is a document that is going out at the expense of taxpayers, it is a document that is going out under the authority of the House, which is the only way these are allowed to go out, again the content is just reprehensible. It should not have happened.

• (1715)

I want to go back to the contextual arguments, because the Speaker was right in doing this. When we look at that, there is another form of discrimination going on here in the targeting of specific ridings known to have a large Jewish community. It is discriminatory to them, to the members of those constituencies, because it makes presumptions about how they vote, about what their biases may be, and about what their orientations may be. It presumes, and I think this is where the discrimination comes in, how they are going to react based on their faith, their ethnic background or whatever, in this case particularly on their faith.

That type of targeting, again, should not be allowed. It should not be allowed in any context, but certainly if there is a document that is being paid for by taxpayers and authorized by this House, it simply should not go out.

This is probably more appropriate for the committee to be taking into account, but I want to go back to my opening statement about looking for some good to come out of this. I have to say that I would not be satisfied if the recommendation coming back from the committee were simply for an apology.

An apology is acceptable if a mistake has been made, a factual mistake. That is not the case here. This goes way beyond that. It cannot be argued that somebody preparing this material and sending it out did not know, did not intentionally know what the

consequences were going to be, how it would be interpreted and how it would be seen by the recipients of this material.

In my opinion, an apology in this case is not sufficient. That should be forthcoming from the government. In fact it should be forthcoming today. It should have been given when this first came to the public's attention. That alone is not sufficient. There has to be some other consequence of this type of egregious behaviour.

One of the suggestions we will be putting forward to that committee is that the cost of this to the Canadian taxpayers should be reimbursed to the Canadian government by the Conservative Party. I think that would be a much more appropriate penalty, not just for the riding of Mount Royal but for all 10 or 12 ridings it went to.

It will be a fairly expensive penalty, but maybe the message will get through not only to the Conservatives, because I think there have been other political parties from time to time that have crossed the line, again, though as I said earlier, not as badly as this one has. The message will go out.

The final point I will make is that hopefully there will also be recommendations regarding the content of ten percenters in the future, and regarding how we might restrict that so that these types of attacks and discriminatory, bigoted allegations would never be allowed again.

Those are all the comments I have. Again I want to praise the Speaker for his ruling. I think it has been an excellent one and maybe it will bring us to some conclusion that will help this House to function more efficiently and fairly in the future.

• (1720)

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Madam Speaker, one of the things that I would like to make clear is that as a relatively new member of the House, I do find these mailings to be important.

They are important for a couple of reasons. One is that they help a democratic debate. They help to explain policy. They help to explain other people's policies. While we are talking about this particular issue in the House today, which I am sure the government will admit was an error, I would not like to see the program stymied in any way, because I find it very important in terms of getting my message out.

I just wonder if my colleague would like to make a comment on the value of these ten percenters.

Mr. Joe Comartin: I am glad the member asked that question, Madam Speaker, because it was a point I meant make in my address.

There is no question that the ten percenters are a valuable tool for us to be able to communicate not only with our own constituents but with the country as a whole. They should be, and in a lot of cases have been, a tool to educate, to share information with the general public on issues that are in the public domain currently.

It is additionally important to note, and this is the point I wanted to make in my speech, that the Liberal Party has been publicly stating that it wants to stop the regrouping and not allow the ten percenters to be sent by individual members or by party leaders to ridings other than their own.

Speaker's Ruling

I think that ignores the reality of political parties in this country having regional areas in which they do not have any representatives. Those areas would in effect be deprived of the arguments, the issues and the policies of the party that had no representation in those areas.

Therefore I think it is important to continue that ability. My argument is very strong. We have all sorts of laws that restrict what one can say in terms of liable. I think we have to remember that and put some parameters in place.

It is my understanding, and I intend to do more research on this, that the Ontario government has a mail-out program for their members who sit in that legislature but there are restrictions on what the content can be.

I think we need to look at that idea as well. I hope that would be another recommendation coming from the procedure and House affairs committee when it reviews this issue of privilege.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Madam Speaker, I would like to make a couple of points. I concur with the member's view of the member for Mount Royal. I have spoken with that member on a number of important issues. I have worked with him on committee. For anyone to infer in any fashion that that individual is anti-Semitic is just so outrageous and ludicrous that it is beyond belief.

I just wanted to reaffirm for the record my view of that member and the high regard I hold him in.

Beyond that, on the issue of ten percenters and the value of ten percenters, in my case I refer to those as my report card to the constituents I represent. I send them these tidbits of information about what we are doing in the House because, irrespective of the bubble we live in here, the people back home many times do not know what we are doing. I oftentimes leave a space for them to mail back to me their concerns and their points.

On occasion they disagree with me. I know that is hard to believe, but it does happen. However, that allows me to generate the debate. Once my ten percenters have gone to my community, the next day or so when I am home, I have three, four or five people who actually stop me and refer to them.

To open that dialogue and keep it continuing with the people we represent, I believe, is very important.

• (1725)

Mr. Joe Comartin: I thoroughly agree with my colleague from Hamilton that they are a very useful tool. He has added another dimension to these by giving his constituents the ability to respond.

I think from time to time we all do that. We have a mail-back to see whether they agree with the position we have taken in the ten percenter and give us additional feedback perhaps on points that we have not covered. I think it is extremely important that we keep this program going.

However, we have to curtail its abuse, and I think it is possible to do that.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Madam Speaker, thank you for the opportunity to speak here tonight. It is an important discussion, and I am very pleased to stand in support of

the Speaker's ruling today on the question of privilege on behalf of my colleague, the member for Mount Royal, because I also view it as a question of privilege for myself.

I would have hoped, and I would have expected, a government, my government, the Government of Canada, to have stood here this afternoon and, after the Speaker's ruling, to disavow the flyer that had gone out, to make an effort to bring people together, to apologize, which I would agree is not sufficient, rather than to demonize, to divide, to continue to draw a wedge between Canadians, and to present information that it knows to be misleading and not factual over and over again and repeat it over and over again as though repeating it frequently will make it a truth.

I want to put a few things on the record. It is important to note that it was a Liberal government in Canada that, on November 29, 1947, helped to vote the state of Israel into being. Canadian support for Israel's right to exist in peace and security has been a constant in Canadian foreign policy ever since.

There have been times, no doubt, when reasonable people could disagree with the policies or actions of an Israeli government. After all, we all know that in Israel itself there has always been opposition and disagreement with the government of the day. That goes with living in a democracy.

Who knows? If Conservative backbenchers were allowed to think for themselves or deviate from script, they might occasionally be critical of an Israeli government, or of their own, without being thought anti-Semitic or anti-Conservative.

However, neither in Israel nor in Canada has there ever been any question about Israel's right to a secure existence.

In the 61 years since the creation of the state of Israel, 11 people have occupied the office of Prime Minister of Canada and none, until now, has ever sought to turn that broad support for Israel into an issue of partisan politics. However, the current government and the current Prime Minister try to govern on the principle of divide and conquer, divide and rule. In this case, they are doing it by singling out Canadian Jews for a special message and it is a message that, I would submit, is based on deception, innuendo, half-truths and non-truths.

For the current government, such conduct seems to be instinctive. However, I would submit again that it is not the Canadian way. A government that sees nothing wrong with a ten percenter targeting Canadian Jews now will see nothing wrong with targeting Sikhs or Muslims or Serbs or Bosnians tomorrow.

The manipulation of religious or ethnic minorities for short-term political gain, I would submit again, is a recipe for long-term disaster. A country like ours becomes ungovernable when a government seeks to mobilize or divide people on the basis of their culture and their religion.

In this particular case, a ten percenter targeted at Jews or any other minority attempts to turn them into political fodder and the communities in which they live into someone else's battleground.

Speaker's Ruling

As a Canadian Jew, I would say that we are quite capable of managing our own disagreements without the interference of the national government or any political party.

I want to reference the ten percenters which the parliamentary secretary spoke about. He talked about other parties submitting ten percenters.

I think it is important that we all realize that 69% of the ten percenters that go out from this House are sent out by the party opposite, most into ridings that it does not hold; 11% are sent out by the New Democratic Party; and 13% by the official opposition.

These ten percenters, as well, were targeted into the very ridings that the strongest advocates for good Canada-Israel relations live in.

● (1730)

The loudest voices against anti-Semitism are those individuals whose ridings were targeted. The flyers were sent to denigrate the members and denigrate their records and reputation. It is reprehensible. Moreover, singling out Jews and Jewish communities in this way is appalling, demeaning and potentially dangerous. It is not flattering. It does not confer special status, yet the party opposite has no scruples about playing off Jews, one against another, or playing one group of Canadians against another, or singling out Jews for special attention and treatment. I think Jews with any historical memory ought to be very nervous when a government starts targeting them for special treatment or special messages. We have been there before and we are in very dangerous territory.

Historically, Jews have been a marginalized, vulnerable, identifiable cultural group. The government should not be in the business of separating them or, indeed, any minority of Canadians from the general citizenry and targeting them for its own security are not and should not be partisan issues. Yet, through these flyers, that is what the government is offering: an appeal to fear that can only poison the wells within the Jewish community and between the Jewish community and the wider community of Canadians.

I want to read into the record, and perhaps it has been done before I was in the House this afternoon, the comments made by my leader, the member for Etobicoke—Lakeshore, at a Canadian Jewish Congress meeting. He said:

My party will never claim to be the only genuine defenders of Israel in Canadian politics, because I don't want my party to be alone in the defense of Israel, I want all parties to defend Israel

I referenced this before in a statement I made in the House the other day. Many of us will have seen in films or in documentaries that very famous exchange between Senator Joe McCarthy and Joe Welch who was chief counsel for the army in the so-called Army versus McCarthy hearings. Wanting to discredit Welch, McCarthy tried to discredit a young lawyer in Welch's firm. Welch responded with words that have resonated down through the intervening years and they are words that might be addressed to this government. He said:

Until this moment, Senator, I think I never really gauged your cruelty, or your recklessness.

Have you no sense of decency, sir, at long last? Have you left no sense of decency?

I would submit that if the Conservatives cannot see the value of having all parties standing together in support of Israel, I would say that perhaps their interests lie outside the Jewish community of Canada. Dividing a wedge among us is not the way to govern this country.

● (1735)

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I congratulate my colleague from Winnipeg South Centre for a very fine presentation, and my good friend from Mount Royal with respect to the interventions he made.

I want to read into the record a couple of things. I know a number of papers have been read into the record but a recent editorial in the *Toronto Star* read as follows:

Through a deliberate twisting of the facts, the flyers suggested that the Liberals are anti-Semites.

It goes on to say:

What is really grating about these vile flyers is that they were delivered at taxpayers' expense....

A third quote is as follows:

[The Prime Minister] and his party should repudiate the flyers and apologize for having distributed them.

I think my friends opposite need to reflect on what has happened. I know we all get engaged in partisan exchange and in very vigorous political fights. As somebody who has been through a few of those myself and having delivered a couple of blows, some of them unfair, over 30 years, I think we would all say that there are times and moments when we might have wished that we had not said something that we had said.

I think this is a time for all of us to reflect on a couple of things. The first is the issue of substance before us, that is to say the content of the leaflet that was distributed. I find that I am in agreement with the comments made by the *Toronto Star* with respect to the document. It is vile and it associates the Liberal Party with anti-Semitism.

When we come to understand a little better the history and meaning of that terrible phenomenon in world history, we need to understand how deeply wrong it is for a political party to accuse another political party of hosting or encouraging any such views. To put it in more accurate terms, anti-Semitism is Jew hatred and the suggestion that members of the Liberal Party engage in that kind of activity is, frankly, nauseating.

The second is the question of these flyers. I am happy to engage in a discussion with my colleague from Windsor—Tecumseh with respect to the issue of what we should do about the ten percenters, but if anybody thinks that this can be allowed to continue at taxpayer expense, they are sadly mistaken.

Hon. Anita Neville: Mr. Speaker, I am glad my colleague named it for what it is. It is Jew hatred and to submit that anybody on this side, most notably those who had the flyers dumped into their ridings, are haters of Jews is vile and abhorrent.

Private Members' Business

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, we have a tremendous opportunity to serve in the House and to serve beside many great Canadians and none greater than the member for Mount Royal, who brought this motion forward, and my colleague who just addressed the House on this particular topic.

I had the privilege of coming to the House with the member for Winnipeg South Centre nine years ago. We were both in the class of 2000 and a group of us, who still remain from that class, had a gathering last night. We talked about the highlights and the lowest points that we have experienced in the House over the course of nine years, because there are many highs and lows.

I wonder if she would take the opportunity to share her lowest point with the people who are watching this debate at home and those in the gallery today.

Hon. Anita Neville: Mr. Speaker, that is a difficult question to answer.

Last night, the class of 2000 played a game of talking about the highest and the lowest moments in our nine years here. We each submitted those memorable moments, some positive and some negative. As the member well knows, my reference was this past week. This past week has been the lowest of the lowest that I have ever experienced in this House.

• (1740)

The Deputy Speaker: Questions and comments. Resuming debate. Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the nays have it.

And five or more members having risen:

The Deputy Speaker: The vote stands deferred until Monday, November 30, at the end of government orders.

Hon. Jay Hill: Mr. Speaker, I rise on a point of order. Even though we are past the normal time for private members' business, I think if you seek it, you would find consent among all the members in the House to proceed to private members' business as ordinarily would have happened at 5:30.

The Deputy Speaker: Is there unanimous consent to proceed to private members' hour?

Some hon. members: Agreed.

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I rise on a point of order to seek further clarification from you. I had put my name down with the table officers to speak to the question of privilege that was raised by the member for Mount Royal in his motion. I was getting up to speak when you asked for other speakers and you moved on right away into other matters. I am not sure what happened but I believe I had the right to speak when you had asked for speakers.

The Deputy Speaker: The member is quite right, he did have a right to speak. The chair had been informed that there would be no other speakers from the whip's desk. I did call for further speakers and I looked around. I asked if the House was ready for the question and then I proceeded to put the question. I did not see the member rise. I did call for further speakers and I did say, "Is the House ready for the question", as is normal, and then I proceeded to read the question. At no point did the member for Davenport indicate that he wanted to speak, so the matter has been dealt with now and we are on to private members' hour.

Mr. Mario Silva: Mr. Speaker, I apologize, but I did get up. I think there was a matter that maybe you did not notice me but I did get up and you just moved on to the question, and, unfortunately I was left out. My name is there for the record and I did move and I had my speech prepared as well, so I am not sure why I was not recognized and not able to speak to the matter.

The Deputy Speaker: I can only assure the member that I did call for further debate. I did, as is customary, glance around the chamber. I did ask if the House was ready for the question. Nobody indicated that the House was not ready for the question. Had the member stood up, I would have gladly recognized him and the House would have heard him.

I think it is incumbent upon members to be aware of the progress of motions and the state that they are in.

We are now on to private members' hour.

PRIVATE MEMBERS' BUSINESS

• (1745)

[Translation]

FEDERAL SUSTAINABLE DEVELOPMENT ACT

The House resumed from October 26 consideration of the motion that Bill S-216, An Act to amend the Federal Sustainable Development Act and the Auditor General Act (involvement of Parliament), be read the second time and referred to a committee.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, this afternoon, it is my pleasure to speak to Bill S-216, which seeks to amend a bill adopted in the dying days of the 39th Parliament. The bill was sponsored by a former colleague, John Godfrey, who retired from the House just before the fall 2008 election.

Private Members' Business

Mr. Godfrey was a member of the Standing Committee on the Environment and Sustainable Development. I remember that he did everything in his power to ensure that his bill would make it through the committee stage and be passed in the House before the end of the spring 2008 session, because he realized that the Prime Minister was likely to call an election in the fall, which is exactly what happened.

Mr. Godfrey's bill, which is now a Canadian law, requires the federal government to develop a sustainable development strategy for its departments and agencies. Among other things, it requires the federal government to submit a preliminary version of this strategy to a House of Commons committee to be evaluated. Following the evaluation, the preliminary version would become the final version.

The purpose of the bill was to force the federal government to show leadership on environmental issues through its own activities. To that end, it must set an example for the rest of Canada and the world by taking action to protect our environment and fight greenhouse gases.

Bill S-216 would resolve a significant shortcoming in Mr. Godfrey's bill. It states that the government must consult both the House of Commons and the Senate. In other words, if Bill S-216 is passed, the preliminary version of the federal government's sustainable development strategy will be referred to committees of both the House of Commons and the Senate.

It seems very clear to me that the Senate must play a role in evaluating the Government of Canada's sustainable development strategy, and I will explain why.

First, there are many senators who consider the environment a priority and who have been interested in the environment for many years. These senators have something to say about sustainable development, and we need to ensure that their knowledge and experience will be brought to bear in developing the federal government's sustainable development strategy.

There are four senators who come to mind. The first is Senator Grafstein, who will retire from the Senate before the holidays.

• (1750)

Senator Grafstein has a special interest in water and has been working on this issue for years. There is Senator Lapointe, a great Quebec artist, actor and star, who has an awareness of environmental issues. There are also Senator Grant Mitchell of Alberta, who considers the environment a priority, and Senator Banks, who, when he chaired a Senate committee a few years ago—I do not know whether he is still the chair—released an extremely important report on water in Manitoba, Alberta and Saskatchewan.

The Senate, in terms of the senators who sit there, is well equipped to take a considered and informed look at a federal sustainable development project.

Second, we know that the Senate is sometimes a bit more representative than the House of Commons, because senators are appointed. For example, aboriginal Canadians represent 1.62% of members of the House of Commons, but nearly 6% of senators. There is also greater representation of women in the Senate than in the House.

The diversity in the Senate's membership is quite interesting. In the case of aboriginal senators, I would like to point out that these senators represent sectors or regions which, unfortunately, suffer the most devastating effects of climate change. We have Senator Watt who represents the Arctic. The Arctic is unfortunately seriously affected by the negative impact of climate change. These aboriginal senators often have a great interest in the environment. Because of the diversity in the Senate's membership, I believe that it is very important that it be consulted on these matters.

I would like to address another point. It is well and good to want to refer a bill on sustainable development to a committee, but we all know that the House committees are swamped. For example, the Standing Committee on the Environment and Sustainable Development is presently conducting a number of studies. The work has backed up somewhat like traffic at rush hour on the Turcot interchange in Montreal. We are currently studying Bill C-311 on climate change. Next, we want to study the oil sands and water resources. We are also conducting the five-year statutory review of the Species at Risk Act. And we have other work.

The House committees are very busy. Why not ask a Senate committee to also have a look at it? This is another reason why I believe the Senate should be involved.

As I mentioned at the beginning of my speech, Mr. Godfrey's bill, which we are attempting to amend, required the federal government to show leadership on environmental issues. It is the type of leadership that the Liberal party has always exercised, especially with respect to climate change. Consequently, I believe that it would be a very good thing for our country if the Senate were to be more involved in this matter.

• (1755)

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am very pleased to rise today to speak to Bill S-216, a Senate bill. I note that the summary of the bill describes the bill as an enactment that “amends the Federal Sustainable Development Act and the Auditor General Act to ensure the full participation of each House of Parliament”. Clearly there was a mistake made some time back when the original legislation was tabled, but which is now being corrected by this bill.

Bill S-216 is sponsored by the member for Kitchener Centre on the government side. It amends the Federal Sustainable Development Act and the Auditor General Act. The former requires the government to produce and table a number of reports before the House; Bill S-216 proposes that the government table the same reports before the Senate. Therefore, the bill gives the Commissioner of the Environment and Sustainable Development greater flexibility regarding the timing of the tabling of some of the reports under the Federal Sustainable Development Act.

The bill also corrects an oversight that occurred, as I indicated before, during the development of the Federal Sustainable Development Act.

Private Members' Business

The act will establish a sustainable development advisory council, and there were a number of suggested groups from whom representatives would be drawn to sit on this advisory council.

The Parliamentary Secretary to the Minister of the Environment did speak to the bill, and I took the time to reread the first hour of debate, so I am aware what other members had to say regarding the bill. I must admit it was quite far-fetched. It was certainly way off the topic of the bill in many ways. Nevertheless, the parliamentary secretary did make reference to new regulations for tailpipe emissions and said, "We have reduced emissions through stringent tailpipe emissions standards" to begin in 2011.

I can recall the emissions standards in the United States under Jimmy Carter in 1980. They were in place to ensure that the Detroit big three built their cars in much more energy-efficient ways. Following the election of Ronald Reagan and the new Republican right, who were basically the forebears of the current Conservative Party, they took the emissions standards of President Jimmy Carter and basically gave the car companies a pass. They were supposed to bring in certain emissions standards by such and such a date over, say, a five year period, and Ronald Reagan changed that so the auto companies had 10 to 20 years to bring in the same emissions standards.

It is interesting after 38 years in political life and having seen many people change their positions over time to see the Conservatives talk the way they are right now, which I am not used to. Certainly in reading the speeches in *Hansard*, I have had some big surprises.

The parliamentary secretary has also said that 90% of Canada's electricity will come from clean sources by 2020. I applaud all of what he has to say, but what sort of studies does he have to show that this will in fact happen, because I do not know if the government actually has control of all the levers required to make certain it would?

● (1800)

I would like to get the information from him on that. For example, his colleague, the Minister of State for Democratic Reform, who is a member from Winnipeg, as I am, has been pushing for an east-west power grid. We recognize that it is important in order to meet the Kyoto targets. In order to reduce the greenhouse gases, we want to have an east-west power grid, so that we can bring developed hydroelectric power from Manitoba.

Rather than shipping it all to the United States on a north-south basis, we want to be able to send it east-west. We want to be able to send the power into Saskatchewan and Alberta, but particularly into Saskatchewan, so it does not have to rely on coal-fired generation, so it does not have to do any further studies of the nuclear option which it is looking at right now.

We want to be able to construct that east-west power grid to Ontario. If we could do that, we could provide hydroelectric power, clean power, to southern Ontario, so that the coal-fired generators that are currently operating in southern Ontario could be retired. I forget the exact number, whether it is five or fifteen, but there is a number of them still operating and they are certainly heavy on the pollution side.

The fact of the matter is that this issue has been dealt with since about 1991 when Premier Gary Filmon who was a Conservative Premier was dealing with Bob Rae who was the Premier of Ontario at the time. The deal fell apart at that point in time. There was talk of starting to look at it again later on and things are just not happening.

It seems to me that with a recession in progress, and I notice that the Conservatives now are talking about their strong connections with the Obama White House. They are now taking a different sort of attitude, and if that is the case, why are the Conservatives not putting up the money, why are they not highlighting this east-west power grid as one of their major projects?

I assume they are heavily interested in re-election. If they want to do that, it is certainly not going to make them any less popular than they are right now if they were to announce that they were going to do an east-west power grid from Manitoba to Ontario, and that we are going to sell power into the Ontario market.

It is just such a no brainer. We are putting the money into the north-south routes. As a matter of fact, Manitoba Hydro is getting close now to building its Bipole III which will be the third bipole.

The debate in Manitoba is whether or not this thing should be built down the east side of Lake Winnipeg or whether it should go all the way out to the Saskatchewan border and come back. I think at some point over time, over the next say 100 years, the Bipole III is going to be built and then we are going to be looking at a Bipole IV at a certain point. There is some advantage to having them spread a wide distance apart. If we were to have an ice storm, for example, and the two bipoles were within 30, 40 or 50 miles of one another, they could both be taken down in an ice storm. Therefore, there is an advantage of having several of them and having them spread out.

We know what happened in Quebec during the ice storm a few years ago. It basically shut the whole province down for a certain amount of time.

Therefore, I see here absolutely nothing coming from the government side on this issue at any point in time. The Conservatives have gone through an election now. The only person on that side who gives us any encouragement is the Minister of State for Democratic Reform who on a couple of occasions has said some pretty good things in support of the east-west power grid, but he does not seem to be getting anywhere with the member for Portage—Lisgar or—

● (1805)

The Deputy Speaker: Order. I have to stop the hon. member there. His 10 minutes have expired. So we will resume debate.

The member for Kitchener Centre is rising for his five minute right of reply.

Mr. Stephen Woodworth (Kitchener Centre, CPC): Mr. Speaker, I rise to offer my concluding comments in the debate on Bill S-216, An Act to amend the Federal Sustainable Development Act and the Auditor General Act (involvement of Parliament).

Adjournment Proceedings

Before I digress to that, I would like to thank the member for Lac-Saint-Louis for his very positive remarks today. It is what I have come to expect of him. I also wish to thank the member for Elmwood—Transcona for his very generous praise of the government's environmental policies, which were outlined by the parliamentary secretary.

Why do I enthusiastically support this bill? Why should all members support this bill? It is because the proposed amendments seek to strengthen our capacity to progress toward sustainable development. They reinforce one of our government's most fundamental priorities: greater accountability and transparency. Our government has been working hard and has delivered many sustainable environmental measures.

The Federal Sustainable Development Act requires the government to produce a draft federal sustainable development strategy for consultation. The act currently requires the government to share the draft federal strategy with the Canadian public, the commissioner of the environment and sustainable development, a sustainable development advisory council to be created under the act, and a standing committee of the House of Commons.

Indeed, the government will be embarking on broad consultations for the draft strategy in the coming months. Yet, a key institution is obviously missing from these consultations on the draft strategy: the Senate. Clearly, senators are entitled to offer analysis that could improve upon the draft strategy. That is why I am pleased that the proposed amendments before the House today add senators to review the draft strategy.

The passage with all-party support of the Federal Sustainable Development Act last year was an important illustration of our collective commitment to transparency and accountability in this area. In our collective enthusiasm for this legislation, however, some of the key elements were overlooked during the committee stage. The amendments before the House today will address these issues, strengthening the act so that we can work more effectively toward our ultimate goal of sustainable development.

As mentioned, the existing act requires the government to table a draft federal sustainable development strategy before the House. In the interest of fairer treatment of the other place, Bill S-216 proposes that the draft strategy also be tabled in that place. This is a sensible change that I trust will also enjoy all-party support.

In addition, Bill S-216 would give the Commissioner of the Environment and Sustainable Development more flexibility in the timing of his report on the fairness of the information contained in the government's federal sustainable development strategy progress report, thus ensuring its timeliness. It also ensures that other reports prepared by the commissioner are tabled in the Senate.

These reports could very well improve the impact of the government's work on sustainable development and they would surely reinforce the goal of greater transparency and accountability. By extending the tabling of these reports to the Senate as well, there is the additional added value of improving the Auditor General Act. Let us show Canadians that we can all work together.

For all these reasons, I ask all members to join with me in supporting Bill S-216. Our government is committed to delivering

both sustainable development, and greater transparency and accountability. Also, once again, I repeat my thanks to Senator Banks for originating this bill and for collaborating with me in this non-partisan effort.

• (1810)

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

Some hon. members: Agreed.

The Deputy Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Environment and Sustainable Development.

(Motion agreed to, bill read the second time and referred to a committee)

Mr. Tom Lukiwski: Mr. Speaker, if you seek it, you would find unanimous consent to see the clock at 6:30 p.m.

The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

LABOUR

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, on September 30, 2009, I asked the Minister of Labour about the fact that a number of female workers in Quebec who work under federal jurisdiction do not have access to the preventive withdrawal program, because if they do use the program, they can unfortunately not receive income. They must take leave without pay.

At the time, the minister very clearly indicated that this was not the case. A worker who had concerns about her condition, her situation or her health did not need to worry. She could simply ask to withdraw from her workplace and continue to be paid.

We looked into the situation for female workers under federal jurisdiction, and it seems as though what the minister told us was a half-truth. In fact, a female worker under federal jurisdiction can tell her employer that she is worried about her health or the health of her unborn child, and can say that she does not want to continue to work. At that time, her employer will tell her that she can withdraw from work until a doctor, an expert, can examine the issue and determine whether this is justified.

It is true that, from the time the employee withdraws until the doctor or expert reports back, she will receive her full salary and not have to worry about it. However, it does not take long for an expert or doctor to determine whether the situation is dangerous for the employee who has concerns about her health. It seems that it is not a very long process and if the employee withdraws from her place of employment for a day or two, she will receive her full salary.

Adjournment Proceedings

The problem comes when the expert or doctor renders a decision and has determined that it is dangerous for the employee to continue working in her position and that she should be transferred to another position or go home to take care of her health. If the employer does not have another position to offer her, then she has to go home. As of that moment, she is no longer paid her salary. That is what troubles us.

How can we ensure that every woman is entitled to the same preventive withdrawal leave and the same level of safety and can go home to await the birth of her child with increased peace of mind?

• (1815)

[*English*]

Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I am pleased to have this opportunity to provide further information in response to a question raised by the hon. member for Laval.

The question raised concerned the treatment of workers under federal jurisdiction in Quebec in comparison to their provincial jurisdiction counterparts and in relation to preventative withdrawal provisions for pregnant and nursing employees, which is a very important issue.

The Canada Labour Code gives pregnant and nursing workers who believe their job creates a risk for themselves or their unborn or nursing child the right to cease work and continue to receive pay while they seek a medical opinion. This is also very important.

As we face the H1N1 pandemic, the protection of pregnant and nursing women is of particular concern. I thank the hon. member for her concern for women and for their unborn and nursing children.

If the risk is confirmed by a doctor, the pregnant or nursing worker is entitled to reassignment to another position or to modification of her current job. This duty to accommodate is set out in both the Canada Labour Code and the Canadian Human Rights Act. It is very important legislation, and we should all be proud of the Canadian government for this legislation.

It is important to note that under labour standards legislation, both provincially regulated employees and federally regulated employees in Quebec have substantially similar rights; that is the right to be reassigned to different duties if possible, or to be granted a leave of absence if there is a danger to their health or that of their unborn or nursing child.

I also think we should put this discussion into context. Bluntly, the member has a concern that she wants to raise about women in Quebec, but while the Bloc Québécois is stuck on opposition benches, they cannot do anything for Quebecers. Our Conservative government and our Conservative members from Quebec are delivering the goods to Quebecers.

Our government has significantly invested in child care. We have given Canadian women raising young children a choice in child care through the universal child care benefit. We are extending maternity benefits to self-employed Canadian women. Our government brought in proactive pay equity legislation for workers in the federally regulated public sector as part of Canada's economic action

plan, which has been so successful for Canada's economy, and which that member, quite frankly, voted against.

A significant concern for many women also relates to criminal justice. Conservatives on this side of the House stand up for the rights of victims rather than the rights of criminals.

Yesterday was International Day for the Elimination of Violence against Women. I am sure all parties would agree that we need to work hard to protect women and all persons from violence. This is why our Conservative government is strengthening our justice system, focusing on the rights of victims and of law-abiding citizens rather than that of the rights of criminals. We encourage all hon. members to join with us as we strengthen our justice system to protect women.

I would invite the member to talk to her leader and the rest of her members in the Bloc Québécois to vote with this government when it comes to the rights of women and protecting the vulnerable in our society.

[*Translation*]

Ms. Nicole Demers: Mr. Speaker, I was pleased to listen to my colleague whom I hold in high regard.

It will come as no surprise that I think he is mostly right. Indeed, his government can act, his government can make decisions and his government can be proactive. Given that, according to him, the Bloc Québécois cannot do anything, why is the government not being proactive on this issue and ensuring that woman who want preventive withdrawal are paid, just as Quebec women are?

I think the partisan politics and the smoke and mirrors tactics need to stop. My colleague sidestepped the question in a very cavalier manner. He simply repeated what I said, but he forgot to talk about the part that is missing. What he forgot in all of this is that the women who go home from work because they cannot be transferred somewhere else have no income. Those women are left out in the cold.

[*English*]

Mr. Brian Jean: Mr. Speaker, one key measure put forward by a member of this Conservative government to protect women was Bill C-268, a private member's bill introduced by the member for Kildonan—St. Paul. The bill would protect women from human trafficking by introducing a mandatory minimum sentence for the trafficking of minors, a disgusting situation that even exists in Canada.

I applaud the member for Kildonan—St. Paul for her work and continuous effort on this issue. She is standing up for the most vulnerable in our society and has done a lot to bring the issue of human trafficking to the attention of parliamentarians.

Adjournment Proceedings

Unfortunately, although Bloc members talk the talk, they do not walk the walk. The member for Laval voted against Bill C-268 and I am sure she had the best intentions. I know the member and I respect her, but I do not know why the member, who speaks so passionately, would stand up against such a bill.

● (1820)

GOVERNMENT COMMUNICATIONS

Ms. Martha Hall Findlay (Willowdale, Lib.): Mr. Speaker, I am here this evening to elaborate on questions asked earlier about the Government of Canada's advertising program, in particular the advertising engaged with regard to the economic action plan. As we now know, very large amounts of money have been spent on government advertising. I will be the first to acknowledge that certain aspects of government advertising are very important. Educational advertising, advertising required to inform Canadians of specific programs that they can take advantage of, advertising, although it was insufficient, for H1N1 are examples of government advertising that are important and we support that.

However, as we have seen, great amounts of money, millions of dollars have been spent on advertising by the government that is rather than educational, purely self-congratulatory. I would reinforce the concern that it is taxpayer money that pays for government advertising, so in effect, taxpayers across the country have paid for millions of dollars of self-congratulatory advertising by the government.

Even worse, these millions of dollars of this self-congratulatory advertising have also blurred the image of the Government of Canada with the image, the colours and slogans associated with the Conservative Party of Canada. That is in breach of several of our federal laws and guidelines. I would list in particular the Treasury Board guidelines of communications policy, the federal identity program, that government advertising use specifically condones Government of Canada symbols. Those symbols do not include a number of the symbols, slogans and colours in particular that this advertising has included.

I have several specific questions with respect to this advertising. I will ask the hon. member opposite to keep track because there are five or six specific questions.

Was the Prime Minister's Office involved in any way in the creation of the economic action plan brand?

What direction was given by the government to communications and advertising agencies responsible for creating the brand and designing the marketing materials and strategies?

Who approved of the use of specific colours, images, slogans, look and feel aspects and other branding elements currently used in the economic action plan brand and associated marketing materials?

Who conceived of and who approved of the duplication, for example, of the cover of the 2008 Conservative Party election platform and used the exact same cover for the Government of Canada's 2009 Speech from the Throne?

Who decided that the economic action plan branded logo would use not just any blue, but out of a choice of millions of options of

pigments, the exact same pigment of blue used by the Conservative Party of Canada?

What advice, if any, was received by the creators of the marketing materials and logos about the compliance of the branding elements of the economic action plan that are currently in use? If any advice was given, what was that advice in terms of compliance with the Treasury Board communication policy guidelines, the federal identity program, compliance with the Conflict of Interest Act, the Conflict of Interest Code that applies to all of us as parliamentarians and in fact any other laws that restrict conferring benefits on a political party?

Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, I rise in the House to speak to the government's record on communicating Canada's economic action plan.

This year our government undertook unprecedented action to stimulate the Canadian economy and combat the global recession. The economic action plan was and is critical to ensuring that Canadians are shielded from the worst impacts of this economic crisis.

We are implementing more than \$60 billion in stimulus measures, measures that are having a positive impact right now, and Canadians need to know about them. I mention this because those actions and our communication of the economic action plan are at the heart of what we are discussing today.

The government not only has a right to inform Canadians about our economic action plan, about how to access its measures and benefits, but it is also our obligation to do so. We want Canadians to have information about all of the important measures in our economic stimulus package, some of which are available for a limited time, like the home renovation tax credit.

Through informing citizens of our actions, we also highlight our accountability for those actions. We have launched advertising campaigns, created a strong online presence, and travelled from coast to coast to coast, among many other activities, to ensure Canadians know about the support that is available.

This government has a strong set of rules in place dictating how it communicates with Canadians. The communications policy of the Government of Canada ensures that Canadians receive timely, accurate, objective and complete information about the government's policies, programs, services and initiatives.

Complementing the communications policy is the federal identity program policy. The federal identity program is about clear and consistent identification. It projects the government as a coherent, unified administration and enables Canadians to recognize at a glance where their government is at work for them.

The hon. member is concerned about advertising. On that subject, the communications policy clearly states that departments and agencies may place advertisements to inform Canadians about their rights or responsibilities, about government policies, programs, services or initiatives, or about dangers or risks to public health, safety or the environment. It also states that departments and agencies must ensure advertising campaigns are aligned with government priorities and government themes and messages.

The rules are quite clear. Departments and agencies must ensure that the design and presentation of advertisements conform to the communications policy and its procedures, as well as requirements of the federal identity program policy.

All advertising is reviewed by the Privy Council Office. Furthermore, departments and agencies must not use public funds to purchase advertising in support of a political party.

Make no mistake. In advertising the economic action plan and communicating it to Canadians, our government has followed these policies.

• (1825)

Ms. Martha Hall Findlay: Mr. Speaker, I was under the impression that this process allowed for elaboration of questions so that we could in fact obtain more in the way of answers from the government.

The hon. member has not answered a single one of my six questions. In fact he arrived here with a prepared speech. How on earth could my friend opposite have prepared answers to questions that I only came with this evening?

To say that it is an abuse of process is too strong, but it is very disappointing that I have come here this evening with a list of questions to ask of the government, and my friend opposite has arrived with a prepared speech. He has not even acknowledged that I have added questions and he has certainly not answered them.

Adjournment Proceedings

We have no argument with the government advertising specific information that Canadians need to access programs, but what has been engaged in here—

The Deputy Speaker: The hon. parliamentary secretary.

Mr. Andrew Saxton: Mr. Speaker, this government is fulfilling its responsibility to inform Canadians about the important economic stimulus programs and initiatives contained in our economic action plan.

The government is meeting its commitments by reporting on the use of funds in the tabling of the supplementary estimates and in quarterly reports to Parliament on the economic action plan. The action plan website and advertising campaign further increase transparency and accountability to Canadians.

We want Canadians to have information about all the important measures in our stimulus package, like the home renovation tax credit which is only available for a limited time.

The Deputy Speaker: The hon. member for Cape Breton—Canso not being present to raise the matter for which adjournment notice has been given, the notice is therefore deemed withdrawn.

The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:30 p.m.)

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