



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, November 27, 2013**

—

**Speaker: The Honourable Andrew Scheer**

## **CONTENTS**

(Table of Contents appears at back of this issue.)

# HOUSE OF COMMONS

Wednesday, November 27, 2013

The House met at 2 p.m.

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*Prayers*

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• (1405)

[English]

**The Speaker:** It being Wednesday, we will now have the singing of the national anthem, led by the hon. member for Charlottetown.

*[Members sang the national anthem]*

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## STATEMENTS BY MEMBERS

[English]

### RAILS TO RELEVANCE

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, how often do we hear people ask, “What are we going to do to ensure that Canadian youth get involved with civic affairs, with democracy, and start voting and participating in our society?”

I am so proud of a small high school—it is not that small, really—in my riding, Claremont high school in Cordova Bay, that answered this question with something they called “Rails to Relevance”. The global studies program there decided to offer for students in grade 11 the chance to take the train from Vancouver all the way to Ottawa and learn about the country on the way. I was on board doing onboard seminars with my friend from the NDP, our local MLA, Lana Popham. They saw their country all the way from Vancouver to Quebec City and were able to be here in Parliament. In Parliament, I am grateful to my colleagues, the Minister of Citizenship and Immigration, the leader of the official opposition, and the leader of the Liberal Party for meeting with these wonderful students.

Thanks to Mark Neufeld. Thanks to Sally Hansen, the local school district, VIA Rail, and everyone who made this fantastic trip possible.

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### VIOLENCE AGAINST WOMEN AND GIRLS

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, the “16 Days of Activism Against Gender Violence” campaign reminds us that violence against women and girls comes in many forms, including pornography. Just last week, here in Ottawa, I hosted

leading anti-porn researcher Dr. Gail Dines to address decision-makers on the harms pornography has on youth and children and the merits of an opt-in filter approach.

Pornographic images are becoming extremely violent and have an increasingly harmful effect on its viewers. In fact, on the first day of this campaign, I received a letter from a 10-year-old boy who courageously shared with me his addiction to porn and asked our government to take action.

The facts are sobering: boys who frequently view porn are more likely to be supportive of sexual coercion. We have a duty to protect our youth from sexual abuse. We are all part of the solution to end violence against women and girls.

\* \* \*

[Translation]

### FAB3R

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, I would like to tip my hat to four people from Trois-Rivières who deserve recognition.

Last week, Chantal Rochette, Yves Lacroix, Martin Magny and Yves Auger became the owners of a new business called FAB3R.

By acquiring GL&V Group's manufacturing division in Trois-Rivières, they are keeping quality jobs close to home and have become a prominent partner in economic development.

An \$8 million business is definitely something to be proud of, but it is also a huge responsibility that these four investors are taking on because they did not want to see the factory close its doors.

I would also like to mention that the 155 employees joined in the effort by signing a collective agreement that is valid until 2020, which shows the potential for modern labour relations between bosses and their employees.

I would also like to thank Richard Verreault, president and CEO of GL&V Group, who will remain an important business partner for the new company. He has proven his dedication to the Trois-Rivières area.

I wish FAB3R all the best.

*Statements by Members*

[English]

**TYPHOON HAIYAN RELIEF EFFORTS**

**Mr. Andrew Saxton (North Vancouver, CPC):** Mr. Speaker, on November 8, Typhoon Haiyan slammed into the Philippines with devastating force, killing thousands of people and leaving millions more homeless. In my riding of North Vancouver, the Metro Vancouver Philippine Arts & Cultural Exposition Society, also known as MV-PACES, responded by organizing a typhoon relief event in support of those affected.

This Friday, at 7 p.m., I look forward to joining the team at the new Barangay NorthVan community centre, where we will be holding a telethon seeking donations for the Red Cross. These donations are worth twice their weight, since our government is matching eligible charitable donations through the federal Typhoon Haiyan relief fund.

Following the typhoon's landfall, our government responded quickly by committing \$20 million and our world-renowned disaster assistance response team, known as DART, to address the escalating humanitarian crisis. Working together with governments, aid agencies, and dedicated local organizations like MV-PACES, it is both my hope and belief that we will be able to help survivors and save lives.

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**HANUKKAH**

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, on the first day of Hanukkah, Jewish families in Canada and around the world will gather to light the menorah and celebrate with their loved ones. The Hanukkah story is one of perseverance and great resilience, a story of hope and triumph against oppression. The Hanukkah candles help us all remember the universal desire for the right to celebrate and express our own beliefs.

[Translation]

Hanukkah is also about freedom, the freedom to be who you are and affirm your beliefs. We should never take for granted the freedom that we hold so dear.

During Hanukkah, Canadians are joining together to speak out against all forms of discrimination and hate, anti-semitism in particular, as we celebrate our differences and the freedom that created them.

[English]

Canada is home to a strong and vibrant Jewish community that will be celebrating tonight with the lighting of the first candle. On behalf of the Liberal Party of Canada and our parliamentary caucus, happy Hanukkah, *chag sameach*.

\* \* \*

• (1410)

**PHYSICAL FITNESS**

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, I rise once again to encourage fellow parliamentarians to join the movement to encourage healthy physical activity. Today fewer than 15% of young Canadians will engage in even one hour of physical activity, the minimum

recommended amount. What is at stake? It is health benefits for all our people and spiralling health costs.

Each day, our dynamic Minister of Health promotes healthy goals. In the other place, Senator Nancy Greene Raine will today address these issues.

Each of us here can make a difference. One way is to approach our mayors and councillors to proclaim National Health and Fitness Day, which will occur next on June 7, 2014. Another thing we can do is support Sports Day in Canada, organized by ParticipACTION, to take place this Saturday, November 30. A great way to start is by wearing your sports jersey on Jersey Day, this Friday.

While governments can play a role, the responsibility to be healthy and active rests primarily on the shoulders of parents across Canada. The private sector is stepping up, as the people at Canadian Tire recently demonstrated with their new public service motto: "We all play for Canada". Let us work together to make Canada the fittest nation on Earth.

\* \* \*

**LUC BARONETTE**

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, I rise today to pay tribute to House of Commons security constable Luc Baronette, who lost his battle with brain cancer this past Friday.

To his spouse, Nicole, his four-year-old daughter, Adele, and his other daughter, Danika, who will be two at Christmas, our deepest sympathies. Our thoughts and our prayers go out to them at this time.

Luc was 33 years old and was from Sudbury. He was a 12-year veteran of the security services here on the Hill and competently moved through the ranks throughout his career. His friends tell me he was a special character who could light up a room with his laugh and that he enjoyed golfing, fishing, hockey, motorcycles—well, anything that burned gasoline, for that matter. He had a sense of humour like no other, and his love for his friends, colleagues, and family had no boundaries.

Luc was a volunteer firefighter. He worked with our seniors and had a special affiliation with our war veterans.

On behalf of all parliamentarians, again, we offer our condolences to Luc's family. Luc will be missed.

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**TUSARNAARNIQ SIVUMUT ASSOCIATION**

**Mr. Gerald Keddy (South Shore—St. Margaret's, CPC):** Mr. Speaker, I rise today to recognize a wonderful partnership between Nova Scotians from my riding of South Shore—St. Margaret's and the youth of Canada's north.

Julie Lohnes, from Rose Bay, Nova Scotia, started the Tusarnaarniq Sivumut Association, Inuktitut for Music for the Future, an organization that supplies musical instruments and workshops to Inuit youth.

The association celebrated its fifth anniversary with a sold-out annual benefit concert that included two fiddle workshop students, Colleen Nakashuk and Avery Keenainak, from Pangnirtung, Nunavut. They joined an already exciting lineup that included Juno award-winning singer-songwriter Lennie Gallant as well as the Riverport and Area Community Choir and master fiddlers Gordon Stobbe and Greg Simm.

Congratulations, Julie, on a resounding success. We thank her for all the hard work she does not only for her community but for the youth of Canada's north.

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#### MOTHER OF MEMBER FOR FORT McMURRAY— ATHABASCA

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, today I recognize one of the most impressive Canadians I have ever met, someone who loves northern Alberta and Fort McMurray, a true pioneer and early entrepreneur, a great Canadian.

With her husband, she owned and operated many successful businesses over 50 years in Fort McMurray, including Fort McMurray's first newspaper, the *McMurray Courier*, where she acted as reporter, writer, editor, and publisher.

She has volunteered literally thousands of hours on countless non-profit boards. She has also volunteered thousands of hours for Canadian democracy and to uphold conservative economic principles. As a woman, she has had to fight many times for her voice to be heard and became, as a result, one of the first female members of the Fort McMurray Chamber of Commerce. On her 80th birthday, she launched her own written book, *More Than Oil: Trappers, Traders and Settlers of Northern Alberta*.

She is a trailblazer, a historian, a world traveller, a master cook and baker, continues to work more than 50 hours a week, and is the most honest person I know. She also works tirelessly to serve her family, her community, and Canada.

I thank Mrs. Frances Kathaleen Jean: my hero, my friend, my mother.

\* \* \*

[Translation]

#### VIOLENCE AGAINST WOMEN

**Mrs. Sana Hassainia (Verchères—Les Patriotes, NDP):** Mr. Speaker, today I rise to mark 12 days to end violence against women, which take place from November 25 to December 6. The purpose of these 12 days is to raise public awareness about violence against women and services available.

Violence against women can be physical, sexual or psychological. It is up to all of us to work toward eliminating these forms of violence that, contrary to popular belief, cross all class, cultural and religious boundaries. Violence against women is hidden all around us. People need to know how to identify and report it so that victims can be set free and put their lives back together.

I would like to take this opportunity to highlight the tremendous work of organizations that help women in violent situations. I would like to thank the following women's centres: Entre Ailes Sainte-Julie,

#### Statements by Members

Contact'L de Varennes and Carrefour pour Elle. They have such a big job to do, and their work is critical to giving courage and dignity back to these women.

In closing, I invite all of my House colleagues to wear and distribute white ribbons as a sign of solidarity with the victims. By wearing the ribbon, we express our objection to all forms of violence against women.

\* \* \*

● (1415)

[English]

#### UKRAINE

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Mr. Speaker, our government is proud to have deployed 500 Canadian election observers to monitor Ukraine's 2012 parliamentary elections, and I was honoured to be one of those observers.

During those elections, independent Ukrainians and international election monitors pointed to government interference as well as significant flaws and irregularities in the voting process. In particular, there were five electoral districts where the integrity and voting process were seriously compromised, so seriously, in fact, that as a result, Ukraine will hold repeat elections for five of these electoral districts on December 15.

To improve the integrity of these upcoming elections, our government today announced that it would support an observation mission composed of 25 observers.

This decision demonstrates Canada's continuing commitment to supporting the people of Ukraine's journey toward democratic development. Our mission will help to discourage electoral fraud and support free and fair elections in Ukraine.

\* \* \*

[Translation]

#### STATUS OF WOMEN

**Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP):** Mr. Speaker, the Minister of Status of Women appeared before our committee yesterday. It was only the second time that she had come to discuss her department's plans and priorities.

The NDP asked her about how women's equality has declined since the Conservatives were elected, but the minister did not reply. When we asked her if she plans to launch a national inquiry into missing and murdered aboriginal women, she did not reply.

When we asked her if she plans to develop a national action plan to address the high rate of violence against women, and why her government has no moral qualms about denying abortion services for victims of war rape and young girls forced into marriage, she did not reply.

*Statements by Members*

This week we learned that, in Canada, over half of all single mothers with young children are living below the poverty line. The minister did not once mention child care, pay equity or reducing poverty among Canadian women, who desperately need help.

Canadian women deserve better.

\* \* \*

[English]

**TYPHOON HAIYAN RELIEF EFFORTS**

**Mr. Lawrence Toet (Elmwood—Transcona, CPC):** Mr. Speaker, the Minister of International Development just concluded a trip to the Philippines where he witnessed the devastation caused by Typhoon Haiyan first hand.

While there, he met with survivors of this devastating typhoon. He also met with local government and United Nations officials, as well as with international and Canadian humanitarian organizations.

The minister toured the Canadian Red Cross field hospital, which is working to provide essential health services such as medicines and maternal and child care to 100,000 people. The minister also met with members of DART who are providing clean water and medical assistance.

As a result, the minister has announced Canada will be extending the deadline for the matching of funds donated by Canadians to December 23.

I am sure we all want to encourage Canadians to continue to donate generously as Canada continues to be among the world's leaders in our response to this tragic typhoon.

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**BY-ELECTIONS**

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, on Monday night, we saw a strong red resurgence in Manitoba because of the hard work of two outstanding Liberal candidates and the commitment of the leader of the Liberal Party of Canada.

I would like to pay tribute to Terry Hayward and Rolf Dinsdale, the Liberal candidates from Provencher and Brandon—Souris who are with us today. Terry and Rolf are remarkable and did an incredible job and made us proud.

It is clear from the by-election results that the Liberals in the great province of Manitoba are stronger than ever.

Manitobans want change. They do not support the divisive politics of the Conservatives or the NDP and they have grown tired of the many scandals of the Conservative government. That is why on Monday we saw support for the Liberal Party dramatically surge.

On behalf of all Liberal parliamentarians, I would like to thank both the candidates for putting themselves forward for public service and striving to represent the constituents of Provencher and Brandon—Souris, indeed all Canadians.

In Manitoba the Liberal Party will continue to work for hope and change.

● (1420)

**INTERNATIONAL TRADE**

**Ms. Wai Young (Vancouver South, CPC):** Mr. Speaker, today our government launched the global markets action plan. This plan is a blueprint to create jobs and opportunities through trade.

Our government will concentrate its efforts on markets that hold the greatest promise for Canadian businesses and focus on core commercial objectives within those markets.

Businesses in Vancouver South and across Canada are excited that this new plan would play to our strengths and ensure that all Canada's diplomatic assets would be harnessed to pursue commercial success by Canadian companies and investors.

While the NDP would rather have an economic isolation plan, and the Liberals have no plan at all, our Conservative government has signed the historic CETA agreement and built the Asia-Pacific gateway corridor, which combined with NAFTA gives Canada trade access to over half the global marketplace.

It is only our government that understands that when our businesses succeed abroad, all Canadians benefit from the jobs and opportunities that are created at home.

\* \* \*

**ETHICS**

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, Conservatives arrived in Ottawa promising Canadians they were going to fix the ethical morass Liberals left behind.

It has been seven long years, and now things are even worse than when they got here. Now even long-time Conservatives are sick and tired of these scandals.

Former Conservative staffer David Sachs penned a strongly worded warning to Canadians:

[The] Prime Minister...has long employed the cynical strategy of total denial when faced with controversy, disregarding the public's right to the truth.

He said that he wanted his own party to demand answers from the Prime Minister. Well, Mr. Sachs, welcome to the team. The New Democrats have been demanding answers for over six months. We believe Canadians deserve the truth about the Senate scandal and the PMO cover-up.

I implore the Prime Minister and his parliamentary secretary to put aside their evasions, put aside their farce, and come clean with Canadians today.

*Oral Questions***FIREARMS REGISTRY**

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Mr. Speaker, last week, the media reported that Environment Canada bureaucrats were seeking bids for a contract worth up to \$60,000 to study the use of lead bullets and shot and their impact on the forest floor. What an absurd waste of taxpayer dollars. In fact, I rather suspect this study would have turned out to be a pretext for imposing additional needless restrictions on law-abiding hunters and sports shooters.

Fortunately, we have a Conservative government and a Conservative Prime Minister. We acted. The Minister of the Environment cancelled this tender as a waste of taxpayer dollars.

As Conservatives, we believe that hunting, angling, and trapping are central to the livelihood, recreation and tradition of many Canadians.

Unlike the Liberals and the New Democrats, who probably support this tender and would recreate the wasteful and ineffective long gun registry, our Conservative government will always defend the right of Canadians to hunt and fish.

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**ORAL QUESTIONS**

[*Translation*]

**ETHICS**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, in the written deal between the Prime Minister's Office and Mr. Duffy there was a provision specifically stipulating that the Prime Minister himself would publicly state that Mike Duffy met the residency requirements allowing him to represent Prince Edward Island in the Senate.

Was the Prime Minister aware of this, yes or no?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, my position is well known. Obviously there are members and senators who have more than one residence. People cannot claim travel expenses when in fact they are living at a long-term residence.

[*English*]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the written Duffy deal included a script for the Prime Minister. The Prime Minister was to say that Duffy "meets and has always met all requirements necessary to sit as the Senator from PEI". It sounds like what we just heard.

The next time he stood in the House it was to say, as he just did, "...all senators conform to the residency requirements. That is their basis for appointment".

That is what he said, but the Prime Minister was doing that to read straight out from the script prepared between his office and Mike Duffy, making good on his end of the cover-up deal.

Did the Prime Minister really expect Canadians to think that was just a coincidence?

● (1425)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, my position on this has been known for a very long time. Obviously, when we appoint members to the Senate, they are required to fulfill the conditions of appointment to the Senate.

Various members of Parliament have more than one residence. In my judgment, the issue was very different. The issue was that one could not legitimately claim travel expenses when in fact one was at a long-term residence. That was the problem. That was the problem we insisted that Mr. Duffy address. He did not, and the party and the Senate ultimately took action on that matter.

[*Translation*]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, Nigel Wright and Mike Duffy made a deal in writing with a script for the Prime Minister. Nigel Wright said that he had to obtain authorization from the Prime Minister himself. An hour later, the Prime Minister said:

[*English*]

"We are good to go".

[*Translation*]

Everything was fine; they were good to go.

During that hour, did the Prime Minister agree to make that statement, yes or no?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I said what I think, and I clearly said what I think to Mr. Duffy.

[*English*]

I said to Mr. Duffy very clearly that this was not a question of residence; this was a question of him claiming expenses that he did not actually incur. He was claiming travel expenses when living at a long-time residence.

In my view, regardless of how someone chose to interpret the rules, that is not a reasonable interpretation of the rules. For that reason, I believe he should pay the money back. Mr. Duffy had said he had done so when he had not done so, and he left the Conservative caucus.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Yet, Mr. Speaker, the Prime Minister claims that on the 22nd Nigel Wright asked for approval to order Mike Duffy to pay his own expenses. That makes no sense because as far back as June, the Prime Minister had claimed that he had already given that order on February 13.

Therefore, what did the Prime Minister really approve during that fateful hour?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this is addressed in the very document that the member cites, and I would refer him to that document.

Mr. Wright was very clear that Mr. Duffy was going to repay his own expenses. He never suggested at any time that he was going to pay those expenses, quite the contrary. For that reason, Mr. Wright no longer works for me and Mr. Duffy is no longer a member of the Conservative caucus.

*Oral Questions*

[Translation]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, yesterday, the Prime Minister said that he had learned on May 15 that the Conservative Party would be paying Mike Duffy's legal fees.

Why did the Prime Minister continue to say for months afterwards that Nigel Wright had acted on his own?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, Mr. Duffy said that he had repaid taxpayers for his inappropriate expenses. However, that was not the case at all. It was Mr. Wright who did so. When I learned this, we took action. That is why Mr. Wright no longer works for me and Mr. Duffy is no longer a member of the Conservative caucus.

[English]

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the RCMP said Irving Gerstein called Deloitte twice to interfere with its audit of Mike Duffy's expenses. He tried to back channel audit information and then pressed on hoping that Nigel Wright's \$90,000 payment would make that audit go away.

Will the Prime Minister please explain to Canadians why Senator Gerstein still enjoys his complete confidence?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, what is at issue here is that Mr. Duffy made claims to repay inappropriate expenses when he in fact had not done that. That was actually done by Mr. Wright. Obviously, that information was not properly disclosed to me or to others. For that reason, those two individuals are under investigation and we have taken action against the appropriate individuals.

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the RCMP said that on February 22, Irving Gerstein offered to "assist", telling Nigel Wright that Conservative donor money could be used to repay Mike Duffy's housing expenses. He is still in the Conservative caucus. He is still the chair of the Senate banking committee. He is still in charge of their donors' money.

Why does Senator Gerstein still have the Prime Minister's complete confidence?

• (1430)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again the member cites the RCMP. The RCMP is clear that there are two individuals who are under investigation, Mr. Duffy and Mr. Wright.

The issue at hand here is the fact Mr. Duffy made claims to repay inappropriate expenses when he had not done so. Mr. Wright had done that on his behalf. He had not sought authority to do that. He had no approval to do that. That fact was misrepresented to me and to others. For that reason, we have taken action against the appropriate individuals.

[Translation]

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, we know that Senator Gerstein said he would help Nigel Wright by providing Conservative donor money to repay Mike Duffy's debts, which, by the way, would have violated three sections of the Criminal Code.

Why is the Prime Minister still defending Senator Gerstein, and how can he still have confidence in him?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, it is clear that two individuals are under investigation in relation to the fact that Mr. Duffy claimed that he repaid expenses, but did not. On the contrary, Mr. Wright did. Mr. Wright did not provide this information. He was not authorized to do it and he did not give me or anyone else that information. For that reason, we took action against the individuals concerned.

[English]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, is that the Prime Minister's code of ethics, the Criminal Code? In other words, if one is not under criminal investigation by the RCMP, no matter how reprehensible, it is not really wrong. Is that the standard that he is holding the government to?

What is the ethical difference between a \$90,000 cheque from Nigel Wright and a \$32,000 cheque from the Conservative Party? Here is a hint. The answer is not \$58,000.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, there are two individuals who are responsible for the payment in question, a payment that was made without authority and that was not properly reported or disclosed.

In this party, we hold those who undertake actions responsible for their own actions. Unlike the leader of the NDP, we do not slander a whole bunch of other people, and we do not forget for 17 years—

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

**The Speaker:** Order. The Prime Minister still has the floor. We need a bit of order.

The right hon. Prime Minister.

**Right Hon. Stephen Harper:** Mr. Speaker, as soon as I became aware of this information I revealed it publicly and gave all of the information to investigators.

We do not do what the leader of the NDP does, forget for 17 years to provide this information to the—

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

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Good to go, Mr. Speaker.

Mike Duffy did not have a health card from P.E.I. Mike Duffy did not pay his taxes in P.E.I. However, Mike Duffy wanted a guarantee from the PMO that he would keep his \$1.3 million P.E.I. Senate seat. The Prime Minister's own staff agreed in writing that the Prime Minister himself would publicly state that Mike Duffy met the residency requirements to sit as a senator from P.E.I.

Again, did the Prime Minister know his office agreed in writing he would probably vouch for Mike Duffy as part of their cover-up deal? That is in fact what he did. Is he going to try to pretend he did not know?



*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, my position on this matter has been known for a very long time.

I listened to the comments from the leader of the NDP. He should once again read what the RCMP said. The RCMP interviewed everybody involved. The RCMP looked at thousands of emails. The RCMP said clearly that the Prime Minister had no knowledge of any such payment to Mr. Duffy. They are absolutely clear.

If the leader of the NDP had any honesty, he would accept that judgment.

● (1435)

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** In fact, Mr. Speaker, the RCMP documents show that Senator Irving Gerstein approved a plan to pay off Mike Duffy's expenses using party money. The documents also prove that Mr. Gerstein used his contacts at Deloitte to try to interfere in the Mike Duffy audit. That is what the documents show.

The Prime Minister now claims that he is all so terribly shocked by that behaviour. The only question is this: why is Senator Gerstein still sitting beside him in the Conservative caucus?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, there are two individuals under investigation, and of course it is not that individual. There was no payment of Mr. Duffy's inappropriate expenses by the party, but the leader of the NDP would be an expert in that, having received six figures worth of payments from his political party.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the only reason there was no payment from the Conservative Party was because the price was too high. Are we talking principle or price?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, what was inappropriate here was that Mr. Duffy claimed to have repaid inappropriate expenses when he had not done so.

On the contrary, it was Mr. Wright who paid those expenses, and those two individuals had not sought authority and had not properly disclosed that information. That is why, when we learned of that, we took the appropriate action.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, this story was fabricated in his office by people still working for the Conservatives. Where is the ethical principle? Why are they still there? Why have only two people been fired?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Once again, Mr. Speaker, Mr. Wright was responsible for this. He is no longer in our employment. Mr. Duffy and other senators who broke rules have been dealt with harshly by the Senate, not simply exiting from the Conservative caucus but are under suspension without pay.

When presented with the facts, we have taken the appropriate action.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, let us look at those documents again. On page 45 of the RCMP document, Nigel Wright confirmed in an email that the Prime Minister knew that Mr. Wright had "personally assisted" Mike Duffy.

What did the Prime Minister know about the personal assistance that Mr. Wright gave Mr. Duffy, one clear answer for once.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Once again, Mr. Speaker, I have addressed that issue on many occasions, but let me say that RCMP investigators concluded, after spending months looking at this, that they are not aware of any evidence that the Prime Minister was involved in the repayment or reimbursement of money to Senator Duffy or his lawyer. It could not be clearer than that.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, Senator Carolyn Stewart Olsen publicly denied that she was ever told by the Prime Minister's Office to change the Senate report on Mike Duffy. According to the RCMP:

...Senator Stewart Olsen's version of events to police was incomplete, and not consistent with the facts.

In other words, she was not telling what we call the truth. Why is Carolyn Stewart Olsen still sitting in the Conservative caucus?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, it was Mr. Duffy who made claims about having repaid inappropriate expenses. Those claims were completely untrue. The fact of the matter was that Mr. Wright had paid those expenses on his behalf. As those two individuals did not properly disclose that information, they are the ones responsible. That is why they are under investigation and why we have taken the appropriate actions.

\* \* \*

**TAXATION**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, another Conservative insider, Jim Love, was appointed chair of the Royal Canadian Mint in 2006, and appointed as a tax policy adviser by his buddy, the Minister of Finance, in 2007.

Mr. Love has just been organizing a "tax avoidance scheme" to hide millions of dollars in offshore tax havens. Why has he not been fired yet?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, what the hon. member is referring to is, of course, a dispute between two private parties before a court. I am obviously not going to comment on that.

What I am going to point out is the record of the government when it comes to combatting offshore tax evasion and tax cheats. Since this party came to office, we have identified over \$4.5 billion of such funds that are recoverable by the Government of Canada.

● (1440)

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, why did the government give a plum job to someone who was to act as a tax adviser on policy for the Conservatives when they knew, or ought to have known, that he was organizing stratagems so that rich Conservative families would not pay their taxes?

How can they justify that?

*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as I just said, under this government, the Canada Revenue Agency has identified over \$4.5 billion recoverable to the taxpayers of Canada.

Every single year, we bring forward in the House areas where we have identified the possibility of inappropriate tax avoidance and tax evasion to the tune of hundreds of millions of dollars a year. That is the real reason the NDP votes against those measures every single year.

\* \* \*

**ETHICS**

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the Prime Minister continues to puzzle Canadians with his support of Irving Gerstein in the Senate. The senator repeatedly tried to intervene in blocking an audit. He tried to offer donor money to pay off Mike Duffy's expenses, which would have violated three sections of the Criminal Code, yet the Prime Minister continues to support Mr. Gerstein, continues to defend him and will not even answer the questions posed to him about Senator Gerstein.

Why is the Prime Minister still defending him?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I simply point out what the real issue here is. The real issue is that Senator Duffy made inappropriate expense claims and claimed publicly that he had repaid them, when he knew that was not the case. It was in fact Mr. Wright who repaid them, and Mr. Wright and Mr. Duffy did not properly disclose this transaction. When we became aware of that, we made sure that it was reported publicly.

We have taken the appropriate action, and it is those two individuals who are under investigation for this particular affair.

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the issue is that the Prime Minister has repeatedly pretended that if he had known about what was going on, he would have acted on what was going on.

Now we know, because of the RCMP's investigation, that Irving Gerstein certainly knew and was involved in everything that was going on. Instead of having consequences for Mr. Gerstein, the Prime Minister continues to keep him in his caucus, continues to allow him to sit as chair of the Senate banking committee, and still has him in charge of all of their donor money.

Why does the Prime Minister continue to have confidence in Irving Gerstein?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, not only have I said that I did not know about this particular transaction, but as soon as I became aware, we made sure that it was reported publicly. We have also made sure that all investigators have received the relevant information. That is why these two individuals are under investigation, as they should be, and we will continue to assist.

[*Translation*]

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the Prime Minister now knows that, according to the RCMP report, Irving Gerstein was very much involved in this affair, he tried to block the Deloitte audit and he also offered to pay Mike Duffy's expenses with

Conservative donor money. Nevertheless, the Prime Minister continues to defend Mr. Gerstein and refuses to criticize him.

Can the Prime Minister explain why he continues to defend Senator Gerstein?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the Liberal Party leader's statements are false. The RCMP did not say that. It said that two individuals are under investigation for an inappropriate payment. We are co-operating with this investigation, and we have taken appropriate action against these individuals.

\* \* \*

**TAXATION**

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, the chair of the Royal Canadian Mint's board of directors, who was appointed by the Conservatives, is suspected of using tax havens to transfer funds, advising clients on how best to use these tax havens and engaging in tax evasion to avoid taxes here.

Who, in this government, was aware of Jim Love's activities? Will the government launch an independent investigation into his activities?

• (1445)

[*English*]

**Hon. Kerry-Lynne D. Findlay (Minister of National Revenue, CPC):** Mr. Speaker, as has been already stated, the case reported in the media is a dispute between two private parties.

Our government has a strong record when it comes to combatting offshore tax evasion and cracking down on tax cheats. Since we came to office, the Canada Revenue Agency has identified over \$4.5 billion by cracking down on these cheats. This is in stark contrast, by the way, to the mere \$174 million identified in the last year of the Liberal government.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, I note the minister says it has identified money. How much has it actually collected? It is Conservatives who cut the organized crime unit of the Canada Revenue Agency, cut investigators looking to catch tax cheats and then expanded a tax on charities.

Jim Love, a Conservative friend and insider, chair of the board at the mint, is now facing allegations of helping clients use offshore tax havens. Why? It is to avoid paying Canadian taxes.

This is about tax fairness. It is also about billions of dollars in lost taxes. When will the Minister of Finance stand up to his well-connected friends and take action to stop these tax—

**The Speaker:** The hon. Minister of National Revenue.

*Oral Questions***INTERNATIONAL TRADE**

**Hon. Kerry-Lynne D. Findlay (Minister of National Revenue, CPC):** Mr. Speaker, the suggestion that we are resisting any efforts to combat tax evasion, of course, is categorically false. The decision to transfer the special enforcement program into the regular audit program was made entirely by CRA officials based on their assessment and knowledge of best practices.

As I said before, we have an unparalleled record in identifying the billions of dollars that have gone astray through tax cheats, and we are aggressively looking at all those files.

\* \* \*

**FOREIGN AFFAIRS**

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, well-connected Conservative friends should not come ahead of Canadians. That is the point here.

The government has now abandoned any pretense of a balanced foreign policy. It turns out that appointing the CEO of Rio Tinto to restructure the department was just a start. Its new trade-only foreign policy puts business interests ahead of national interests. Why are Conservatives ignoring our diplomats and letting CEOs of multinationals dictate our foreign policy?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, nothing could be further from the truth. Our government stands up for Canadian values, and our government stands up for Canadian interests, whether it is human rights abuses in Iran, where Canada led last week at the United Nations in getting, once again, 83 countries to stand with Canada in condemning the terrible human rights practices, or whether it is standing up for the human rights situation in Sri Lanka with the leadership of our Prime Minister. That has been noted right around the world.

Canadians can count on our government to always stand up and do the right thing.

[*Translation*]

**Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP):** Mr. Speaker, trade is only one aspect of international relations, and we cannot and must not limit ourselves to that alone.

Instead of moving forward with a balanced foreign policy that defends the interests of all Canadians and Canada's global interests—like peace, security, development and democracy—the Conservatives are saying that only the interests of private companies matter.

Is the Minister of Foreign Affairs pleased that his department is being taken over by the Department of International Trade?

[*English*]

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, our government takes a principled foreign policy. Whenever we address foreign policy priorities, we are never afraid to do so, even when we do it alone.

Our government promotes job creation. Our government promotes economic growth. We have focused on the economy, so that we have more dollars to pay for important priorities like health care and education. We will continue to promote Canadian values and Canadian interests in every corner of the globe.

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Mr. Speaker, our government is focused on what matters. That is creating jobs and opportunities. Opening markets for Canadian exporters is a key aspect of our government's economic action plan. Unlike the NDP, which is opposed to trade, and the Liberals, who have no plan for the economy, Conservatives understand the importance of opening new markets for Canadian exporters.

Could the Minister of International Trade please update the House on the next steps in Canada's pro-trade plan?

• (1450)

**Hon. Ed Fast (Minister of International Trade, CPC):** Mr. Speaker, I want to thank the member for Souris—Moose Mountain for his timely question.

Today, our government launched the global markets action plan. This new trade promotion plan will entrench the concept of economic diplomacy by harnessing government resources and services in order to maximize the success of Canada's exporters and investors in key foreign markets. Our target is to grow Canada's small and medium-size enterprise footprint in emerging markets by 10,000 companies.

It is an ambitious target, but I am confident that Canadian small and medium-size enterprises are up to the task. That is how we create jobs and opportunities for Canadians.

\* \* \*

**FOOD SAFETY**

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, Canadians should have confidence that the food they are feeding their families is safe. However, the Auditor General says that the current government is failing when it comes to food safety.

CFIA's response to the massive XL food recall created total confusion. It is little wonder: the department is still using an untested draft emergency response plan from 2004. Why did Conservatives ignore multiple warnings and then fail to fix Canada's food recall system?

**Hon. Rona Ambrose (Minister of Health, CPC):** Mr. Speaker, the member is incorrect, and the Auditor General did not say that. In fact, the Auditor General said that Canadians can have confidence in the fact that the Canadian Food Inspection Agency identifies potentially unsafe foods, investigates quickly, and also removes those foods from the shelves so Canadians are not purchasing them and taking them home.

In terms of the management plan, that is one of the recommendations. In fact, CFIA officials have already been working on that, and they expect to have their final emergency plan in short order.

*Oral Questions**[Translation]*

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, the Auditor General's report is clear. The Canadian Food Inspection Agency does not appropriately manage the food recall system.

The agency does not have the means to verify whether companies affected by a recall of contaminated food have appropriately disposed of the recalled products.

How much money has been or will be allocated to ensure that the agency has the necessary resources to appropriately follow up on recalled food?

*[English]*

**Hon. Rona Ambrose (Minister of Health, CPC):** Mr. Speaker, what the Auditor General said is that the food recall system effectively removes unsafe food from the marketplace and quickly warns consumers so they are not purchasing unsafe food and taking it home to feed their families. That is what is most important for consumers.

In terms of the Auditor General's recommendations, we have already been working on all of them. Many of them are administrative including, in respect to the XL Foods recall, ensuring we have tough penalties on businesses that do not share the right information with CFIA inspectors when they need it, and we are acting on that.

\* \* \*

*[Translation]***RAIL TRANSPORTATION**

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, the government's pitiful management of safety does not stop with food safety.

The Auditor General showed just how many problems there are with railway safety. We are not talking about an isolated problem. There are not enough inspectors and no follow-up when problems arise. What is more, the Conservatives are not taking into account how much risk is involved when it comes time to decide what needs to be inspected.

What practical measures is the minister going to take to immediately correct these problems?

*[English]*

**Hon. Lisa Raitt (Minister of Transport, CPC):** Mr. Speaker, this is the government that actions itself very accordingly when it comes to rail safety. We have issued emergency directives and protective directives as well. We work very hard on rail safety. We have invested over \$100 million. The Auditor General has made recommendations. Transport Canada has a plan to implement these, and we will be monitoring the implementation.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, the Conservatives should stop protecting their insider friends and start protecting Canadians on rail safety. The 2011 Auditor General's report found a long list of safety problems around the transportation of dangerous goods. These problems were flagged in 2006. It is now 2013, seven years later, and it is still all talk, all promises, and no delivery.

When will the government listen to the Auditor General and start protecting Canadians?

• (1455)

**Hon. Lisa Raitt (Minister of Transport, CPC):** Mr. Speaker, we have invested in rail safety in this government: over \$100 million. We have increased the number of inspectors, and indeed last year the number of inspections was 30,000, the highest ever in this rail safety directorate. We are getting the job done.

More important, we are firmly on the side of Canadians. The Federation of Canadian Municipalities absolutely gets that, and I value its partnership.

\* \* \*

**INFRASTRUCTURE**

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, Conservatives love to issue press releases singing their own praises rather than providing municipal partners with the tools they need to repair crumbling bridges, roads, and sewers. The building Canada program, announced with great fanfare, is still nothing more than a sound bite. Municipalities know this, and as they set their budget priorities, they need details, not another vague phantom Conservative program. Spin and rhetoric do not fill potholes, nor do they build transit.

When are the Conservatives going to start treating municipalities like real partners rather than the pawns that they continue to treat them as every day?

*[Translation]*

**Hon. Denis Lebel (Minister of Infrastructure, Communities and Intergovernmental Affairs and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, the premise of that question is completely false.

*[English]*

Never in Canadian history have the municipalities had such a good partner as our government, which invested \$30 billion in the building Canada fund. We have worked all along with municipalities, and we will continue to do so with the new building Canada plan.

\* \* \*

**EMPLOYMENT INSURANCE**

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, information provided in the P.E.I. legislature yesterday showed P.E.I. had a net loss of 1,100 people to out-migration, the highest number in 30 years. Why? It is because of the Conservative government's changes to employment insurance, which are an attack on the seasonal industries and seasonal workers, yet the regional minister allowed that young people should move away for better lives.

*Oral Questions*

Why does the minister think it is okay for P.E.I. to lose its youth and split families asunder, and why does the minister champion policies that force islanders to leave?

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, that demagoguery was complete unadulterated nonsense. Not one person has to leave P.E.I. in order to search for available work to qualify for EI, not one single person. In fact, our statistics show that fewer than 1% of applicants for EI have not qualified for benefits as a result of the changes this government has made. To the contrary, employers in Atlantic Canada are finding more people working in their communities so we do not have to bring in temporary foreign workers for the jobs that are available.

The member should apologize for this campaign of fear that he is

**The Speaker:** The hon. member for York South—Weston.

\* \* \*

**HOUSING**

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, as the Conservatives allow the long-term housing agreements to expire, up to \$1.7 billion in annual funding for housing will be lost. Low-income Canadians will bear the brunt of these cuts. They will no longer be able to afford to pay their rents when the rent-geared-to-income programs end.

With housing costs at an all-time high, why is the minister allowing the funding to expire?

**Hon. Candice Bergen (Minister of State (Social Development), CPC):** Mr. Speaker, this government has invested more in affordable housing than any other government. We are working together with our partners, the provinces and the municipalities. We are providing the funding, but working together with them, we are providing housing for over 880,000 individuals and families.

Do you know what else we are doing, Mr. Speaker? We are helping vulnerable Canadians to get out of the situation of vulnerability by creating jobs and opportunity, by giving them skills through our youth employment strategy, our aboriginal training programs and our opportunities funds to help people with disabilities, so they can afford housing in their regions.

[*Translation*]

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, the last time that new funding was allocated to social housing, Jack Layton had to wrest it from the hands of the Liberals, and they are going to vote against it.

Housing advocates are here today with FRAPRU to ask the Conservatives to make sure that there is adequate funding for social housing.

My motion, Motion No. 450, calls for the renewal of social housing operating agreements.

Will the Conservatives support my motion and will they commit to providing adequate, long-term funding for social housing stock?

● (1500)

[*English*]

**Hon. Candice Bergen (Minister of State (Social Development), CPC):** Mr. Speaker, that member knows what she said is completely false. We have renewed our investment in affordable housing; we provided \$2 billion in previous investments for social housing, as well as our investment in our homelessness partnering strategy, with a focus on housing first, which is an evidence-based model. Experts across the country, programs across the country, and community groups are praising our efforts. The investments we made to actually produce results, to help those individuals who are vulnerable get into homes, to get help, whether it is for their addictions or mental health issues, so that they can get—

**The Speaker:** The hon. member for York Centre.

\* \* \*

**INTERNATIONAL CO-OPERATION**

**Mr. Mark Adler (York Centre, CPC):** Mr. Speaker, as a Canadian, I am very proud of other Canadians and this government for quickly coming to the aid of the victims of Typhoon Haiyan.

In fact, our government first responded with \$5 million in cash and quickly increased that to \$20 million. We sent the DART team immediately and set up a first aid station in the Philippines. We have also included matching funds for those dollars that are committed by individuals.

Can the parliamentary secretary please update this House with respect to the minister's announcement this morning?

**Ms. Lois Brown (Parliamentary Secretary to the Minister of International Development, CPC):** Mr. Speaker, the minister has seen the effects of the devastation in the Philippines. He has witnessed the resolve of the Filipino people and the work being done because of Canadian contributions.

The minister decided that Canada can do more. I am pleased to confirm that our government is extending the Typhoon Haiyan matching fund deadline to December 23. As we approach this season of giving, I encourage Canadians to continue to donate generously to registered Canadian charities.

Canadians are making a difference.

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**GOVERNMENT ADVERTISING**

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, Conservatives are using \$200,000 of taxpayers' money to erase the title of "Government of Canada" from the public domain and replace it with a term that the Speaker and this House would find offensive.

Sending out 2,600 government press releases that refer to the federal government in a manner that is in violation of Treasury Board policy is also something that is offensive.

Will Conservatives commit to stop using taxpayers' money to rename the Government of Canada with such an offensive term as "the Harper Government"?

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

*Oral Questions*

**The Speaker:** Order. I see the hon. President of the Treasury Board is rising to answer the question, but I think the hon. member for Humber—St. Barbe—Baie Verte may find it difficult to get recognized in the House for a little while.

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

**Hon. Tony Clement (President of the Treasury Board, CPC):** Mr. Speaker, this certainly is an interesting turn of events. I will answer the question.

The hon. member knows, or should know, that it is a long-standing practice across various governments to have such nomenclature. A simple check of online archives shows that the terms “Chrétien government”, “Martin government”, and similar variations appear in official government communications by various governments.

In fact, journalists, if I may be so bold as to reference them in this chamber, the public, and in fact the Liberal Party itself use these official terms, including on the Liberal Party website.

There is no harm done, no foul.

\* \* \*

[*Translation*]

**GOVERNMENT ACCOUNTABILITY**

**Mr. Mathieu Ravignat (Pontiac, NDP):** Mr. Speaker, despite the Auditor General's repeated recommendations since 2011, the internal financial reporting in seven departments remains inadequate. Not only is it inadequate, but the Conservatives are so far behind that it will take years for the recommendations to be implemented, if they are ever implemented at all.

Why do the Conservatives flatly refuse to be transparent when it comes to financial reporting? What are they afraid of?

**Hon. Tony Clement (President of the Treasury Board, CPC):** Mr. Speaker, that is completely false. The Treasury Board Secretariat and all departments that have been audited have accepted all of the Auditor General's recommendations.

This question refers to the audits of the financial controls in place in the departments. Under the Federal Accountability Act, our government created departmental audit committees, which provide objective advice about the quality and functioning of the departments' control and governance processes.

\* \* \*

• (1505)

[*English*]

**THE ENVIRONMENT**

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, a number of my constituents are hunters, and they are decent, law-abiding Canadians. Our government has stood up for their rights in abolishing the wasteful and ineffective long gun registry.

Last week we learned that bureaucrats are seeking bids for a contract to study the environmental impact of lead bullets on the forest floor. Surely there must be a better use of taxpayers' money

than launching a study into the environmental impact of hunters' bullets.

Does the Parliamentary Secretary to the Prime Minister agree?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, hunting, angling, and trapping are central to the livelihood, recreation, and tradition of many Canadians. That is why I am proud that our government cancelled this tender as a waste of taxpayer dollars. Our Conservative government continues to stand up for law-abiding hunters and sports shooters.

Now, of course, we know that the Liberals and the NDP probably would have continued this study, on the grounds that the environmental impact of bullets on the forest floor would have been a good pretext for onerous environmental restrictions on the use of bullets, and they probably would bring back the long gun registry.

We will continue to stand up for hunters—

**The Speaker:** Order, please.

The hon. member for Trois-Rivières.

\* \* \*

[*Translation*]

**EMPLOYMENT INSURANCE**

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, the Commission nationale d'examen sur la réforme de l'assurance-emploi released its report today.

After consulting representatives from all socio-economic sectors, which the federal government never did, the Commission concluded that the reform is problematic on a number of fronts, particularly in relation to the exodus of specialized workers, the significant drop in incentives for the unemployed to find work, the regional economies that rely on seasonal work, and so on.

Will the government study and consider the recommendations put forward by the Quebec commission to address these issues?

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Let us be clear, Mr. Speaker.

The NDP waged a campaign of fear regarding the modest changes that we made to the employment insurance program.

The NDP said that it was the end of benefits for seasonal workers. However, more than 99% of claimants have not been affected by the changes, and 80% of the claims rejected in Quebec this year were rejected because the claimants were outside Canada.

Not even NDP supporters would qualify for EI benefits if they were in Florida or Cuba.

*Routine Proceedings*

[English]

**THE ENVIRONMENT**

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, in response to the devastating Typhoon Haiyan, UN Secretary-General Ban Ki-moon has called for a leaders' summit on climate, which is to take place in September of next year in New York.

Ban Ki-moon has made clear, as have many scientists, the likely connections between these increasingly devastating weather events and the climate crisis.

Now that the deadline is looming for a new treaty to replace Kyoto, a treaty the Prime Minister says he supports, will he join the leaders' climate summit on September 24, 2014, in New York, to seek solutions while there is still time?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, first I want to congratulate the Minister of International Development and others for their swift response to the effort in the Philippines. I think the Canadian response has been appreciated by our Filipino friends all across the country and of course by the Government of the Philippines as well.

On the matter of international climate change, obviously we continue to favour an international treaty that would have binding obligations upon all emitters. The Kyoto accord had binding obligations upon less than one-third of emissions, which is why it was not an effective instrument.

We will continue to work with the international community in the hope of developing an effective instrument.

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**PRESENCE IN GALLERY**

**The Speaker:** I would like to draw to the attention of hon. members the presence in the gallery of His Excellency Kgalema Motlanthe, Deputy President of the Republic of South Africa.

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

● (1510)

**The Speaker:** I would also like to draw to the attention of hon. members the presence in the gallery of the winners of the 2013 Governor General's Literary Awards: Teresa Toten, Isabelle Arseneault, Matt James, Donald Winkler, Katherena Vermette, Fanny Britt, Nicolas Billon, Sandra Djwa, Yvon Rivard, Stéphanie Pelletier, and Eleanor Catton.

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

**ROUTINE PROCEEDINGS**

[English]

**INTERNATIONAL TRADE**

**Hon. Ed Fast (Minister of International Trade, CPC):** Mr. Speaker, it is my honour to table, in both official languages, the document entitled "Global Markets Action Plan: The Blueprint for Creating Jobs and Opportunities for Canadians through Trade".

In a fiercely competitive global economy, Canada cannot be complacent. We must be more aggressive and effective than the intense competition we face as we advance Canada's commercial interests in key global markets.

Under the global markets action plan, our government is concentrating its efforts on markets that hold the greatest promise for Canadian business. We fully understand that when our businesses succeed abroad, all Canadians benefit from the jobs and opportunities that are created at home.

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**COMMITTEES OF THE HOUSE**

HEALTH

**Mr. Ben Lobb (Huron—Bruce, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Health on the supplementary estimates (B) 2013-14.

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**MARINE MAMMAL REGULATIONS**

**Mr. Greg Kerr (West Nova, CPC)** moved for leave to introduce Bill C-555, An Act respecting the Marine Mammal Regulations (seal fishery observation licence).

He said: Mr. Speaker, I rise to introduce a private member's bill, an act respecting the Marine Mammal Regulations on seal fishery observation licences.

I want to thank the member for Yukon for seconding the bill. He has a real interest in this topic and definitely supports the seal hunt. The bill requires the Governor in Council to amend the Marine Mammal Regulations to increase the distance that a person must maintain from another person who is fishing for seals, except those with a legitimate observation licence.

The bill is important because it concerns the safety of everyone involved in the seal hunt, including licensed observers.

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

\* \* \*

[Translation]

**PETITIONS**

FINANCIAL ADMINISTRATION

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, I would like to present a petition concerning my Bill C-473, which would increase the number of women and improve their representation in decision-making positions, where ministers appoint boards of directors. The bill will be discussed on Friday in the House.

*Routine Proceedings*

[English]

## HEALTH OF ANIMALS AND MEAT INSPECTION

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I have two sets of petitions with hundreds of names from Hamilton and Brampton, Ontario, and Courtney and Comox, British Columbia. The petitioners are in support of my bill, Bill C-322, saying that horses are commonly administered drugs that are strictly prohibited from being used at any time in all other food processing animals destined for the human food supply and that they are being sold for human consumption in domestic and international markets.

They call on Parliament to adopt legislation based on Bill C-322 to amend the Health of Animals Act and the Meat Inspection Act, thus prohibiting the importation or exportation of horses for slaughter for human consumption, as well as horse meat products for human consumption.

## ANIMAL WELFARE

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, the second petition comes from hundreds of folks from Simcoe, London, Port Dover, Cayuga, Delhi, Hamilton, and other communities in Ontario. It deals with animal cruelty legislation. They say Canadians are tired of hearing about animals being abused while their abusers walk free. They see a link between cruelty to animals and cruelty to humans. They call upon the government to ensure the federal—

**The Speaker:** Order. I would just remind members that the practice is to provide a brief summary and when members are presenting more than one petition at a time, I think they should really focus on the brevity part of that.

The hon. member for Guelph.

## AGRICULTURE AND AGRI-FOOD

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, I rise today to present three petitions signed by constituents in my riding of Guelph on the inherent rights of farmers to save, reuse, select, exchange, and sell seeds.

The petitioners are concerned with restrictions such as commercial contracts, identity preservation systems, and legislation that can criminalize traditional practices and harm farmers. They call on Parliament to enshrine in legislation the inalienable rights of farmers and other Canadians to save, reuse, select, exchange and sell seeds.

• (1515)

[Translation]

## MINING INDUSTRY

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, as they do every year, a delegation from Development and Peace came to see me, and every MP, in order to raise awareness of issues affecting communities in the global south.

This delegation gave me a petition urging the federal government to create a legislated, extractive sector ombudsman mechanism in Canada to analyze complaints, make public its findings, recommend remedial actions and, finally, recommend sanctions by the government for mines that do not comply with standards.

[English]

## CONSUMER PROTECTION

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, I have the honour to present a petition today signed by dozens of citizens in my riding of Burnaby—Douglas.

The petition concerns new pay-to-pay fees that many telephone, Internet, television and banking companies have introduced. The petition notes that these charges effectively force Canadian consumers to pay an additional fee just so they can pay their bills.

The petitioners call upon the Government of Canada to prohibit pay-to-pay fees and ensure that consumers are not charged for receiving bills in the mail. Many articulate and well-meaning constituents have come to my office to discuss this issue and I urge the government to take this petition seriously.

## 41ST GENERAL ELECTION

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I rise to present two petitions today.

The first petition is from residents of Ottawa, Surrey and Burnaby, British Columbia and it relates to the 2011 federal election campaign allegations of attempts to mislead voters leading them to miss their opportunity, in fact, their right to vote.

The petitioners call for a full inquiry into this so-called “robocall” scandal.

## CANADIAN BROADCASTING CORPORATION

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the second petition relates to our national broadcaster, the CBC. The petitioners are from Quebec, Windsor, Ontario and from my own riding, particularly from Saturna Island.

The petitioners call for steady and predictable funding. With the recent changes to Hockey Night in Canada, these concerns for CBC funding become even more acute.

## PENSIONS AND BENEFITS

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the federal government made a commitment to retirees of the federal public service, retired members of the Canadian Forces and the Royal Canadian Mounted Police and retired federal judges for retirement pensions and benefits, including health insurance at predetermined levels of shared cost, as compensation for their years of service to Canada.

The concern of the petitioners is that the Treasury Board is reportedly considering making non-negotiable changes that would double the cost of health insurance for federal retirees.

The petitioners, through this petition, want to make the Prime Minister aware that they are not necessarily happy with what is happening.



## Government Orders

## GOVERNMENT ORDERS

## INTERNATIONAL TRADE

**Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.):** Mr. Speaker, I am presenting a petition today on behalf of many Canadians who want our government to decline to ratify FIPA, the Canada-China foreign investment protection and promotion agreement.

The petitioners feel strongly that FIPA is not in Canada's interest and that the power of Canadian law should remain in Canadian hands. They feel this agreement would give Chinese state-owned enterprises the ability to claim damages regarding any Canadian laws they believe reduced their profits.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

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

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

## MOTIONS FOR PAPERS

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

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

## POINTS OF ORDER

## ORAL QUESTIONS

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, the wisdom of the Chair is clearly shining here this afternoon with the time that you offered me to reflect on my words spoken in the House. I will concur with the Chair that they were indeed unparliamentary. I apologize unreservedly in an unqualified manner.

However, on a matter of the business of administration of the House, I would ask the Chair to reflect on the following circumstance.

When the government provides key documentation from the executive that bears the name of a member of the House, it does make it difficult for the debate and discussion to occur within the House when that document bears the member's name.

• (1520)

**The Speaker:** As difficult as it may seem to the hon. member for Humber—St. Barbe—Baie Verte, I have great confidence in his intellectual capability. I am sure that, maybe with the help of some others in his caucus, he may devise ways of doing it without breaking the rules of parliamentary tradition. I do have full confidence that he will be able to do that and look forward to what he comes up with.

[English]

## PROTECTING CANADIANS FROM ONLINE CRIME ACT

**Hon. Peter MacKay (Minister of Justice and Attorney General of Canada, CPC)** moved that Bill C-13, An Act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act, be read the second time and referred to a committee.

He said: Mr. Speaker, I thank my colleague, the Minister of Foreign Affairs and the House, for time to discuss this important bill at second reading, Bill C-13, protecting Canadians from online crime.

This is very important legislation, but it is well-recognized that it will require a holistic approach when it comes to the subject of cyberbullying. It will require efforts within the education system. It will certainly require very direct and mature discussions with young people and others in the country when it comes to the awareness and understanding of the effects of bullying and cyberbullying.

I want to indicate immediately that all elements of this bill to assist police with investigations online require a warrant. I emphasize that judicial authorization is deeply entrenched in Bill C-13. The bill and the government's long-standing commitment to help keep our streets and communities safe is very much in keeping with efforts of judicial oversight and focusing on all programs and all instances of having young people come to understand the terrible phenomenon of online bullying and its far-reaching effects.

The bill is very timely and significant legislation. As all would know, it is aimed at improving the safety of Canadians, not only in their homes and neighbourhoods but also online, where so many spend an incredible amount of time. All of the sections of the bill deal with electronic communications. This is our generation's preferred mode of correspondence. We now have to bring some of the elements of investigation also into the 21st century when it comes to electronic communications.

The necessity for security with respect to online activities is becoming more apparent as our use of social media and other technologies continue to grow. Consider that, according to StatsCan, in 2010 roughly 80% of Canadian households had access to the Internet. *Maclean's* magazine reports that more than 19 million Canadians, more than half the population, are now users of Facebook.

In the 1990s, there were hundreds of websites. Now the numbers have swelled to billions. These numbers will only continue to increase and the technology involved will become more sophisticated, making it even more essential to develop a legal framework that will support the online safety of Canadians and will give our security forces commensurate tools to ensure safety.

*Government Orders*

Bill C-13 is comprised of two related but distinct parts. The first addresses the particularly vile and invasive form of cyberbullying involving the non-consensual distribution of intimate images. The second aims to ensure that the Criminal Code and other federal legislation is keeping pace with technological changes. Both involve electronic communications and improving public safety. I am delighted that I am joined by my colleague, the Minister of Public Safety, for this debate.

The bill proposes updates to offences and to the powers of police to investigate crimes committed using electronic networks or that use electronic evidence.

I would like to address both of these parts in turn, beginning with the key elements of the bill that address cyberbullying.

We are all aware of the issues of bullying and cyberbullying and how they have become priorities for many governments around the world. Cyberbullying is the use of the Internet to perpetrate what is commonly known as bullying, but it is of particular interest and concern of late. This interest is due in no small part to the number of teen suicides over the past few years in which cyberbullying was alleged to have played a part.

We have heard of cases involving Rehtaeh Parsons in my province of Nova Scotia, Amanda Todd on the west coast, a young man named Todd Loik in Saskatchewan recently, and countless others. It is clearly a case of the worst form of harassment, intimidation and humiliation of young people, which resulted in a feeling of hopelessness, that there was no other way out, and they took their lives.

Having met with the parents of many of these young people and spoken to many young people within my own circle of friends and family, it becomes clear that there is a clarion call for Parliament and for our criminal justice system to respond. This is truly an issue in which I would hope the House would come together around our efforts to improve things. As I said, it goes well beyond this legislation and this Hill. It will require a very fulsome discussion of the implications and the understanding of what it means to post images and to use the Internet for the purposes of harassing another individual.

There appears to be a greater need and profound understanding of the impact that this form of bullying has on young people and its pervasiveness in the schools.

● (1525)

Online bullying increases the speed and the scope in which statements and images can be made and shared with many others, as we know. Once something is posted online, it is very difficult to control its further use or dissemination. Most times, it is from a cowardly, anonymous, malicious individual, whose identity is very hard to track.

Cyberbullying victims also report that it is very difficult to retreat or escape from the cyberbullying activity. It is pervasive in the way in which telecommunications play such an important part in young people's lives these days.

[*Translation*]

Canadians want to know what we can do to deal with cyberbullying. Questions have been raised about whether the Criminal Code deals adequately with this type of behaviour and recent technological advances.

[*English*]

Currently, the Criminal Code can in fact address most of the serious forms of cyberbullying through, for example, existing offences of criminal harassment per section 264, uttering threats per section 264.1 or identity fraud, found in section 403. However, there is no offence in the Criminal Code that specifically addresses the contemptible form of cyberbullying that has emerged, involving the distribution of sexual images without the consent of the person depicted in that image.

Addressing this gap in the Criminal Code is one of the goals of Bill C-13. The bill proposes a new Criminal Code offence prohibiting the non-consensual distribution of intimate images. Essentially, this offence would prohibit the sharing of sexual or nude images without the consent of the person depicted.

It may be useful to better understand how this behaviour typically comes about. It usually begins, in some sense, with a non-criminal context of perfectly lawful, consensual recording of intimate images in a private setting. I specifically set aside any images depicting an underage youth. These images may be subsequently transmitted electronically to a partner, a practice commonly known as "sexting". Upon the breakdown of the relationship, however, one of the known partners may distribute these images to third parties without the consent of the person depicted in the image. It is now commonly known as "revenge porn".

It is important to note that this offence is not intended to criminalize sexting when it is done with consent. Rather it is the unauthorized, non-consensual distribution of these images that is targeted in this new offence.

[*Translation*]

I would like to take a moment to fully describe the specific aspects of the proposed offence.

[*English*]

The proposed new offence will prohibit all manner of distributing, sharing or making available of an intimate image without the consent of the person depicted in that image. This is intended to capture all the ways in which intimate images are shared, including posting an image on a website, sharing via social media, email or in person, but will not capture the consensual recording or the private use of these images.

The main element of the offence is that the sharing of the distribution would be done without the consent of the person depicted. The accused would not have to know that the person depicted in the image did not consent to the distribution or be reckless as to whether or not the person depicted consented to the distribution.

*Government Orders*

Bill C-13 also contains a three part definition of intimate images to help guide the courts in determining whether or not a particular image would be subject to the offence. There is clarity there in the determination and specific wording of what classifies as an intimate image. The definition is similar to those found in existing voyeurism and child pornography offences.

Second, the image must be one which, at the time it was taken, was done in circumstances that gave rise to the reasonable expectation of privacy. This would ensure that the offence did not capture the distribution of images in which the person depicted could not have easily have asserted privacy interests. For example, it may be difficult for people to assert a privacy interest if, in fact, the photo were taken while they were publicly displaying nudity. If they walked down the street without clothes and someone took a picture, there would be no expectation of privacy.

Third, at the time of the offence, the image must be one in which respect the person depicted retains a privacy interest. In other words, if someone posted a nude picture on a website and someone else then subsequently shared the image, it would be unlikely that the person would retain an expectation of privacy.

● (1530)

In addition, the bill contains a number of amendments that would complement this proposed new offence. I stress again that judges must look at these facts and interpret how the law would apply in the collection of evidence and in determining whether a warrant was warranted.

As a means of prevention, the courts would be able to authorize and order a peace bond against a person who had intimate images in his or her possession, where there were reasonable grounds to fear that the person could then play into a new offence. That is, the person could post the offence or share those images.

As part of the sentence for the new offence, the court would be permitted to make a prohibition order, which would limit access by a convicted offender to the Internet or other digital networks unless the access was exercised in accordance with conditions set out by the court. There would be a very specific penalty that could attach with respect to limiting use to go back online.

The court would also be authorized to order non-consensual posted images removed from the Internet. The existing provision allows the court to order the removal of child pornography and voyeuristic recordings. That would be amended to include intimate images. I stress here that we have already made a number of Criminal Code amendments and have brought forward legislation requiring Internet service providers, for example, to report these images when they appear online.

Additionally, the court could be authorized to order any tools used in the commission of the proposed offence, such as cell phones or computers, to be forfeited to the Crown. This is in keeping with other criminal acts we have seen, where vehicles and tools used in the commission of an offence can be seized by the Crown.

At the end of the process, the court would also be authorized to order the convicted offender to pay restitution to permit the victim to recoup expenses incurred to secure the removal from the Internet of these non-consensually posted intimate images.

Finally, the Canada Evidence Act would also be amended to ensure that the spouse of a person accused of distributing intimate images could be eligible to testify for the Crown. That is, spousal immunity would be waived. We have done this, as well, in sections pertaining to protecting children.

The bill also proposes updating existing offences that are relevant to cyberbullying. For example, the offence of false messages and harassing phone calls, in section 372, refers to behaviour conducted by letter or telegram, among other methods, but does not include more modern methods, as though the Internet or smart phones do not exist.

I point out that many of the sections we are trying to update were enacted during the time of rotary dial phones and telegrams, well in advance of the arrival of the Internet. We are modernizing and bringing those sections into the 21st century. This offence is relevant and is an applicable offence in the cyberbullying context. However, as it is currently drafted, it would not apply to conduct committed via modern technology. The bill is all about updating offences to make sure that any prohibited conduct done through any form of telecommunication would be captured.

I also want to move on to the part of the bill that involves elements related to modernization of the Criminal Code and other federal legislation, some of which has caused some consternation. There has been some significant misinformation disseminated.

Specifically, the bill contains amendments to the Criminal Code, the Competition Act, and the Mutual Legal Assistance in Criminal Matters Act to ensure that our laws are suitable for the technologically advanced world in which we live. They are meant to modernize both offences and investigative powers to make the Criminal Code more responsive to current criminal behaviour, which, as we know, is becoming more and more sophisticated. Organized crime, in particular, and those who prey on children very often use the Internet as the means to carry out these nefarious acts.

There is a common thread in these amendments. They all have as their primary objective providing law enforcement agencies with the tools they need in the 21st century to continue to respect their roles as protectors of the public while at the same time respecting the civil liberties of Canadians. They all require judicial authorization to carry out their duties.

● (1535)

Let me begin by stressing that the purpose of the legislative and investigative power amendments is not to give extensive new authority to the state to intrude into the privacy of Canadians. On the contrary, the new powers in this bill are carefully and narrowly constructed to respond to the investigative challenges posed by the advances that have occurred in technology over the past few decades and also to maintain the privacy protections and expectations of Canadians.

*Government Orders*

Modernizing investigative tools is especially important in investigations into these proposed new offences of non-consensual distribution of intimate images, which may be implicated in serious cases of cyberbullying. These updated tools would also, as they should, assist police in the investigation of all online crimes, and any crimes that involve digital evidence, such as fraud, the distribution of child pornography, and various forms of cyberattacks.

What are these amendments? First, Bill C-13 proposes to create a new data-preservation scheme. These tools would allow police to safeguard computer data while they apply to the court for a proper court order to acquire the data. Simply put, it is a do-not-delete order until such time as the police require the warrant.

Next, Bill C-13 proposes to update the existing judicially supervised production orders. These amendments would result in a comprehensive toolkit involving a general production order, which is comparable to a search warrant, and four specific production orders for information with little or no privacy impact. They would help police commence investigations.

The production orders could only be used to obtain historical information before the specific production orders contemplated by Bill C-13 would allow police to do the following: determine where individuals were or what they were doing at a specific moment in time, meaning tracking information; obtain transmission data, such as an email address the communication was sent to; trace the path of the telecommunication to determine the identity of a suspect; and, finally, collect basic financial information. It should be noted that police already have the ability to apply to the court for the same type of information in other areas.

This bill also proposes to modernize two existing judicial warrant powers: the tracking warrant and the number-recording warrant. These warrants are unique in that they allow police to collect this type of information in real time.

Finally, the bill also proposes some efficiencies with regard to wiretap applications. These amendments basically are a codification of the practices of many of our courts, but the amendments would ensure that Canadian courts, as in all jurisdictions, would use the same process. The proposed amendments would create a single application for all judicial warrants and orders related to the execution of the wiretap authorization. This new process would make it clear that the judge who issued the wiretap authorization could also issue all the other supporting warrants or orders without requiring a separate application. It is a streamlining process whereby the court would have a full picture of all the interventions.

I apologize for some of the minute detail, but it is important that we are again emphasizing here that judicial authorization would be required in all instances in aspects of this bill. Data preservation and the sophistication and proliferation of information are what we are trying to get at while, at the same time, balancing this with Canadians' reasonable expectations of privacy.

What is envisioned in this bill are not massive scoops of information, or mega-data, as it is sometimes called, as is the case in other jurisdictions in European countries. This bill would not ask Internet service providers to collect anyone's information and keep it indefinitely. Like other warrants, these would be for a set, specified

period of time. As I mentioned, this could be done as of a do-not-delete order for a period of up to 21 days, or in cases of foreign preservation information, up to 90 days. However, again, judicial authorization would be required.

The power, I suggest, would facilitate the investigation of offences where much of the evidence is in an electronic form and would be used, as I said, to go after the non-consensual distribution of intimate images in an era when crucial evidence can be deleted, sometimes even inadvertently, in the blink of an eye.

As I mentioned earlier, in addition to proposing new investigative powers, the bill would modernize existing powers, bringing into the 21st century what the police are trying to do and protecting our communities.

I would note that this is a bill that has tremendous support from the provinces. We have had the Privacy Commissioner consulted on aspects of this bill. We look forward to further debate throughout this process as we move forward on what I believe is an important step to protect Canadians and protect information and at the same time respect the fact that this is the new way of communicating among Canadians and around the world.

● (1540)

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I would like to thank the minister for his speech. I took careful note of his fervent hope that the House will unite to support his bill. I took careful note, but I have some concerns.

Three-quarters of his speech focused on the very serious problem of cyberbullying, particularly the distribution of intimate images, which led to Bill C-13. My colleague introduced this bill in the House previously as Bill C-540.

I am concerned because most of his speech focused on exactly seven provisions or only five pages of the bill, whereas pages 6 to 53, which include clauses 8 to 47, focus more on the tools given to police officers.

The minister must know that, since his bill was introduced, experts and knowledgeable people in the field, including the Privacy Commissioner, have expressed concerns about these aspects of the bill.

Why did he make things so complicated when he could have quickly obtained unanimous consent on the more specific part of the bill that he spoke so much about in his speech, the part about cyberbullying and the distribution of intimate images?

**Hon. Peter MacKay:** Mr. Speaker, I would like to sincerely thank my dear colleague for that question and for her participation in this very important debate in the House of Commons.

*Government Orders*

[English]

The legislation is consistent in that it deals with electronic communications broadly. Yes, there is a component that is very much in response to the pressing need to address cyberbullying, which has really put young people's lives at risk. At the same time, there must be empowering elements of investigation, which are contained in the same legislation, that would pertain to not only the enforcement of the cyberbullying component, which is the new Criminal Code section we have brought forward on the non-consensual distribution of images. We also cannot simply empower police to go after that single component of the Criminal Code. We must also allow police to use those same powers to enforce other elements of the Criminal Code.

There is a common theme throughout for investigative powers. These were recommendations consistent with the federal-provincial-territorial document that was produced. I know that she aware of it.

I note, as well, that while the Privacy Commissioner may have concerns, this is the time and the place. I am sure the Privacy Commissioner herself may want to appear before the parliamentary committee to have her views known. However, I suggest to the her that when one examines the electronic communication sections the bill affects, we are empowering investigators to enforce the law and use the proper channels. Most importantly, judicial authorization is required, which sets it apart from previous bills.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, the minister said a couple of times that in all instances, judicial authorization is required. I beg to differ.

Clause 20 of the bill, specifically proposed section 487.0195, addresses voluntary disclosure of information by, for example, telecommunications companies and Internet service providers. In a circumstance in which electronic information is voluntarily disclosed, they are given absolute immunity. Therefore, in a case where there is a co-operating party, there is indeed no judicial oversight and no sanction. In fact, there is immunity given. It is really not far from a warrantless search when we have a willing party holding the data. That, in our view, is the poison pill in this legislation.

We all support modernizing the Criminal Code to deal with the scourge of cyberbullying. I compliment the minister for bringing legislation forward that does that. The problem is that the poison pill built within it would have dramatic impacts on civil liberty and privacy, the very things that caused them to back away from the e-snooping bill.

Would the minister please split the bill so we can all stand together, as he suggested, and have the House come together against cyberbullying? Will he please split the bill to take the poison pill out?

• (1545)

**Hon. Peter MacKay:** Mr. Speaker, I hope this might help the pill go down a little easier.

The proposed section to which the member refers in the Criminal Code does not displace existing court authorization requirement. In fact it is a very specific area, and I am glad he raised it.

The provision would clarify that the police officer can lawfully ask—and he points out—that individuals and groups voluntarily preserve data or provide documentation, but only when no prohibition exists against doing so. That is to suggest that organizations would still be bound by the Personal Information Protection and Electronic Documents Act, something known as PIPEDA, which makes it clear that an organization is entitled to voluntarily disclose personal information to the police, without the consent of the person to have the information relayed.

However police have to have lawful authority to do so. They still have to obtain a warrant. They can ask that the information be preserved and temporarily put on hold so that it cannot be deleted, but in order for police to access that information that is frozen, they must still obtain a warrant.

There is no warrantless access. If I could quote the hon. member for Beauséjour, he said:

The old tools, the old laws and regulations, and common law around search warrants, lawful access, etc., haven't kept up with the technology that organized crime is using.

I agree with that. That is why we have to empower the police, modern investigators, to have modern tools to go after organized crime.

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I want to thank the Minister of Justice for bringing this important and timely bill before the House of Commons.

As members of Parliament, we have all heard from our constituents, from parents, about the concerns about cyberbullying. I am really pleased to see that the government is moving forward on its promise to do something about this.

I wonder if the minister can tell us, in the days since the legislation was tabled in the House, if he has heard anything from the families of the those who have fallen victim to this type of offence, if he has heard about their views on the legislation being debated here today.

**Hon. Peter MacKay:** Mr. Speaker, clearly this is a very emotional issue, as one would expect, for families who have had loved ones take their own lives as a result of cyberbullying and cyberintimidation, which has had a very real emotional and tragic impact on their lives.

In fact I have consulted with them, in the efforts to draft this legislation in the most effective way. We have chosen to bring this matter forward as a priority in this House. As the justice minister, I worked very hard on this bill to try to get this balance right.

For family members who have lost loved ones, I believe there is a very real recognition that this is in direct response to the tragedy that befell their lives. This is very much a response and a tabling of a bill that could easily have been named the Rehtaeh Parsons bill, the Amanda Todd bill or the Todd Loik bill.

This bill is something that would very much prevent and protect those same tragic acts from happening again in the future. That is our hope. We look forward to having this debated further in this House and in committee. I invite all members to support this legislation.

*Government Orders*

• (1550)

**Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.):** Mr. Speaker, I certainly support legislation to stop cyberbullying, and I think many of the provisions on cyberbullying in this bill are good and necessary.

However, like the member for Charlottetown, I am worried about whether the government is using this issue as a Trojan horse to increase our risk of being a surveillance state. I and many others feel that the government is trying to bring back Bill C-30.

My question is this. Yesterday, the United Nations human rights committee unanimously passed a resolution to protect individuals from unlawful surveillance. It happened to be a resolution on which the government worked with the U.S. to water down.

Does the member not think that, just as victims of cyberbullying deserve protection, people's privacy rights also deserve protection?

**Hon. Peter MacKay:** Mr. Speaker, of course, as Minister of Justice, I very much respect privacy rights. That is why we have a Privacy Commissioner. That is why we consulted with her on this particular bill.

However, I find it very unfortunate and troubling that this misleading, inaccurate description is applied, that references are made to a Trojan Horse and that this is a bill with a poison pill. It is not. There is prior judicial authorization required in every single clause of the bill. There is no ability for police to act without warrants. There is no ability to seize Canadians' information.

What we have done is put assurances here that would balance those concerns, that would put in place proper protections around the unauthorized distribution of information. Let us be clear on what we are trying to do here. We are trying to put police investigative powers in place on the Internet, where so much information, and therefore, danger can exist. Unfortunately, technology moved at a much faster pace than the legislation that would enable police to do their job properly.

We have seen many recent cases; for example, in Toronto, where there was information seized online that shut down a child pornography ring. We want to be able to give the police the power to do that, to protect children, protect information, protect finances and protect against terrorism. All of this is about giving police those tools in the modern era.

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, further to the exchanges that took place after the speech given by the Minister of Justice, if people are worried about poison pills, perhaps it is because that is what the Conservatives so often have to offer. Thus, it is not surprising that people are worried about this long-awaited bill.

I think it is worth reiterating the fact that my colleague from Dartmouth—Cole Harbour had introduced Bill C-540, which addressed the issue of cyberbullying and, more specifically, the distribution of intimate images, following the suicide of Rehtaeh Parsons. We even offered to fast-track this process.

All members of this House agreed on these provisions. The government replied that it was working on the issue, and I do acknowledge that some federal-provincial-territorial meetings took

place. I was very pleased to hear the Minister of Justice say that he believed in a more comprehensive approach than simply claiming that Bill C-13 would solve the problem of cyberbullying, as the bill's fancy title would suggest. Let us hope so, because the bill's title certainly promises more than it can deliver. In fact, I am sure the Conservatives have hired someone just to come up with fancy titles, such as the "protecting Canadians from online crime act".

Still, I acknowledge that the provinces and territories were involved. There were meetings and discussions because they were the ones who raised the problems. We know we need a more holistic and comprehensive approach. The motion moved by my colleague from Chicoutimi—Le Fjord, Motion No. 485, offers a comprehensive approach to bullying, but the Conservatives voted against it. There is no reason to believe that Bill C-13 will put an end to situations that have been around for a long time.

The Conservatives introduced a bill whose first seven clauses are exactly what everyone expected the Minister of Justice to introduce with respect to cyberbullying and the distribution of images. However, clauses eight and up must have come as a surprise to many. Forty-seven is a lot of clauses.

Experts on privacy and the Internet, as well as journalists, jumped at the chance to ask questions during the minister's press conference. No doubt the minister was expecting something other than those questions, all of them on the same subject, and for good reason. After what happened with the former public safety minister, people got worried about what was around the corner. I will be kind, but it was not funny when he introduced Bill C-30.

It was to be expected that people would think Bill C-30 had risen from the ashes when they saw clauses eight and up of Bill C-13. The former justice minister, the one immediately preceding our colleague opposite, promised that those clauses would not be seen again.

Journalists, who know a thing or two about the situation, did not wait one second to ask the questions that demanded to be asked of the minister, questions about cyberbullying. When he announced the introduction of his bill just last week, the minister said that everything related to cyberbullying and that there were no surprises in that regard.

Whether this is seen as a poison pill or not, the questions make it clear that this bill touches on some complicated concepts, especially from clause 8 on.

• (1555)

The Minister of Justice is right to say that the most serious irritants in Bill C-30 are not in the current bill. Yes, this will require warrants. However, we must still ask ourselves some serious questions about what kind of warrant will be needed and what evidence will be necessary to obtain it. Some are even saying that this lowers the threshold. Instead of talking about reasonable and probable grounds to believe something, the bill talks about suspicion. They are introducing different terms.

*Government Orders*

I think that the minister wants as many members as possible to support his bill. I therefore hope that he will be open to allowing us to study this aspect carefully. We will have some serious arguments to make in committee about these aspects of the bill. I hope that we will not be criticized or accused of supporting cyberbullies or anything like that, simply because we are doing our jobs. There are some serious questions and we do not have any definite answers to some of them today. For example, did the minister make sure that this bill is in line with the charter, since this is one of his duties?

I hope he will be referring to studies when he speaks about the bill before the Standing Committee on Justice and Human Rights. I hope he will tell us that, indeed, he and the people in his department tested the constitutionality and compliance of his bill under the Canadian Charter of Rights and Freedoms, specifically in terms of privacy and the interception of personal information.

I heard my colleague from Charlottetown ask a question about an issue that is worrying some experts, and that is the warrant for voluntary disclosure of information. In his reply, the minister stressed that this was on condition that no legal prohibition existed against preserving or communicating this information. This type of provision is greatly disturbing. This is not as simple as making a request and getting a positive answer on the spot. There are some rules, but they may not be sufficient in terms of protecting privacy.

Ultimately, we are all trying to create a safe environment for our children and youth. However, in doing so, we must be careful not to create legislative monsters that allow some to slip through our fingers while ensnaring others who should have nothing to fear in a free and democratic society. On this side of the House, we have always been concerned about that.

Obviously, my heart bleeds for the parents who have gone through such terrible situations. Is there anything worse than having a child commit suicide? I cannot imagine the hell that families must go through in those circumstances.

I will tell a story that I told my colleagues this morning, as I was discussing my recommendation on Bill C-13. On the day Bill C-13 was introduced, I ran into one of my colleagues opposite in the elevator in Parliament. He was with some people who had come to see this historic tabling. This was important to them because it had to do with something they had gone through. When I was introduced as the justice critic for the NDP, Mrs. Todd looked at me and said she hoped we would support the bill.

I am always happy to support good legislation. However, sometimes my heart bleeds when I have to tell my colleagues that I cannot, in good conscience, support a bill. I often give it a chance, because I always have hope.

This is the message I have for the Minister of Justice. We must be allowed to conduct a thorough study.

I presume that the minister truly believes in what he is doing today and that he wants to help victims, parents, children, young people and adults, because adults can also be caught up in this situation.

● (1600)

I hope that he truly believes in what he is doing today and that the other provisions are well-founded. I hope that he has had the

opportunity to study them extensively. However, the other members of the House have not had the opportunity to do so, because we were told by his predecessor that he would not bring back these kinds of provisions. Consequently, I hope he will not be surprised if we have some minor questions about this. We definitely will have some.

A number of legal organizations are asking questions. In fact, we have to compare the provisions. We have to understand what they mean. The wording used with respect to obtaining a warrant has changed. The bill says “suspect” instead of “reasonable and probable grounds to believe”. The legislator does not talk for nothing and, therefore, this must mean something.

It is not unusual to want to carefully analyze these types of provisions. The bill is very important for Canadians of all ages and races who are interested in the serious problem of cyberbullying. It is definitely a priority for all parliamentarians in the House. We will definitely not reject it out of hand at the outset.

However, I would like to say something to the families, both the Todd family and Rehtaeh Parsons' family.

I read Mrs. Todd's blog, and I was extremely moved. She asked the following question:

[*English*]

“Could the Cyberbullying Bill Have Saved Amanda?” She says yes.

[*Translation*]

The fact that a parent said that and is investing so much hope in a bill should strike a chord with all members.

That being said, we cannot abdicate our duty as legislators to exercise due diligence.

Today, I am urging the Minister of Justice to tell his colleagues who belong to the Standing Committee on Justice and Human Rights to take as much time as they need to study this bill, which is about a very important, very human issue that affects too many people. We have to stop thinking that this is a race against time, because it is not.

Obviously, we need solid, unassailable provisions that will eliminate this scourge, and we need them soon. However, they have to come with other provisions that are equally solid from a legal standpoint, and they have to be in line with existing laws so that, in a year or two, they will not be swept aside.

Families believe in the work we are doing. They have so much hope. We have to take the time we need to do a good job. We have to hear from experts on cybercrime and cyberbullying, on the Internet and on privacy law. We have to hear from all of those people so that we can evaluate this bill.

*Government Orders*

There are much easier ways though. I took note of what my colleague from Charlottetown said earlier when he asked the Minister of Justice a question. He asked him whether there might be a way to study the bill from two perspectives. First of all, it would have to be evaluated more quickly. I think that members of the House already support the cyberbullying and distribution of intimate images provisions in the bill.

That is why there might be a way, if everyone in the House agrees, to split the bill in two without changing or amending any of the clauses. I am not even suggesting any amendments, simply because that work will be done in committee.

Of course we want to do this work in committee. However, we want to work both on cyberbullying and the distribution of intimate images, and on the other aspect, which is the powers to be granted to police officers.

• (1605)

I was reading the submission of an association of criminal experts, which indicates that some provisions are cause for concern. One has to wonder what the government means by “some provisions”.

In light of this, I would like to remind the Conservatives that they have to take these concerns into account. It is important to remember what happened with Bill C-30. After an absolutely unbelievable campaign of a sort rarely seen in the House, the Conservative government backtracked, which is not something that happens very often. The Conservatives have a tendency to always push forward, even if they are hitting a brick wall. They do not often make a strategic retreat to show that they heard what the public had to say. However, that is what happened in the case of Bill C-30.

The Conservatives backtracked because Canadians felt that Bill C-30 violated their privacy and gave some people unrestricted tools. Those people may have good intentions, but once again, the devil is in the details. This made the minister backtrack, which is a good thing.

We do not want to go through all that again with Bill C-13. I will not say that Bill C-30 caused mass hysteria, because that is not true. However, people were extremely concerned, and it made us wonder exactly what the government was trying to achieve. We are asking ourselves the same thing in this case, where people expect a bill on cyberbullying and the distribution of images.

Yes, the ministers of justice and public safety from across the country examined these issues and talked about how this sort of evidence could be collected; however, they did not come up with a plan as detailed as the one set out in Bill C-13.

On one hand, there are the parents of victims who want something positive to come out of all this, and rightly so. On the other hand, there are also privacy guardians.

I do not think there is anyone in the House, including the Conservatives, who does not think this is important. They obviously talk about it less on their side, but I think that they also believe this is very important. I have never heard anyone on the Conservative side say that they do not believe in the Charter of Rights and Freedoms, in the right to a personal life, to a private life, to their own image, to do what they want in their own home.

There is an extremely simple way to address all of these serious concerns about Bill C-13. We would simply have to divide Bill C-13, and I would like to move that we do so.

I would like to seek the unanimous consent of the House to move the following motion: That notwithstanding any Standing Order or usual practice of the House, clauses 2 to 7 and 27 related to cyberbullying, be removed from Bill C-13, An Act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act, and do compose Bill C-15; that Bill C-15 be entitled "An Act to amend the Criminal Code (non-consensual making or distributing of intimate images)"; that Bill C-15 be deemed read a first time and printed; that the order for second reading of the said bill provide for the referral to the Standing Committee on Justice and Human Rights; that Bill C-13 retain the status on the Order Paper that it had prior to the adoption of this Order; that Bill C-13 be reprinted as amended; and that the Law Clerk and Parliamentary Counsel be authorized to make any technical changes or corrections as may be necessary to give effect to this motion.

This would make it possible to pass Bill C-15 quickly. Then, we could more carefully study Bill C-13 as amended.

• (1610)

**The Acting Speaker (Mr. Bruce Stanton):** Does the hon. member for Gatineau have the unanimous consent of the House to propose this motion?

**Some hon. members:** Yes.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** The hon. Minister of Justice.

[*English*]

**Hon. Peter MacKay (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I thank my friend from Gatineau for her very compelling speech, where she raised some very good points about the necessity to examine the bill in detail. I could not agree more. That will be the process, as she is very familiar.

We will have the opportunity to proceed not only through the debate in the House, but to go to committee. I think all Canadians are increasingly aware that this is the place where the real work gets done. Out of the glare of the cameras, the show and the partisanship, that is where the real work gets done.

There is a bit of a contradiction in her argument in suggesting that in the last Parliament, before prorogation, we should have rushed to pass the hon. member for Dartmouth—Cole Harbour's bill through all stages of the House and have it unanimously adopted. That would have been an empty vessel. It really undermines the argument she has just made, that, in fairness to the families and to all Canadians who are looking for a substantive response to a serious social issue, it requires the expert oversight and advice that we should receive in the committee.

Yes, I should be held to scrutiny by all members of the House. The member for Charlottetown asked an important question. I will be going before committee, again, to answer questions.



*Government Orders*

I say to the hon. member, let us work together. I am prepared to reach across the aisle to her and all members. This should be one of Parliament's finest moments, where we are able to respond to the needs of Canadians on a serious social issue. It is an issue that goes to the very heart of protecting young people, protecting information in the information age and ensuring that we are giving police the proper powers, but balanced with privacy issues, to do the work that we ask of them every day.

[*Translation*]

**Ms. Françoise Boivin:** Mr. Speaker, I appreciate that the Minister of Justice is reaching out. I see that one of his parliamentary secretaries is in the House. I am sure he heard the same words I did.

It is imperative that we take the time to really look at each and every one of these clauses.

There was no contradiction there. We said that the difference between 7 clauses and 47 was that it would take far less time to study the first seven clauses. That way, we could address the parents' need to see this issue debated.

Now the process will take longer. The government decided to incorporate elements that—while not necessarily the same as those that were in Bill C-30—are quite worrisome to groups other than victims of cyberbullying or parents of those who have committed suicide after being bullied online.

If there is unlimited time for hearing from various experts, then it is possible to split this into two. I hope that this will not be forgotten. I will take his words to committee with me, that is for sure.

• (1615)

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I wish to thank my colleague from Gatineau for her speech. She works very hard on the committee. Of course she is very knowledgeable about all of the issues at stake here.

[*English*]

I also spent some time going through the bill, because of the concern over the ghost of Vic Toews in the e-snooping bill. Of the 47 clauses in the bill, 37 are out of the e-snooping bill.

I certainly support the approach of the hon. member when she pleaded for adequate time to do a proper job at committee. I supported the approach of the hon. member to sever out the things that are non-controversial and that would provide some immediate relief to the families of victims, while we get into more detail on the stuff has a real potential to impact the charter rights.

In particular, she dwelled on the lowering of the evidentiary standard for certain warrants from reasonable and probable grounds to believe the commission of an offence, to suspicion. Could she elaborate a bit more on her concerns vis-à-vis the charter and the lowering of the evidentiary bar for warrants in those specific provisions, please?

[*Translation*]

**Ms. Françoise Boivin:** Mr. Speaker, I thank my hon. colleague from Charlottetown, who also works very hard on the Standing Committee on Justice and Human Rights.

I appreciate that we will not be the only ones asking for sufficient time to study this bill properly. I am sure we will have the opportunity to ask the parliamentary secretary about that when he speaks later. It will be interesting to see if it means anything when people give their word in this House. I think we all share the same objective of wanting to study the bill thoroughly.

I invite the members of this House who are interested in this to look up what are known as “the forms” in this bill.

When someone goes before a judge to try to obtain the right to seize or preserve data, the police officer or individual investigating must have some evidence. That is where the terminology has been changed. Previously one had to have “reasonable and probable grounds to believe”, but that wording has been changed to “reasonable grounds to suspect”. Perhaps it means the same thing and we are worrying for nothing. That being said, we would like to debate this issue.

I worked with lawyers long enough, for nearly 30 years in fact, to know that sometimes all it takes is a change in the wording to completely mess up a case.

Accordingly, we must be very careful and do everything we can to ensure that this is the best possible bill when it comes back to the House and that it achieves the intended results.

[*English*]

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, I want to thank my colleague for her intervention on Bill C-13 and commend her for the motion she presented to the House to try to split the bill into two very separate pieces, one dealing with what the government says it is truly focused on, which is closing the gap that has been identified in the Criminal Code on cyberbullying, and to end the malicious, hurtful and sometimes deadly practice of cyberbullying and the transfer of intimate images.

I would like to ask my colleague whether she has heard from other Canadian experts about the concerns she has raised. While the government should be applauded for bringing forward provisions to close the gap in the Criminal Code for cyberbullying, it has also gone a considerable distance in another direction, which is to add huge investigative powers to authorities under the guise of modernizing the Criminal Code.

• (1620)

[*Translation*]

**Ms. Françoise Boivin:** Mr. Speaker, that is an excellent question. Once again, I would like to commend my colleague for his work on this issue, and for having made a promise to Rehtaeh Parsons' parents and keeping his word by introducing Bill C-540. I sincerely congratulate him.

There are many people who have concerns about Bill C-13. There are also others who have concerns about the part of the bill that deals with cyberbullying. We should keep in mind that not everyone is prepared to trust the Conservatives.

*Government Orders*

The Criminal Lawyers' Association represents 1,000 criminal lawyers in Ontario. That is quite a few. The association has concerns about the wording of the bill. It also has concerns about cyberbullying. Indeed, the association believes that the whole issue of cyberbullying in Bill C-13 is actually covered in clause 3. We are talking about a bill that has many more clauses.

What does that mean exactly? The association feels that there is a problem there. I will leave it up to the association to clearly determine, in committee, what people thought they were doing, because the issue of *mens rea*, or criminal intent, has to be considered. This will be a refresher for those of us who are lawyers. This issue can apply, for example, in the case of a young person who receives an image from another youth concerning yet another young person.

In this bill, the Conservatives have done an incredible job of showing that there are situations where it may be difficult to prove that someone is guilty of a crime as such.

There are plenty of things like that to consider, but that will require a thorough study. By the way, we will support the bill at second reading so that it can be sent to committee. However, I must say that we will have to work long and hard on this.

**The Acting Speaker (Mr. Bruce Stanton):** It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Brossard—La Prairie, Champlain Bridge; the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, Economic Development.

[*English*]

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, the events over the past year have impacted all Canadians. The emergence of cyberbullying in society is troubling.

We agree with the government and victims that measures are needed to prevent and address cyberbullying. We, on this side, agree that we need action to properly provide a strong and fair response to those who perpetrate such hurtful acts against others online. It really is a tragedy to hear media reports of young people with their whole lives ahead of them believing that they have no other option than to take their lives. That is how deep and cruel cyberbullying can be. We should tackle this issue in a firm and focused manner.

Just last week, we marked Bullying Awareness Week. Indeed, there was a large summit held in my riding, an international summit, with social media companies and with young people from both sides of the border, which was organized by a well-known expert in this field Parry Aftab. Anti-bullying week and the summit to which I just referred provide us with an opportunity to reflect upon how our words and actions can sometimes have such a devastating impact upon others. This, I submit, holds true, not only for our youth but also the not so young.

As I have said in the House on a number of occasions, bullying is the reality for many people. Words do matter. Often, those words inflict great devastation upon young people. We know that what was once the sole domain of the schoolyard has now moved to the online world. The traditional bully, who typically sought out a victim at school, is now able to extend his reach online. The victim of bullying at school could, at one time, get some relief when he or she would go

home, perhaps finding some respite in the confines of his or her room, a place where it was safe and away from the bullies. Not any more. The bullies can now extend that reach into that bedroom, using the Internet as a virtual schoolyard.

We know that some young people say terrible things to each other online. We can only imagine how hurtful it would be to arrive home, perhaps having an already rough day, only to go online and read something about oneself that is likely untrue or perhaps embarrassing. We can only imagine how hurtful and distressing it would be to read an online post or comment calling someone a “fag” or a “dyke” or suggesting that an individual is “weird”, “fat”, “ugly” or any number of hurtful and devastating comments.

We can only imagine how this would pierce the soul of a young person, many of whom are already vulnerable with the all too common challenges of growing up. This is the reality of Canadian youth, day in and day out. This is the ruthless side of technology and the use of the Internet.

That is why we sought to address this issue through legislation last year with a cyberbullying bill from the Liberal member for Vancouver Centre, which I will address again later.

We know that school can be tough, but bullying is not the exclusive domain of young people. I submit to my colleagues that we find bullying here, in this chamber. We often attack one another. We often do so for having a different opinion on such and such a matter. We exaggerate that which is often not worth exaggerating. We do not do a very good job of listening to each other and engaging in real debate. We seem to ignore or exclude the possibility that someone else might have a helpful solution or a proposal worthy of at least a hearing. It is possible to learn from one another.

Instead, as I have experienced in my short time here, having a different opinion is sometimes tantamount to siding with the criminals, and then we use the pretext of democracy to legitimize such behaviour. This is, frankly, the poor example we sometimes give to the public and to young people.

● (1625)

Earlier in my remarks, I indicated that there was an international summit held in Charlottetown on bullying. The organizers of that summit were actually invited into the House of Commons last week on the day of the announcement of this introduction of this legislation. I can say that on that day we did not exactly do our best job. When these constituents, who were here at the invitation of the Prime Minister, had a chance to observe the antics on the floor of the House of Commons, it is safe to say that as advocates against bullying, they were not impressed.

Today we are debating a bill that was supposed to address bullying and the emergence of cyberbullying specifically. However, for some reason, much of this bill has little to do with cyberbullying. I was surprised by this. I actually assumed that the Conservatives would have played this one straight and up front.

*Government Orders*

Bill C-13, we were told, was to address cyberbullying. It would appear, however, that the Conservative government knowingly used this highly emotional issue as a cover to include legislative measures that have nothing to do with cyberbullying. Conflating, for example, terrorism with cyberbullying does not make any sense. Furthermore, using the scourge of cyberbullying in order to resurrect elements of the infamous Bill C-30, a piece of legislative work wholly rejected because it was in effect an e-snooping bill, is wrong.

Members will remember that bill. It was a bill proposed just last year by Vic Toews, the former Conservative public safety minister. We are also given to understand that the former minister of justice and the current Minister of Justice sought to meet with victims of cyberbullying and their families as they prepared to introduce cyberbully legislation. I commend them for reaching out.

However, much of this bill has little to do with cyberbullying, and that is why we agree with the motion that was put forward by my colleague from Gatineau to split the bill at committee. We do so because all of us on this side had genuinely hoped that it was to be a stand-alone issue; instead, we have a bill before us full of content unrelated to cyberbullying.

We know the minister consulted victims of bullying and their families. I suggest that there will not be one member of the Conservative caucus able to coherently tell Canadians why providing, for example, big telecom companies with immunity to share private information of any Canadian to the government without a warrant has much to do with cyberbullying. There will not be one Conservative MP who could say with any sense of reliability that allowing telecom companies free range to divulge to Canada's security services anything they want at any time without any exposure to civil litigation or criminal charges is in any way tackling cyberbullying. As we heard earlier in the debate, that, in my submission, is the poison pill in this legislation.

The government seems to be using victims of cyberbullying for political and partisan reasons. That is why we agree with the proposal to split this bill at committee and deal with the cyberbullying aspects of it as a stand-alone bill.

When Vic Toews introduced his odious and unconstitutional e-snooping bill last year, a bill that would have allowed widespread government invasion into the privacy of Canadians without a warrant, he did so, to his credit, up front. He did not try to hide it—well, not too much. Faced with fierce opposition to such a massive assault on the privacy of Canadians, he famously said of the member for Lac-Saint-Louis, “He can either stand with us or with the child pornographers.”

At least Vic Toews was up front in his effort to attack the privacy of Canadians.

●(1630)

Again the minister has a bill before the House, the vast majority of which has nothing to do with cyberbullying. I am not sure that I got an answer to my question, but I hope the Minister of Justice will do the right thing and allow the Conservative members of the justice committee the option to split this bill so that we can deal with cyberbullying as a stand-alone bill. Numerous measures from the old Vic Toews' e-snooping bill have no place in this bill.

I know that the minister will resist the temptation to suggest that we are on the side of the bullies when we seek to split the bill to deal with the cyberbullying as a stand-alone bill. To that point, let me be very clear: there is not one person in this House of Commons who does not want to combat cyberbullying.

As mentioned earlier, my colleague from Vancouver Centre, a person of great distinction and someone who has worked with victims of bullying and their families over the years, proposed a bill just last year on the very issue of cyberbullying. When it came time to vote on her bill, the Conservatives voted against it.

Since there was no discernible reason for the Conservatives to vote against her cyberbullying bill, we are left to speculate that they did so because the bill emanated from an opposition party, in this case the Liberal Party of Canada. Now here we are today, dealing with a bill we hoped would not be politicized. Unfortunately, it contains just five pages on cyberbullying, with the remaining 50-plus pages containing unrelated measures.

I earlier commended the minister for reaching out to victims of bullying as he prepared this legislation. As the minister was consulting victims of bullying and their families this summer, I contend that not one of those Canadians would have asked the minister to give telecoms and Internet service providers the right to share online data with Canadians without a warrant and to make it a criminal offence to steal cable signals or WiFi. I would challenge the minister to produce evidence if he could suggest otherwise.

Why, then, did the minister not simply do the right thing and introduce a stand-alone bill that tackled cyberbullying and only cyberbullying? Why did the minister include matters so disconnected to the issue of cyberbullying?

There are measures in the bill that seek to address cyberbullying. That much is not in dispute. As my colleague from Gatineau pointed out, they are in clauses 1 through 7.

The relevant section is the one that deals with the non-consensual exchange of intimate images. It belongs there. It is an issue that needed to be addressed, and we do not take issue with it. In light of the recent tragedies involving cyberbullying, we should support the creation of an offence to deter the non-consensual transfer of intimate images. This new offence would criminalize this kind of malicious photo sharing that specifically contributed to the tragic circumstances in which Rehtaeh Parsons decided to take her own life.

*Government Orders*

We know that cyberbullying is all too common among children and teenagers. As we proceed with addressing this issue, we must acknowledge that, given the immaturity of children, we should support preventative and restorative measures and not just punitive measures. We do not wish to see the imprisonment of Canadian children and teenagers in large numbers, so while supporting the intention of the creation of this offence, we should be careful to emphasize the importance of including a summary conviction option to allow for sufficient prosecutorial discretion, as is currently the case. I believe and hope the government will be open to that.

We should also assess and be open to addressing cyberbullying through restorative justice and non-legislative methods, and we should do so in conjunction with the provinces.

I mentioned earlier that most of this bill has little to do with cyberbullying. The measures that actually relate to cyberbullying amount to about five pages out of a bill that is more than 50 pages in length.

• (1635)

The government wonders why Canadians do not trust it to be up front and transparent with respect to its real agenda. If those provisions I just outlined had been placed in a separate bill, we could have proceeded. We could have sent a stand-alone bill immediately to the justice committee for review and provided the much-needed opportunity for victims to lend voice to the merits of such a bill. We could have then agreed to pass the bill at all remaining stages, and I would suggest that we could have it passed by Christmas.

Instead we have a government bill that reintroduces odious and unconstitutional measures that Canadians rejected last year. Here are just some of the measures currently in the bill that have absolutely nothing to do with cyberbullying. These measures are recycled from the bill put forward by the former minister of public safety, Vic Toews. We were told this would not happen again in light of the reaction of Canadians. The former justice minister, now occupying the national defence portfolio, said:

We will not be proceeding with Bill C-30 and any attempts that we will continue to have to modernize the Criminal Code will not contain the measures contained in C-30.

The new bill proposed today contradicts that promise in 37 of the 47 clauses contained in the bill. That is why we wish to have the bill separated and to place those provisions related to cyberbullying in a stand-alone bill.

Let me outline the elements contained in the old Vic Toews bill that we were promised would never rear its head again. These measures are now in the bill before us.

They include updates to technology-related offences such as theft of telecom signals and unauthorized use of computers, which has nothing to do with cyberbullying; the power to make preservation demands and orders to compel the preservation of electronic evidence, which has nothing to do with cyberbullying; new production orders to compel the production of data relating to the transmission of communications and the location of transactions, individuals, or things, which has nothing to do with cyberbullying; a warrant that will extend the current investigative power for data associated with telephones to all means of communication, which

has nothing to do with cyberbullying; warrants that will enable the tracking of transactions, individuals, and things that are subject to legal thresholds appropriate to the interests at stake, including time extensions for warrants relating to organized crime and terrorism, which has nothing to do with cyberbullying; a so-called streamlined process of obtaining warrants and orders related to authorizations to intercept private communications, which has nothing to do with cyberbullying.

We reject using victims of bullying as a way to bring back the ghost of Vic Toews and his e-snooping bill. This was supposed to be a good day for young people and others who have been the subject of bullying online. This was supposed to be a day when this whole House, all of us, could stand in solidarity with victims of cyberbullying and support legislation that would help address its prevalence in Canada. Instead, we have politics as usual.

It is unfortunate that members who have a sincere interest and desire to address cyberbullying are being used as cover for the introduction of multiple items that have little or nothing to do with cyberbullying. The bill capitalizes on the tragic passing of teens victimized by cyberbullying to reinstate elements of legislation the government had previously withdrawn and had sworn not to reintroduce.

The current bill deprives members of a chance to stand in solidarity in addressing one of the problems affecting Canada's young people, namely cyberbullying, as a distinct and stand-alone bill. It includes provisions unrelated to cyberbullying that may infringe on civil liberties. It raises privacy concerns that ought to be referred to the Privacy Commissioner and legal experts, or perhaps be dealt with at committee prior to deliberation and debate in the House. The bill encourages telecommunications companies and Internet service providers to co-operate with the government in surveillance matters in a way that Canadians would find objectionable.

• (1640)

That is why we wish to have the bill split at the justice committee so that those measures, and those measures alone, that seek to address cyberbullying could be captured in their own legislation, free from the politics and division that this issue should avoid.

**Hon. Rob Nicholson (Minister of National Defence, CPC):** Mr. Speaker, it is certainly politics as usual for the Liberal Party. I will give the member this: certainly his comments are completely consistent with the Liberal approach over the last seven and a half years, which is to look for anything, any excuse, anything the Liberals can hang their hat on to oppose government legislation that would either crack down on crime or would update the Criminal Code, and in this case, go against cyberbullying. They are always looking for something, and the ironic part about it is the part that this individual is criticizing. He has got it way off base.

In terms of the bill, the old Bill C-30 that he referred to, the provisions that he and others criticized the most are not in the bill. The provisions here need judicial authorization.

*Government Orders*

I bring the hon. member's attention to one section that was actually passed by a Liberal government. He had a problem with the voluntary production of preservation orders. I would refer him to section 487.014, which says:

For greater certainty, no production order is necessary for a peace officer or a public officer enforcing or administering this or any other Act...to ask a person to voluntarily provide to the officer...

We are only adding it to preservation orders. What is this individual's problem? It is already in the Criminal Code.

**Mr. Sean Casey:** Mr. Speaker, here we are with the very minister who stood in this House one year ago and said that the provisions of Bill C-30 were not coming back and that they had listened to Canadians.

There are 47 clauses in the bill, and 37 of them are from Bill C-30, so the minister who stands up in self-righteous indignation about the Liberals and what is in the code, on 37 instances, has broken his word to the Canadian people.

• (1645)

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I have a question for my colleague from Charlottetown.

Does this mean that the Liberals support clauses 1 to 7 of Bill C-13 regarding cyberbullying and the sharing of intimate images?

**Mr. Sean Casey:** Mr. Speaker, I thank the member for her question.

I completely agree with my colleague from Gatineau. We support that section. As for the other sections, we would like to have more time to study them, as she has already suggested. However, we are prepared to support the clauses regarding cyberbullying today. We thought that addressing that problem was the purpose of this bill.

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I appreciate the comments of my colleague, and I noticed that one of the references he made during his speech was to a private member's bill that dealt with cyberbullying.

Time and time again, he emphasized the fact that, no doubt, all members of the House would like to see substantial legislation to deal with cyberbullying.

I wonder if he could provide comment. If there were a higher sense of co-operation in the government to work with the opposition, Canadians could see cyberbullying legislation pass relatively quickly, if the government's intent to deal with this very important issue were genuine and it wanted to work with the opposition to deal with this issue.

**Mr. Sean Casey:** Mr. Speaker, actually, thus far in this debate I have seen, quite frankly, some reasons for optimism and some exactly the contrary. I guess it is the case within the Conservative cabinet.

We heard an eminently sensible suggestion, I believe, that the bill should be split. Unfortunately, that did not receive unanimous consent, but very shortly after that we saw the Minister of Justice suggest that he was reaching across the aisle. Then we had the

Minister of National Defence come in here on a very partisan rant that would indicate otherwise.

I think we all agree here in this place that the provisions within this bill that deal with the issue are non-contentious. That was the effect of the motion. It was certainly what I intended to convey in the speech. However, the problem is the 37 clauses that have been taken from the e-snooping bill. If we could separate them out, I think we would be almost back to where we were with the private member's bill from the member for Vancouver Centre.

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I wonder if the member could tell us if he has read the cybercrime working group report entitled, "Cyberbullying and the Non-consensual Distribution of Intimate Images". It is dated June 2013. It was a report done for each of the federal, provincial and territorial ministers of justice and public safety. Perhaps he could take a look at recommendation 4. If the member has not read it, I recommend it to him.

Recommendation 4 requests that the government update the Criminal Code to add things that include data preservation demands and orders; new production orders to trace a specified communication, which I think was one of the things he mentioned; new warrants and production orders for transmission of data and tracking, which is another thing he mentioned; improving judicial oversight while enhancing efficiencies in relation to authorizations, warrants and orders, which is another thing he mentioned; and other amendments to existing offences and investigative powers that will assist in the investigation of cyberbullying and other crimes that implicate electronic evidence.

I think the member will find, if he reads this report, that virtually all of the investigative powers contained in this bill come from that cybercrime working group report, and I recommend that he take a look at this.

Perhaps the member could tell us if he has read this report, and perhaps he could respond directly and tell us what he thinks recommendation 4 is intended to do.

• (1650)

**Mr. Sean Casey:** Mr. Speaker, yes, indeed I have read the report, and the hon. member is quite correct that many of the recommendations contained in the report are reflected in the bill. The problem is that the recommendations that are reflected in the bill are not limited to the scourge of cyberbullying; they are over-broad, and they overreach.

There is absolutely no way that something as broad and overreaching as what is in this bill was contemplated by the parties to that report. That report was directed at the very issue that is contained in the title, but not what is contained in the 37 clauses.

[*Translation*]

**Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP):** Mr. Speaker, I would like to know whether my colleague has noticed the tone of today's speeches.

*Government Orders*

Earlier, the hon. member for Gatineau showed great sensitivity, which we should all have when dealing with such issues. She talked about how issues that give rise to political discussion in the House can be very emotional for people. This is an extremely delicate and important subject.

Does my colleague not see the parallel that can be drawn between our speeches, which are supposed to focus on the best interests of Canadians, and the frequent bullying that happens on the other side of the House?

**Mr. Sean Casey:** Mr. Speaker, I would like to thank the member for his question.

That is something that I tried to address in my speech. The member is right in saying that we are sometimes too partisan in the House. This bill clearly addresses issues that we can all agree on. In light of that, attacking each other is not good for the public or for our public image.

I completely agree that we need to attack the problems and not each other.

[*English*]

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I am pleased to participate today in the second reading debate on the protecting Canadians from online crime bill.

The government committed to bringing this legislation forward in the recent Speech from the Throne and has quickly delivered on this promise. This bill is a central part of the government's contribution to addressing the issue of cyberbullying and is a key element of the government's agenda to support victims and punish criminals.

It will not come as a surprise to most people to learn that Canadians have fully embraced the Internet and other mobile communication technologies, such as smart phones and social media, for communicating with friends and family, making new social connections, seeking information and creating websites and blogs.

While most people use the Internet in a constructive manner, there have been an increasing number of heartbreaking stories where young people, in particular, are using the Internet or other electronic media to engage in malicious conduct that leads to serious repercussions for the victim.

Although the issue of bullying itself is an age-old problem, technology has irrevocably changed the nature and scope of bullying. For example, bullying conducted by electronic means is easier, faster and more malicious than ever before. It also has the potential to remain in cyberspace permanently and can be done anonymously.

Over the past few years, cyberbullying is alleged to have played a part in the decision of some young people to take their own lives. These stories are heartbreaking, and I am sure I speak for all Canadians when I express our collective sorrow for these tragic events.

However, these incidents also prompt us as lawmakers to ask what we can do. What can the federal government do to prevent similar

tragedies or at least ensure that we can effectively respond to these events if they occur again?

This was the exact question considered this past spring by a federal, provincial and territorial working group on cybercrime. The working group studied and considered whether or not cyberbullying was adequately addressed by the Criminal Code and whether or not there are any gaps that need to be filled.

In July, the Department of Justice, on behalf of all federal, provincial and territorial partners, publicly released the report on cyberbullying and the non-consensual distribution of intimate images.

This working group made nine unanimous recommendations with respect to the criminal law response to cyberbullying. I think it is significant to note that the very first recommendation in the report calls for a multi-pronged and multi-sectoral approach to the issue of cyberbullying and calls for all levels of government to continue to build on their initiatives to address cyberbullying in a comprehensive manner.

I wholeheartedly support this recommendation as it recognizes that cyberbullying cannot be adequately addressed by one initiative, by one level of government. In fact, most experts agree that bullying and cyberbullying are most effectively addressed through education, awareness and prevention activities. Criminal law reform represents a small but key part in this multi-sectoral approach.

Returning to the bill that is currently before us today, I am pleased to note that all of the proposals contained in the bill were recommended by the federal, provincial and territorial working group and are supported by provincial and territorial attorneys general.

The bill has two main goals: to create the new Criminal Code offence of non-consensual distribution of intimate images, and to modernize the investigative powers in the Criminal Code to enable the police to effectively and efficiently investigate cyberbullying and other crimes committed via the Internet or that involve electronic evidence.

I ask all the members who have intervened so far and those who will speak following me to consider actually how the police would be able to investigate some of these cyberbullying offences, including the situation that happened in the Amanda Todd case, if we did not have these investigative powers, if the police were not able to preserve the evidence, if the police were not able to track the location of the individual who sent the bullying messages. We all know that Amanda Todd's tormentor is still at large. Would it not be nice if we could locate that person and bring him or her to justice?

I would like to focus the remainder of my remarks on the proposed new offence. The proposed offence would fill a gap related to a form of serious cyberbullying behaviour with respect to the sharing or distribution of nude or sexual images that are later used without the consent of the person depicted.

*Government Orders*

I think it is important to emphasize that the goal of this offence is not to criminalize the making of these images or even the consensual sharing of these images, such as between intimate partners or friends. Rather, this offence would focus on the behaviour that is more often becoming associated with these images, the distribution of them without the consent of the person depicted.

● (1655)

Quite often, the perpetrator of this behaviour is the ex-partner or ex-spouse of the person depicted in the images who is seeking revenge or looking to humiliate or harass him or her. Specifically, this new offence would prohibit all forms of distribution of these types of images without the consent of the person depicted. To secure a conviction for this offence, a prosecutor would be required to prove that the accused knowingly distributed the images and that the accused distributed the images either knowing the person depicted did not consent to this distribution or being reckless as to whether the person consented.

A key element of the proposed offence is the nature of the image itself. The bill proposes a three part definition of “intimate image” to guide the court in determining whether a particular image is one that could be a subject of the proposed offence. An intimate image is one in which the person depicted was nude or exposing his or her sexual organs or anal region or engaged in explicit sexual activity. The Criminal Code uses similar definitions in the voyeurism section, which is section 162, and the child pornography section, which is section 163.

However, the content of the image on its own would not be enough to qualify the image as an intimate image. The court would also need to be satisfied that the image was one that was taken in circumstances that gave rise to a reasonable expectation of privacy and that the person depicted in that image still retained a reasonable expectation of privacy in the image.

These two elements are key to ensuring that the proposed offence is not cast too broadly and does not capture images in which there could be no reasonable privacy interest. For example, if a person took sexual images of him or herself in the privacy of his or her own home for the individual's own personal use, the image would likely be found to be an intimate image. However, if that same person then posted those images on a public website, it is less likely that the court would find that the individual would retain a reasonable expectation of privacy, despite the fact that the initial recording of the image was privately done.

The proposed offence would be supported by several complementary amendments in the Criminal Code to provide protection to victims of this particularly contemptible form of cyberbullying. These complementary amendments would permit the court to order the removal of intimate images from the Internet and other digital networks, as well as make an order for restitution to cover some of the expenses incurred in having those images removed.

Further, the court would be empowered to order the forfeiture of tools or property used in the commission of the offence, such as a Smartphone or computer, as well as a prohibition order to restrict the use of a computer or the Internet by a convicted offender. This prohibition order would be essentially useful in cases of repeat offenders.

The legislation also proposes to permit the court to issue a peace bond against a person who has intimate images in his or her possession where there are reasonable grounds to fear that the new offence would be committed by that person. The proposed new offence and complementary amendments fill an existing gap in the criminal law and aim to provide broad protection to victims of this behaviour.

The point I just mentioned about getting a prohibition order against the use of these images when we know the person already has the images is very important. Now we will be able to intervene in a situation where we know these images exist and we suspect that a person might be about to use them for a bullying purpose and therefore we will be able to get them before they go out on the Internet, and that is very important.

I would like to refer to a couple of comments that Canadians have made about this bill since its introduction a couple of weeks ago. On November 20, Carol Todd, the mother of Amanda Todd, said:

It's a step in the right direction. The only thing that was going through my mind was that if this was in place three years ago when I first started reporting the things that were happening to Amanda...I think my daughter would be here.

Lianna McDonald of the Canadian Centre for Child Protection said that Bill C-13 “will assist in stopping the misuse of technology and help numerous young people impacted and devastated by this type of victimization”.

David Butt, counsel to the Kids' Internet Safety Alliance, said in *The Globe and Mail* on November 21, “the new bill is a great improvement over trying to fit the round peg of this particular problem into the square hole of our existing child pornography laws”.

On November 21 on CTV News, Allan Hubley, Ottawa city councillor and father of an unfortunate bullied teen who took his own life, said:

When we were younger, you always knew who your bully was, you could do something about it. Now, up until the time this legislation gets enacted, they can hide behind that.

I want to point out he was talking about the timing of the passing of this legislation. He further said, “Not only does it start to take the mask off of them, through this legislation there is serious consequences for their actions”.

● (1700)

In addition, on November 21 in *The Huffington Post*, Mr. Glen Canning, the father of Rehtaeh Parsons, said:

I am very grateful to hear that [Minister of Justice] and Public Safety Minister... have announced new legislation that will address this disgusting crime that devastated our daughter Rehtaeh.

In addition, the editorial in *The Province* newspaper on November 22 read as follows:

Changes in the law proposed in the bill will allow the police to drag the predators behind these awful crimes out from the shadows and into the blazing light of justice in courtrooms. Many will go to jail, which is right.

Finally, I would like to note that Mr. Gil Zvulony, a well-known Toronto Internet lawyer, said, “there is a logical theme to all of this, in the sense that it's trying to modernize [the code] for the digital age”.

*Government Orders*

While this legislation is not a complete answer to the broad social phenomenon that is cyberbullying, it is a key piece of the broader response to address this complex issue. I strongly urge all members of the House to support it.

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I would like to thank the Parliamentary Secretary to the Minister of Justice for his speech. I am happy to see both parliamentary secretaries to the Minister of Justice in the House, and I would like to make sure that they have understood the message fully. That is my question for my hon. colleague.

We all agree on the importance of working on cyberbullying with respect to the distribution of intimate images, which is the subject of clause 3. That is key to the issue he referred to when he talked about the Todd and Parsons families and all the others. However, for the other 40-some clauses about aspects that are less well known and have not been discussed as much, will the parliamentary secretary be understanding and give the committee the time it needs to study them? Can we get some assurance that this will not be pushed through at top speed, leaving us all with our concerns unresolved? Will we get a chance to do our job properly, for once?

• (1705)

[*English*]

**Mr. Bob Dechert:** Mr. Speaker, I enjoy working with the hon. member on the justice committee. I find she often raises very valid and useful perspectives at committee.

However, there is a need to move quickly on this. That was outlined in the quote I read earlier from Mr. Hubley, whose son was unfortunately the subject of bullying and took his life some two or three years ago, I believe.

I would also like to point out for the member that all of the provincial and territorial ministers of justice and safety requested that the Criminal Code be updated to provide the police with the investigative tools to investigate not only cyberbullying, but things like child pornography and other forms of bullying that happen over the Internet. It is not just sexual bullying over the Internet, but other forms of bullying as well.

As I pointed out earlier, the tormentor of Amanda Todd is still at large. We would like to give the police the tools to track that individual down and bring that individual to justice.

Virtually all of the recommendations for updating the code are set out in the Cybercrime Working Group recommendation 4.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I would like to continue my discussion with the parliamentary secretary on the subject of the FPT report. It is the case that there were several recommendations that found their way into this bill.

My question for the parliamentary secretary is if he would accept that in some, if not all, of the modernizations that have taken place, the reach is much broader than the scourge of cyberbullying. For example, I would specifically ask whether the FPT report had any intentions of dealing with anything touching communication from cable stealing to hate speech.

The other thing I would invite the parliamentary secretary to touch on is what I have referred to as the poison pill. Regarding the provision of immunity to those who voluntarily disclose information to law enforcement officials that is contained in this bill, would the parliamentary secretary accept that this immunity would not be extended to information provided pursuant to cyberbullying? It is not so limited, it is all-encompassing.

**Mr. Bob Dechert:** Mr. Speaker, the member opposite is quite correct. There are some additional powers beyond those recommended in the Cybercrime Working Group report. The government has taken the opportunity to update the Criminal Code to enable our investigative authorities to investigate things like child pornography or terrorism. These are all things that need to be done. The Criminal Code needs these amendments.

With respect to the cable, I would like the member to consider if his cable were being tapped into by someone who was transmitting child pornography over the Internet, or if his home Wi-Fi was being tapped into by someone who was using it to cyberbully another child, he would want to know about that and he would want that to stop. The modernization of those provisions is simply to bring them up to date.

The amendments proposed on those long-standing offences of stealing cable are already in the Criminal Code in section 327. They simply update the telecommunication language to expand the conduct, to make it consistent with other offences, such as importation and makes available to the prohibited conduct, which is also set out in section 327. These are really in the manner of housekeeping amendments, which need to be done to make those particular provisions more effective.

However, I would like him to think about the potential for someone who is doing cyberbullying, transmitting child sexual images, or perhaps planning a terrorist act, doing it by tapping into some law-abiding citizen's cable or Wi-Fi Internet access.

• (1710)

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, I want to thank the parliamentary secretary. We have two excellent parliamentary secretaries, as was mentioned. As chair of the justice and human rights committee, we have worked very well with all parties in putting aside the appropriate time to deal with the issues that have come in front of the committee. I assume that will continue in the future.

At the end of the day, Bill C-13, which is related to other legislation that our government has done in the past, is to help protect victims. It is not about the perpetrators. It is about the victims and what we as a government can do to help the security and safety of all Canadians and those who have, unfortunately, become victims.

Could the parliamentary secretary comment on why this is important legislation for victims of cyberbullying?



*Government Orders*

**Mr. Bob Dechert:** Mr. Speaker, it is obviously very important for the victims. We have victims in well known, reported cases who have asked the government and have spoken out publicly for these types of crimes to be addressed. Also, there are victims we do not know about. There are perhaps thousands of young people who have been cyberbullied in various ways. Some have suffered greatly as a result of that. Some may even have taken their own lives. We do not know their stories. Their stories have not been told and we need to reach out to those victims as well.

We need to ensure that all our criminal laws redress what we have seen over the years as an imbalance between the rights of the offender and the rights of the victims and law-abiding citizens of Canada. When we do that, we restore the faith of the Canadian people in the justice system, and that is very important.

[*Translation*]

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, something is bothering me. I agree that our children need to be protected and that we need to protect victims of bullying.

I clearly remember that my colleague from Chicoutimi—Le Fjord moved Motion No. 385. I would like to ask the following question. Why did the Conservative Party reject that motion? It would have allowed us to already have a national strategy in place. I would like an answer to that question.

[*English*]

**Mr. Bob Dechert:** Mr. Speaker, I believe the member was referring to a private member's motion previously brought forward by a member from Vancouver. I do not know if it referred to cyberbullying. In response to the Liberal critic's comment is that this motion was not well designed. It did not include the investigative powers necessary to allow the police to actually investigate crimes, preserve the evidence of cyberbullying and to locate and arrest those responsible for the offence. However, I would be happy to speak to my colleague about Motion No. 385, that she refers to, at a later date.

**The Acting Speaker (Mr. Bruce Stanton):** I will let the hon. member for Dartmouth—Cole Harbour know that we will not have the full 20 minutes that he may have been planning on for his remarks. I will need to interrupt him at about 5:30 p.m., that being the end of the time allowed for government orders for today.

Of course, he will have the remaining time when the House next resumes debate on the bill.

The hon. member for Dartmouth—Cole Harbour.

• (1715)

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, I am very pleased to have the opportunity to rise for what time I have to speak to Bill C-13.

Bill C-13 was introduced by the government to deal with the issue of cyberbullying. That is how it was lauded in the foyer of this chamber last week. That is primarily how it has been discussed by the minister and by the parliamentary secretary. They would suggest that it is focused entirely on dealing with the problem of cyberbullying.

My colleague, our justice critic, the member for Gatineau, has pointed out that the bill would deal with two very serious issues. It

would deal with cyberbullying, but then it would also deal with the whole question of the invasive interception of signals and the power given to authorities, which it may in fact overreach. There have been concerns raised by privacy experts, by digital experts, that the government is being too cute by half, frankly, by trying to hide changes under the auspices of modernizing the Criminal Code and as changes to the Criminal Code simply to deal with the issue of cyberbullying.

We are very concerned about this. My colleague brought forward a very sensible motion, asking the government and other members of the House to split the bill. We have almost unanimous agreement in the House that the matter of cyberbullying needs to be addressed, and it needs to be addressed now. We all recognize the fact that there is a gap in the Criminal Code that needs to be closed. We need to focus on that. We need to target that. We can deal with it in a manner that is expeditious. We can have some debate in the House. We can send it to committee. We can hear from affected families and hear from experts, and undoubtedly come to some agreement to ensure that piece of legislation gets through and gets enacted into law. That can be done, as I said, very expeditiously.

However, the government has decided to be, I would say, less than transparent. It would not be a surprise for anyone to hear me accuse the government of being less than straightforward. It is introducing amendments that would simply complicate the matter and would create some problems.

I would suggest there is no question and it concerns me that the minister and the government have been extraordinarily disingenuous with this. It concerns me considerably, as a member of Parliament, as a politician, that the current government is frankly playing on the emotions of the families involved, of individuals in this country who want to see this matter addressed. Frankly, that is shameful. Even though I have been around the House for a while and this game for a while, nonetheless, it shocks me when I see acts of this kind.

Let me take members back to why it is that we are dealing with the question of cyberbullying and its problems.

It certainly came to my attention very quickly and very starkly last spring when 17-year-old Rehtaeh Parsons took her life. Her parents found her hanging in the bathroom of their house. This young woman was being bullied, was being harassed, was being cyberbullied as a result of an incident that had happened two years previously, where intimate images of her were being transmitted on the Internet without her consent and with malicious intent.

• (1720)

The evidence would suggest that those actions and the subsequent ganging up and piling on of individuals and the distribution of those images had the effect of that young woman feeling that she was completely without hope, and she took her own life.

*Government Orders*

The Government of Nova Scotia responded quickly, I would suggest. Back in 2011 there had been a cyberbullying task force chaired by Wayne MacKay. It had done some impressive work and made some important recommendations about cyberbullying. The task force had consulted with young people in all sectors throughout the province and had come up with a set of recommendations that were clearly there, at hand. The government immediately moved to put some of those into place and to develop a response to this tragedy. It was not just Rehtaeh and Amanda Todd. There was Jamie Hubley and there was Pam Murchison's young daughter in Nova Scotia who was bullied online and took her life.

This is far too often, and it is a situation that clearly has reached a stage where we finally recognize as a society that this is behaviour that has to stop. The government of this land has to bring forward changes to the Criminal Code, to the laws of the land, to ensure that people are held accountable, that people understand that there are consequences to these violent acts and that they will be held accountable.

Changing the laws is not all that needs to be done. There is much more that needs to be done and I will talk more about that later on or perhaps tomorrow, depending on how much time I have.

Last spring in late April or early May, Rehtaeh's mom came to Ottawa with her husband and met with the Minister of Justice and the Prime Minister to talk to them about the issue, about the fact that they wanted to see some action. Not only was the Minister of Justice there but the premier was also with her, supporting the family. They wanted to talk to the Prime Minister and government about what was being done and what they thought the Government of Canada could do to help in the response, because it has to be a collaborative response at all different levels.

The same day, Rehtaeh's mom came and visited with the Leader of the Opposition, my colleague, the member for Gatineau, and me. We listened to them and to their anguish and their cry for action on behalf of the government to try to ensure that the tragic circumstances that led to the death of their daughter did not continue, and the Government of Canada did what it could.

We asked the justice minister of Nova Scotia and the Parsons what they felt needed to be done. They talked about a gap in the Criminal Code. The minister of justice specifically referred to section 162 and some changes that needed to occur in order to ensure the gap was closed. They also told us that the government had given some commitment to act and to move forward on some of these things. We made a commitment. We said to Leah, "What can we do, as the official opposition?" She told us that we could help push the government and asked us to do what we could to get the government to move forward to act on this, as they indicated they would. We all made that commitment to them that we would hold the government's feet to the fire and move it forward.

From that, we came up with a private member's bill, which was later tabled and I was very proud to sponsor, but it was from the official opposition. It was from our leader, our justice critic and other members who are concerned about this issue, all members of our caucus.

● (1725)

I tabled Bill C-540 on our behalf, which was a piece of legislation specifically targeted toward the issue of the non-consensual distribution of intimate images. It laid out penalties. It was targeted. It was not 60 pages. It was one, maybe two pages.

The reason I raise that is that we introduced it in the spring before the session ended and said to the government, "Here you go. This is what we think. We have consulted with experts on this issue and this is the best advice that we have received to deal with this issue. This is our recommendation on how to close that gap. We can do it and we can do it quickly." We asked the government to move. That was before the House adjourned. We hoped that we would see some action in early September.

It did not matter to me if the government passed Bill C-540, sponsored by Robert Chisholm. That did not matter. I wanted the government to move forward on this issue. I was excited, even though the government decided to prorogue the House and delay everything and not come back until the middle of October rather than the middle of September, further delaying dealing with this issue. Nonetheless, it indicated in the throne speech that it was going to move forward on the issue. Again, I was encouraged by that.

Here we are another month later and the government, while it has moved forward with changes to the Criminal Code to deal with cyberbullying, could not help itself. It had to shove some more stuff into it. It had to try to hide some other things in behind those important provisions. It had to muck it up by dealing with issues that were contentious, coming from a piece of legislation that got driven out of the House last year, Bill C-30. It brought those provisions in through the back door and tried to hide them behind the cyberbullying provisions, thinking nobody would notice.

I can tell members that I am focused like a laser on trying to get these changes to the Criminal Code on cyberbullying through on behalf of not only Rehtaeh's family, the Todds and other families across this country, but anybody, any adult who has had violence committed upon them as a result of the non-consensual distribution of intimate images, sometimes known as revenge porn. I am focused like a laser to make sure that we get these changes through the House. However, I cannot tell members how much it sickens me that the government is bringing forward other changes that are making the bill extremely complicated. There will be people coming forward at committee who will be raising serious concerns about what else the bill does, other than with respect to cyberbullying.

If the government was serious it would have paid attention to the motion introduced by my colleague, the member for Gatineau, to split the bill, to separate sections 1 to 7 and section 26, I believe it was, into a bill on cyberbullying so we could deal with that and get it done. The remainder would be an issue the justice committee would deal with at some length.

It is an important and complicated issue. It is a matter that must be dealt with. It must be dealt with in a number of ways. I will talk about that tomorrow.

My time is almost up. I want to talk a bit about the whole question of bullying and how we need a national strategy like the one introduced by my colleague, the member for Chicoutimi—Le Fjord. We need that kind of commitment to deal with bullying and cyberbullying.

I hope that we can deal with this once and for all on behalf of the government. I look forward to continuing my remarks tomorrow.

• (1730)

**The Deputy Speaker:** The hon. member for Dartmouth—Cole Harbour will have five minutes to complete his speech when the debate resumes.

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

[English]

### NATIONAL HUNTING, TRAPPING AND FISHING HERITAGE DAY ACT

The House resumed from October 30 consideration of the motion that Bill C-501, An Act respecting a National Hunting, Trapping and Fishing Heritage Day, be read the second time and referred to a committee.

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, I am happy to help support my colleague on this important piece of Canadian heritage. The function of the hon. member's private member's bill is to make sure that we, as Canadians, honour and respect the history and the heritage of hunting and trapping and the individuals who make their living in the heritage industries. It is a way of life in this country that helped to build Canada.

It is important for us, and we have done a very good job over the last number of years as a government to make sure that Canadians understand our historical past and the pieces of history that have shaped this country. I want to make sure Canadians understand what we are doing.

This private member's bill would help us understand where we have come from and would preserve this way of life, the ability of individuals and organizations in this country to continue to fish, hunt, and trap and honour our past and preserve that way of life, whether it is for making a living and actually providing for families and their communities or as a recreational opportunity.

Let us be frank. It is important for me, as somebody from an urban area, from the city of Burlington, Ontario, that I and all members stand together on this private member's bill, Bill C-501, to support those from across the country in honouring a special day of the year, a heritage day for hunting, trapping and fishing. Let me just read out the preamble to the bill, which sums up what we are doing:

Whereas hunting, trapping and fishing are part of our natural heritage;

Whereas the Aboriginal peoples of Canada have traditionally participated in hunting, trapping and fishing;

### *Private Members' Business*

Whereas Canada's hunters, trappers and fishers have made a significant contribution to the development of our nation by traversing and mapping the prairies, forests, streams and rivers from coast to coast to coast;

Whereas millions of Canadians participate in and enjoy hunting, trapping and fishing;

And whereas hunting, trapping and fishing contribute significantly to our national economy....

We would have this special day set aside. I now live in an urban area, and therefore, those who participate in fishing and hunting are recreational hunters and fishers. They are not doing it for a living. However, I grew up in a small town in Ontario, Port Elgin, on Lake Huron. Beside that community is a native reserve, the Saugeen Indian reserve, which I grew up knowing. That reserve actually owns the property that is now Sauble Beach.

Fishing played a very important role in the lives of the first nations, and not just in the past for the aboriginal people fishing out of the Great Lakes. Fishing played a key role in the survival, growth, and development of that aboriginal area, the Saugeen reserve.

• (1735)

I can recall distinctly, growing up, that down at the end of my street, there had been an Indian settlement at one time. We had longhouses redeveloped there. Numerous artifacts from that area were from a fishing village. Their livelihood was not from farming but was from fishing. Most of the artifacts from that area dealt with their fishing existence.

It is important that this heritage day highlight and assist others in remembering where we come from in terms of traditional fishing, hunting, and trapping opportunities and where we will go, as a nation, in the future.

[Translation]

**Ms. Éloïse Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, I am proud to rise in the House today to support Bill C-501, An Act respecting a National Hunting, Trapping and Fishing Heritage Day.

I would like to take a moment to thank my colleague opposite, the member for Northumberland—Quinte West, who introduced this bill, which is designed to recognize and celebrate the importance of these activities and what they bring to Canadian society. This bill speaks to many of the people in my riding of Portneuf—Jacques-Cartier.

If this bill passes, the third Saturday of September would be designated as National Hunting, Trapping and Fishing Heritage Day all across Canada.

The NDP is proud of this part of Canada's history and heritage. We know that hunting, fishing and trapping—along with all the related activities—have always played an integral role in the economic, social and cultural development of every region in this country.

*Private Members' Business*

This is especially true in my riding of Portneuf—Jacques-Cartier, where hunting, fishing and trapping have been very important activities for hundreds of years. In fact, very well-known private hunting and fishing clubs existed in my riding as far back as the late 1800s. Among the most prestigious in Quebec are clubs like the Tourili club and the Triton club, located just a few kilometres north of Saint-Raymond de Portneuf.

The vast natural spaces found in my riding have been the envy of many people and have drawn many visitors over the years. These clubs have played host to many well-known people, including Winston Churchill, who visited the clubs in my riding. Many members of the Rockefeller family also enjoyed the hunting and fishing clubs in Portneuf—Jacques-Cartier. Even the 25th president of the United States, Theodore Roosevelt, was a fan of these hunting clubs, particularly the Tourili club. He hunted moose there on more than one occasion.

I invite my colleagues to do a little Internet research when they have some time. They will find pictures of Theodore Roosevelt with the antlers of moose he hunted in my riding of Portneuf—Jacques-Cartier, which has a long, proud history of hunting, fishing, trapping and all related activities.

Today, we are lucky because the wilderness in my riding is no longer reserved for the English elite, as was the case at the time, in the 1800s. Now we can all enjoy these beautiful spaces in my riding, as my constituents do almost every day. There are many sites reserved for hunting and fishing virtually everywhere in the riding of Portneuf—Jacques-Cartier.

According to Guy Moisan, one of my constituents and a member of the Fédération québécoise des chasseurs et pêcheurs, hunting and fishing are practically a religion for many of the people living in Portneuf—Jacques-Cartier.

Among the many nature sites in my riding, I can mention the Portneuf wildlife reserve and the Parc national de la Jacques-Cartier, where it is possible to fish in certain areas. People can fish from nearly all the wharves on the banks of the St. Lawrence River in Neuville, Portneuf and Donnacona, as well as on the many lakes and rivers in the riding. People in places such as Sainte-Brigitte-de-Laval, Saint-Basile de Portneuf and Saint-Augustin-de-Desmaures engage in these activities, and it would be very meaningful to them to have a special day dedicated to celebrating the heritage surrounding hunting, fishing and trapping.

These activities bring countless benefits to my riding. Tourism is among the major contributions from activities associated with hunting, fishing and trapping. Other economic benefits include sales of the licences and equipment needed to practise these activities and the trips made throughout the region to enjoy the many hunting and fishing spots. All this promotes the economic development of my region, but most of all, of course, it helps maintain this fine tradition that has existed for hundreds of years in Portneuf—Jacques-Cartier, as I mentioned earlier.

● (1740)

One very important thing about hunting and fishing is that, in addition to being leisure activities and livelihoods, these activities

teach you to respect nature and animals. That is one thing that Mr. Moisan said when we had a chance to discuss Bill C-501.

These issues are in line with the NDP's concerns, such as the protection of endangered species, the ethical treatment of animals and the protection of our rather fragile ecosystems.

I do have some criticism for the government. Although there are some good bills that acknowledge certain aspects of our heritage, such as hunting, fishing and trapping, we have seen many other bills introduced by this government that jeopardize ecosystems and have an impact on species. For example, I am thinking of species of fish or other animals that could be affected by new natural resource development projects.

Making decisions without any forethought leads to problems, and that is where citizens and hunters and fishers alike will see negative impacts. Mr. Moisan talked to me about that. Every year, in my area, people have to go further and further away to fish and hunt, and they are catching less and less. There are a number of reasons for that, including urban development.

Environmental issues and various factors such as pollution and massive, uncontrolled catches have adversely affected hunting, fishing and trapping.

The bill does not address that issue, but it should be brought to the attention of the House. As I mentioned, the Conservatives have already made decisions with disastrous consequences for the environment.

One of the most serious decisions made here, which will directly affect fishers and possibly hunters and trappers in the region and across the country, is the elimination of the protection for thousands of Canadian lakes and rivers. This will have a direct impact on opportunities for hunters, fishers and trappers to contribute to regional economies that rely in part on these activities. It is absolutely deplorable that we are faced with this situation.

The Conservatives often say that they support duck hunters, fishers and hunters of other game. However, when they make decisions like that, they have a direct and harmful impact on the activities of people they say they represent and whose interests they claim to defend.

The Conservatives are somewhat inconsistent, but all the same, the bill before us today meets some of the needs expressed by hunters and fishers in my riding. They think a day that celebrates hunting and fishing can have significant positive impacts. In addition to promoting those activities, it is also a good way to get new people involved and attract more and more young people.

In Quebec, a lot of communities celebrate fishing days, usually in June. In communities in my riding, such as Sainte-Brigitte-de-Laval, Saint-Basile and Shannon, people go out and enjoy those activities. That is when young people make their first catch and get hooked.

*Private Members' Business*

Having a national day to celebrate our hunting, fishing and trapping heritage and to encourage more people to take part will be a positive outcome of the bill. That is one of the reasons I am proud to support it.

I hope that people from all parties will do the same so that we can have an annual celebration of the important role that hunting, fishing and trapping have played in Canada's history and in our social, cultural and economic development so far, and of the importance these activities will have to future generations.

• (1745)

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is with pleasure that I stand and address Bill C-501. It is an interesting bill that crosses all party lines in terms of support. It is something that we, or at least I, have heard a great deal about in terms of the whole issue of hunting and fishing and the rights thereof.

Just a few weeks ago, I was interested to read an article that was printed in the *Winnipeg Free Press*, I believe, about the history of the province of Manitoba. That is why I take an interest in all of the whereases within Bill C-501. In essence, it encapsulated a very interesting story about how Manitoba evolved. If it were not for hunting, in particular, we would not have the province of Manitoba that we have today. That is not to take anything from settlers or our first nations and so forth in terms of what was there prior to the commercialization, if I can put it that way, of the hunting industry.

It is worth noting what the bill is actually calling for. It calls for us to recognize a specific day every year for hunting. It says:

Throughout Canada, in each and every year, the third Saturday in September is to be known as "National Hunting, Trapping and Fishing Heritage Day".

I do not quite understand that particular day and why that day was chosen. I suspect that there was a great deal of meaning given to the selection of that day. What I do know is that this industry has played a significant role in the founding and development of our great nation.

The Hudson's Bay Company exists because of fur trapping and so forth. It is a company that has been around for hundreds of years. In fact, the Northwest Passage going down into Churchill and the many different routes there were established because of Hudson Bay.

At one point, Manitoba was no more than just a postage stamp in terms of its boundaries. When we look at the expansion of its boundaries and at a lot of the current roads that are in place, we see they are based on our history and heritage, which in good part played into trapping and hunting, and, to a certain extent, fishing.

There were really two significant companies. The Hudson's Bay Company would have been incorporated, let us say, 350 years ago. That was one of the first commercial incorporations of a company dealing with merchandise here in North America, if not the first.

Let there be no doubt that its expansion and the way it went into western Canada in particular, which is where I will hold my comments to, was simply phenomenal. As the industry grew and settlers, who were quite anxious to come to the Prairie provinces, came through Churchill, it led to the development of many different

communities. Ultimately, it attracted a new company, known as The North West Company.

If we take a look at The Forks today, we will see Fort Gibraltar, which is used as a tourist destination. It is used as a place to go for a wedding or to participate in the Festival du Voyageur activities. It is something that is there so that many Winnipeggers, Manitobans, and others can get a sense of the time when hunting and the fur trade played such a critical role in our development as a province.

My understanding is that the number of trading posts, whether from the Hudson's Bay Company or The North West Company or combined, far exceeded 150. We can imagine the impact that would have had in the lives that they would have touched.

• (1750)

It was the wildlife, whether that be the roaming buffalos, beavers or other large and small animals that were trapped and the fur used to sustain the economy, ultimately allowing our province to grow and prosper to what it is today.

I read the section in the bill that talks about the importance of these significant contributions to the development of our nation. It also makes reference to the aboriginal people of Canada who have traditionally participated in hunting, trapping and fishing. For hundreds and into the millennium of years, our first nation people have been very dependent on trapping, fishing and hunting in terms of being able to not only establish but continue to grow and prosper. Even before Europeans came to our country, it was recognized that those three things played a critical role.

Whether we reflect on the past or talk about today, there are many Manitobans who appreciate a good hunt, if I can put it that way. There are mechanisms that we put in place. For example, to hunt elk, there are restrictions and one has to get a licence and so forth.

I have had the opportunity to engage with a number of hunters. My colleague, the member for Dauphin—Swan River—Marquette, is an avid hunter, and I understand he was very successful this past fall. I must say that I have fished, but I have never had the experience of hunting for a number of different reasons. However, I do recognize its value.

I have a constituent who goes by the nickname of "Tiny". He is quite the opposite of tiny, which is why he has that nickname, but he is an avid hunter and spends a great deal of time in rural Manitoba. It is something that he genuinely appreciates. He cares for the land and the people.

Our first nations continue to be dependent in a very significant way on that traditional lifestyle. If members take a trip out to Gimli around Lake Winnipeg, they would see a community that is dependent in good part on harvesting the many fish from Lake Winnipeg, which are ultimately exported beyond Manitoba's borders.

Therefore, whether it was in the yesteryears or today, members will find that hunting, trapping and fishing play a significant role in the province of Manitoba. Even though my comments have been around my home province, I believe that members will find they are applicable to many, if not all, provinces in one way or another.

*Private Members' Business*

Suffice it to say that in looking at what the private member's bill is hoping to accomplish, I do not know why people would oppose it. Hunting, trapping and fishing have been a part of our life and our nation. Therefore, I suspect the bill will receive support from virtually all members of the House. Being a private member's bill, it will be a free vote but I anticipate that there will be significant support.

I applaud the member's initiative in recognizing something that is really important to a number, if not all, Canadians. One does not have to be a hunter in order to appreciate the contributions of that industry.

• (1755)

**Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC):** Mr. Speaker, it is indeed an honour for me to rise in support of the bill of the member for Northumberland—Quinte West, the national hunting, trapping and fishing heritage day bill.

For me, the love of hunting, trapping and fishing is visceral and personal. We can talk about the numbers all we want. We know that recreational fishing generates \$8 billion a year and hunting probably in the order of \$3 billion to \$4 billion a year. Four million Canadians participate in hunting, trapping and fishing on a yearly basis, but the numbers are cold in comparison to what these activities actually mean to the people of Canada and me personally.

I was born and raised in Winnipeg. My parents were born in eastern Europe. After starting a family, the first thing my parents did was buy a cottage in Whiteshell Provincial Park outside of Winnipeg. They took their children there—I was the eldest—and they taught us the wisdom and the lore of nature. I caught my first fish at age 4, and that is an experience I will never, ever forget. It has profoundly affected me for my entire life and, quite simply, that experience has made me what I am. That is why the bill of the member for Northumberland—Quinte West is so very important. That is why I am so proud to speak in support of the bill. I am also proud to be chair of the Conservative hunting and angling caucus. Of all of the parties in the House, my party is the only one to have a hunting and angling caucus.

I thought long and hard about this particular speech I was about to make, and many thoughts cascaded through my mind as to what I would say. Again, I go back to my parents. Hunting, angling and trapping are family activities. They bind families together and form the bonds of family, as they have for hundreds and thousands of generations. My parents, Joseph and Ida Sopuck, were adamant that their children would spend time in the outdoors. As I said, those experiences have affected me, my brother and my sister for our entire lives.

In particular for me, when I thought about that first fish, I thought about where that fish came from, what made this fish, what caused this fish to happen and what caused this fish to bite the end of my line. That thought process starts a person thinking about the environment. One starts to think about what it is about a river or lake that would produce a fish that people can catch. One thinks about water quality, the fisheries and the health of the environment. In my own case, that led to a 35-year career in conservation.

My very first career was as a fisheries biologist and I have had a marvellous and rewarding career in conservation, as have many in

the House, particularly the member for Yukon, who was a conservation officer for many years, and the member for Wetaskiwin, who was a biologist like me. As I said, hunting, angling and trapping cause people to think about what goes on out there. They develop a deep love, care and respect for the environment and conservation. What is little known and appreciated in the larger world is the role that hunters, anglers and trappers have played in conservation. We are the first conservationists, and we are the most effective conservationists.

Back in the 1980s, there was a drought in western Canada and, indeed, across much of the Prairies. Waterfowl populations were in deep trouble because of the lack of wetlands, the difficulties in terms of nest success and so on. Waterfowl hunters from across North America—Mexico, Canada and the United States—got together and decided they needed to do something about it. The hunters said they needed to create the largest single conservation program in North American history, and they did. The hunters of North America created the North American waterfowl management plan, and over \$2 billion has been spent on the conservation of North America's waterfowl since then.

• (1800)

I sit on both the fisheries and the environment committees, and I hear a lot of people talking about conservation. The hunters, anglers and trappers of North America do conservation and generate real conservation results. That is a track record matched by nobody else.

Hunters, anglers and trappers are unique among the entire conservation community in that we treasure abundance. We want to see the skies filled with birds. We want to see the forest filled deer. We want to see lakes filled with fish. We tirelessly work to ensure that happens.

Last year our government created the recreational fisheries, conservation partnerships program, the first time that a Canadian federal government acknowledged the recreational fishery in Canada. The budget for that program was \$10 million a year.

The program was announced in June of last year. Within three weeks our government had received 135 proposals from across the country and 100 of those projects were funded. Projects were funded from the Maritimes to British Columbia, enhancing salmon habitat, trout habitat, creating walleye spawning areas, rehabilitating streams and on and on.

Community groups were funded by our government to make real and measurable environmental improvements. That is what the hunting, angling and trapping community does.

Why do we want to do this? It is because the experiences that we have in the outdoors affect us profoundly. For eight years before I became an MP, I used to write the hunting column for the *Winnipeg Free Press*. I talked to hunters across Manitoba about their experiences. I wrote columns about nature and conservation, hunting experiences and so on.

Some of the most profound columns I wrote were based on experiences of parents hunting with their children. I recall an interview I did with a father who told me about hunting with his son. His son killed his first deer on that particular hunt. I must admit the father was choked up when I was talking to him on the phone. He was choked up about the experience. He was on the verge of tears, because of what that meant to him to be there with his son when his son took his first deer.

I will never forget what the father said to me. He said that as a result of that experience, he would always have his son. That is what hunting, fishing and trapping do for families and for our country. Perhaps that young lad will have a career in conservation. That is an experience that is so profound, so moving and significant that it is remembered by all of us who have experienced it.

I had the honour in June of being the guest speaker at the annual general meeting of the Fur Institute of Canada. The fur trade, a number of years ago, was on the ropes. There were many well-funded groups and organizations that wanted to kill the fur trade. I am very happy to say that the fur trade is on a very healthy footing these days. Prices are up and trappers are doing extremely well.

I am a supporter of the trapping industry because it supports a way of life that is very important to our country. The trapping industry provides the dignity of work to people in remote and rural communities who would have no other economic opportunities. Again, between the trappers, the fishermen and the hunters, we have thousands of eyes and ears on our environment who are vigilant about protecting the environment, ensuring conservation programs are put in place and ensuring that a sustainable way of life is maintained.

That is why I am so very pleased to support the member for Northumberland—Quinte West and his Bill C-501, National Hunting, Trapping and Fishing Heritage Day Act.

• (1805)

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, I stand in support of Bill C-501, an act respecting a national hunting, trapping and fishing heritage day.

Newfoundlanders and Labradorians are great hunters, great trappers and great fishermen, be it for cod, salmon, trout, Arctic char, moose, caribou, seals, rabbit, beavers, turr or grouse. We live off the land. We live off the sea.

Our first nation and aboriginal peoples have lived off the land and sea for thousands of years, and they continue to do so.

Our ancestors who got off the boat, primarily from Europe, made a life in Newfoundland and Labrador on the edge of the North Atlantic, in the most inhospitable of places, to be closest to the fish that sustained them. Life was hard. Life was brutal. Life was work from dawn till dusk, but that life made us strong. That life made us self-sufficient. They were certainly not the richest of people, not in terms of cash dollars, but rich in terms of how hunting, trapping and fishing built character, shaped our culture and formed our heritage.

This bill is important because hunting, fishing and trapping have been instrumental to the social, economic and cultural development of communities in every region of Canada, not just Newfoundland

### *Private Members' Business*

and Labrador—although that is my focus, as the member of Parliament for St. John's South—Mount Pearl, in Newfoundland and Labrador.

Hunting, fishing and trapping still play a vital role in the outports and communities that dot Newfoundland and Labrador, urban and rural. Most freezers in most homes contain local moose. They contain local fish. There are not many outport kitchens that do not have bottled salmon or rabbit or moose.

I was on the south coast of Labrador last spring. The woman whose home I entered apologized as soon as I got there because she did not have anything prepared to eat. By the time I left that house, I had eaten bottled salmon, bottled lobster, rabbit, turr, the sweetest partridge berries I had ever tasted, homemade bread and fresh vegetables from the kitchen garden. I had a feast of food prepared from the land and food prepared from the sea.

However, the best meal I have had so far this year was in a fishing shed in Petty Harbour, just outside St. John's, after a day on the North Atlantic, fishing crab.

When we got in, one of the fishermen pulled out a couple of bottles of moose and cooked it with some onions on the floor of the shed, in a huge frying pan, with a propane flame. I can taste it now. It was lovely.

We still live off the land and off the sea. I am proud of where we come from.

This bill is recognition of the importance of hunting, trapping and fishing to our way of life.

However, there are problems that we should reflect upon in this debate.

Let us begin with moose. The animals, moose, are not indigenous to Newfoundland, to the island portion of the province. Moose were only introduced successfully in 1904. However, since then, the population has ballooned, exploded, to the point that moose-vehicle collisions are a real problem. There are literally hundreds of moose-vehicle collisions every year.

I had a collision myself, in October 2012, on the edge of Terra Nova National Park. I will never forget it. It was dark. It was misty. I was driving relatively slowly. The speed limit was 100 kilometres an hour; I was driving 80. Out of nowhere, in front of me, appeared a moose. I hit it head-on. I remember thinking, "If that moose flies through the windshield, I'm dead". It rolled over my bonnet and flipped over the windshield. The moose died about five minutes later. I had about \$9,000 worth of damage to my vehicle. I lived. I am here to tell the tale.

The Conservative MP for the Manitoba riding of Charleswood—St. James—Assiniboia recommended last summer that we cut down on moose-vehicle collisions. How? What was his recommendation? His recommendation was that we kill every last moose.

Let me quote the Conservative MP, a quote contained in a press release that was on the MP's website:

*Private Members' Business*

...the obvious solution is to cull (in other words, kill) all the moose on the island. Removing all the moose from the island will be a huge public safety benefit, it is the environmentally friendly action to take, and it makes economic sense.

For me, that makes no sense.

• (1810)

I stand here today in support of An Act respecting a National Hunting, Trapping and Fishing Heritage Day. An outrageous suggestion such as killing every last moose, an entire population of a food source, does not respect our culture. It does not respect our hunters or even nature.

Moose may have been introduced to Newfoundland, but the cod are what drew us to Newfoundland and Labrador. Codfish were once Newfoundland and Labrador currency. "In Cod We Trust": not anymore.

For the true story of the destruction of our commercial groundfish fisheries, such as cod and flounder, I recommend a new book that was released two weeks ago. It is called *Empty Nets: How Greed and Politics Wiped Out The World's Greatest Fishery*. That book is by a former industry leader named Gus Etchegary.

In case the hon. members of this House do not realize it, the world's greatest fisheries were on the Grand Banks of Newfoundland. Codfish stocks have been pounded to the point that the Committee on the Status of Endangered Wildlife in Canada, or COSEWIC, is recommending that Atlantic cod be declared an endangered species.

There is still a food fishery, when Newfoundlanders and Labradorians can fish cod for our tables, but that fishery only takes place during a narrow window, with strict catch restrictions. Newfoundland and Labrador was known for its fish. The day, the decade, has actually come when it is illegal for most of the year for a young boy or girl to fish for cod from the edge of a wharf. That day came more than 20 years ago, a day nobody thought would come. It is 21 years since the Government of Canada shut down the northern cod fishery for the first time in a 500-plus year history, and there is still no recovery plan for that northern cod. It is shocking that there is no recovery plan for a commercial fishery that was shut down more than 20 years ago.

Let us move on to seals. Newfoundlanders and Labradorians are proud of our sealing heritage. However, let me read a quote from 1985. This quote is from a sealer, and it was contained in the report of the Royal Commission on Seals and Sealing in Canada:

As a sealer, as a fisherman standing before you today, I say to you that I am the endangered species. I am endangered but I still fight back. I will survive. I will not let animal rights become more important than human rights. I will not let people give souls to animals while they rob me of my human dignity and right to earn a livelihood.

That was from 1985.

Our tradition of sealing suffered yet another blow this week with the decision of the World Trade Organization to uphold the European ban on Canadian seal products. The Conservative government has announced plans to appeal that ruling, but if the government were serious about standing up for the seal hunt, the Conservatives would have made the seal ban a make-or-break issue during trade talks. They did not do that.

Under the current Conservative government, we have witnessed the greatest body blows to the seal harvest in our history, with ban after ban. A national hunting, trapping, and fishing heritage day would be a good time to reflect on the current government's absolute failure to stand up for the seal hunt.

A heritage day would also be a good time to reflect on how the government has gutted the federal Fisheries Act. A recent federal court ruling in Newfoundland and Labrador noted that the Minister of Fisheries and Oceans has the ability to control the alteration, disruption, or destruction of fish habitat. In other words, if there is no monetary value for a fish, it is worth nothing.

To sum up, I support this bill, but I also support policies that ensure that hunting, trapping, and fishing can continue in this country in a sustainable and meaningful way. It is one thing for the Conservatives to say they support hunters, trappers, and fishermen, but if their policies do nothing to protect our land and our sea and do nothing to protect our culture and our heritage, then the words are meaningless and a fishing heritage day would mean nothing.

• (1815)

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, this is a topic that is very near and dear to my heart. Like the member for Northumberland—Quinte West, who is an avid sportsman and a conservationist, I enjoy the outdoors just as much as he does, as many Canadians do. I know many people in his riding and my riding do as well. I would like to personally thank him on behalf of everyone here for bringing the bill forward. It is long overdue.

As I listened to the member who spoke before, I cannot help but say that this government has done more to protect the rights of hunters and fishers in this country than any other party in the history of Canada. We got rid of the gun registry, something that should have never been put in place to start with. It was really nothing about safety. It was trying one step at a time to take away guns because people for all intents and purposes are against hunting. That is a known fact.

I want to talk about what has made hunting and fishing such a passion for me. I can remember when I was around age six or seven and my dad, who is still an avid hunter at 81, took me out on a hunt with him. I was not carrying a gun, but he took me along. He stood me under a balsam tree by a pond. I remember standing there as it started to get dark, and a fox came for a drink. At that age in the middle of a big wilderness I remember wondering if my dad was going to come back. Not long after the fox left, a doe came for a drink with two fawns.



I think that entrenched in me the beauty of wildlife. It stuck with me and I have been an admirer and a hunter of white-tailed deer, among other species. My dad gave me my first gun at age 12. It was a Christmas present but a couple of weeks before that he and his friends were going to go on a fox hunt. He unwrapped the gun and said he should not be giving it to me, but he did because we went out hunting that day. I did not shoot anything that day. I did not see anything, but not long after that I shot my first deer with that gun. I did not realize I had that first deer. Being a rookie at hunting deer at 12 or 13 years old, I thought I had missed it. I went off to school with my siblings the next day and my dad checked and I had shot the deer. When I came home from school, there was a strict lesson for my brother Tom and I. My dad told us where the deer was and we were to go back and get it. The lesson in all that was that a hunter never wastes meat. I have taught that to my boys. I know my brothers have taught that to their boys.

People do not understand hunting and do not hunt, and that is fine. I respect their choices in life. However, a lot of them do not understand that it is not just about the kill or the catch of the fish. It is being outdoors, quality time and if a hunter is fortunate enough to take something from the land, he is to look after it well, take it home and consume it. There is nothing any healthier than good venison, a fresh perch, trout or salmon out of Georgian Bay near where I live. It is all very healthy and managed right. There are some bad examples as in anything, but most hunters and fishermen respect where they hunt and where they fish. That is why the bill is so important and we should never forget that.

I talked about getting my first deer and I hunted for years with my brothers and my dad, and then friends. I can remember the day that my own sons got their first deer. I think their dad was as happy as anybody was. It gave me great pleasure in seeing that.

● (1820)

My family still goes to the hunt camp. In this job I do not get there as much as I would like to. It is one of the things that I miss the most being in this place, but that is something that one has to do when one commits to a job.

My family and brothers still go there. It now includes my brothers-in-law, my sons and my nephews, and that is not going to change. On Thanksgiving here recently, we were at one of my brothers' places and what did we do that day? With my nieces, nephews and brothers, we had a skeet shoot that day before a great Thanksgiving dinner.

That is why it is important to remember that hunting, fishing and trapping outdoors is a heritage. The bill would protect that and enshrine it, and I fully support it.

**The Deputy Speaker:** The member for Northumberland—Quinte West will now have five minutes of response.

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Mr. Speaker, as we heard from across the aisle, I will take the little kick in the pants from the official opposition. I know its members support this bill. I accept that. I thank them and all of the members across the way. I especially thank the member for Thunder Bay—Superior North, who I know is an avid fisherman, hunter, and trapper, and who cares very much about the environment and making sure that those activities continue to be part of our Canadian heritage.

### *Private Members' Business*

On September 22, 2009, there was a press release that came out of the White House in the United States of America. I will not read it all, because many of the members here spoke of what the President of the United States said.

Toward the end, he stated:

Now, therefore, I, Barack Obama, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 26, 2009, as National Hunting and Fishing Day. I call upon the people of the United States to recognize this day with appropriate programs and activities.

This is one small part of the reason I brought this bill forward. It is to match the laws of this country to those of the United States for the Americans who come up to every one of our ridings in this place that have fishing and hunting camps or cottages. They invest, and they enjoy our natural bounty of fish and game and contribute greatly to the economy of our country.

I thank the member for Thunder Bay—Rainy River for his wholehearted support for this bill. I thank the member for Abitibi—Témiscamingue, who said how important hunting and fishing were to her and her family and pointed out the fact that women are now an important part of the hunting, fishing, and trapping heritage of this country.

I also thank the member for Dauphin—Swan River—Marquette for his heartfelt support of this bill and his reasons and passion for that.

Finally, I give thanks to my friend from Saint-Léonard—Saint-Michel for his party's support for the bill.

As the member who previously spoke said, hunting and fishing are sort of a rite of adulthood. I will use the term, and I know some people might object, but it is a rite of manhood in my family when one's son or daughter catches his or her first fish or harvests his or her first moose or deer. It is part of our DNA. It means so much to a father and son, and to a grandfather, to see his children and grandchildren do this.

It was mentioned before by the member from Manitoba that it was part of the founding of his province. This hunting, fishing, and trapping heritage is part of what Canada is. Our country was founded because the Europeans really loved beaver for making warm clothing. That started the whole trade. However, I will not repeat what the member said.

This bill is really a motherhood bill. It recognizes the importance of this. We have many other days we recognize.

Members heard in prior speeches about the billions of dollars spent annually by people who fish and hunt recreationally. Members heard about those who trap and seal, and the importance of sealing to our northern communities, whose sealing tradition has been their very subsistence for years. We, as a country, support this. Because this bill means something, there is all-party support. It does not cost anything. It sends a signal to all Canadians, especially new Canadians who are coming into a country that has such abundance. We need to protect that.

*Adjournment Proceedings*

The previous speaker said that it is the hunters and fishers who are the true conservationists. There are still ducks, moose, and deer all over. The member from Newfoundland mentioned how many moose there are. These are things to be treasured. They are to be harvested because the good Lord expects us to be good stewards. To be good stewards means that we can enjoy nature's bounty, but we are good stewards of it. That is what this bill is about.

•(1825)

I encourage all members of Parliament to put aside our partisanship, put aside our rancour, think about the people in our ridings who enjoy these activities, and please vote for this bill.

**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 Canadian Heritage.

(Motion agreed to, bill read the second time and referred to a committee)

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## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

•(1830)

[*Translation*]

### CHAMPLAIN BRIDGE

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I am pleased to rise today to ask the government questions about the Champlain Bridge.

I asked a question on November 6 about how the government was managing this issue. Hon. members will recall that it took the NDP, elected municipal and provincial representatives from Quebec and even the business community to force the government to do something about replacing the Champlain Bridge.

What is even more alarming is that we have now learned that the government has known about the problems with the Champlain Bridge for over 10 years. It is not just the Conservative government that is involved. The Liberal government was in power at that time. The successive governments have really dragged their feet with regard to the Champlain Bridge and, today, it is mainly the residents of the south shore and the greater Montreal area who are paying the price. Two lanes are closed, which is causing major traffic delays. It is also resulting in an enormous loss of productivity and a huge waste of time.

I asked a more specific question about how the government is dealing with this issue. Since being elected, I have been asking the government questions to try to improve its transparency. We asked the government to work with the opposition parties in committee on the issue of the Champlain Bridge. Unfortunately, this issue is not being examined by the Standing Committee on Transport, Infrastructure and Communities.

The question that I asked on November 6 dealt specifically with how the government is managing this issue, namely, the awarding of contracts. The government confirmed that a \$15 million contract was awarded to Arup Canada without a call for tenders. There are rules for awarding contracts. As I said in the question I asked the government, untendered contracts often mean cronyism and corruption. Unfortunately, in Quebec, we often have to deal with corruption when it comes to construction and that is the reason for the Charbonneau commission. Let us hope that the government will learn a lesson from that.

However, we do not need to wait until the end of that commission to know that the contracts and the management of this file must be transparent. We are talking about a file worth between \$3 million and \$5 million. Once again, the government still has not given us the exact figures. It gives us some, but without giving us any detailed reports, which, once again, I asked for a long time ago.

What is most alarming in how the government is managing this file is that when we ask about the \$15 million contract that was awarded, the minister's response is, "the firm in question has been working on the bridge file for quite a while now, along with the company that was awarded the contract for the business plan". Thus, a \$15 million contract was awarded without a call for tenders, because the firm is associated with the company looking after the business plan and making proposals. A contract was awarded without a call for tenders simply because the firms are associated.

All we are asking for is transparency. There were also calls for an international architecture competition quite some time ago, in order to ensure openness and to ensure that the bridge's concept, design and architecture is symbolic and worthy of the 21st century. The government refused yet again, and, from what I understand, it deliberately refused to acquiesce. Those calls came from the City of Montreal and the surrounding municipalities.

I want to know if the government ever plans to take this file seriously. Will it be more open and transparent?

**Mr. Jacques Gourde (Parliamentary Secretary to the Prime Minister, for Official Languages and for the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, I am pleased to take part in this adjournment debate and to answer my colleague's questions.

As mentioned at the beginning of this project, our goal is to minimize the costs to taxpayers and promote the user-pay principle. That is why the new bridge will have a toll.

That said, the specific tolls that will be collected once the new bridge opens are currently being studied by our consultant, PricewaterhouseCoopers, as part of the business case for the project. The company is working to finalize the business case, which will include an analysis of traffic projections and estimated revenues under different toll scenarios. The actual toll rates to be applied will therefore be discussed, and a government decision will be made once the government has completed all analyses.

I would like to point out that during similar projects, including highways 25 and 30, the toll rates were disclosed just a few months before the infrastructure was put in use. Our ultimate goal is to make responsible financial and technical decisions.

*Adjournment Proceedings*

As an example, on October 2, Buckland & Taylor recommended that we take measures to fill the gap between the expected lifespan of the existing Champlain Bridge and the opening of the new bridge, initially scheduled for 2021. We implemented all the recommendations made by Buckland & Taylor as soon as we received them.

As hon. members know, the condition of the Champlain Bridge is constantly monitored to ensure the bridge is safe. Following one of these inspections, a southbound traffic lane was closed as a precautionary measure while the reinforcement work was being done. This closure supported Buckland & Taylor's recommendations on the need to expedite the work to open the new bridge.

Given the accelerated schedule, one of the responsible decisions we took as a government was to commission the Arup company to develop the technical requirements for the design, construction, maintenance and operation of the bridge, to be integrated into the procurement documentation.

In awarding the contract, Public Works and Government Services Canada, which awarded the contract on behalf of Transport Canada, conducted a rigorous analysis of all possible procurement approaches. The Arup proposal was thoroughly analyzed to ensure it provided the best value for Canada.

Following this analysis, it was determined that awarding a contract to Arup without a tendering process would shorten the timeline for building the new bridge by at least six months. What is more, the Government Contracts Regulations authorize the government to award a contract without a tendering process when it is in the public interest. Awarding the engineering contract to Arup was one of the key ways we were able to ensure that the new bridge will be completed more quickly because the firm is already very familiar with this file.

It is important to mention that Arup and all its main subcontractors and consultants cannot be a part of any team that submits a bid in the future public-private partnership pertaining to the new bridge over the St. Lawrence.

Aside from awarding the contract to Arup, we are reassessing the project timeline in order to find other ways to have the new bridge ready more quickly. Once we have finished doing this in the next few weeks, we will release the new schedule. I want to be clear. Although we are trying to speed up the process, we will meet all of our commitments, particularly with regard to the architectural quality of the new bridge. As hon. members know, the government has always been sensitive to this issue.

That is why, last May, in co-operation with the City of Montreal, we began assessing various options to make sure that the new bridge would be of high architectural quality, yet still completed on time and on budget.

Following that process, a report was submitted to us, and the government will soon make a decision on which option to go with.

• (1835)

**Mr. Hoang Mai:** Mr. Speaker, I must admit that I am somewhat disturbed and definitely very concerned.

The parliamentary secretary just said that his goal is to circumvent tendering rules because he wants to save six months.

We know that the government is dragging its feet. It is like pulling teeth trying to get it to replace the Champlain Bridge. Jacques Cartier and Champlain Bridges Incorporated has been asking Transport Canada for a replacement for 10 years, saying that it needs to happen.

The government knew that when it came to power. Reports have been released, including a Delcan report, that also say that the bridge needs to be replaced. Despite that, in the 2011 election, the government said that it would not replace it.

My concern appears to be justified: the government is deciding not to hold an international architecture competition and is opting to use the services of a company without a call for tenders so that the company will benefit.

This is yet another example of patronage that favours the government's friends. It is sad.

• (1840)

**Mr. Jacques Gourde:** Mr. Speaker, with this bill, we are employing the user-pay principle to ensure that taxpayers get value for their money.

Bridge tolls will be announced in due course. As you know, the related analyses will be finalized shortly.

We will always try to make the best decisions, in the interests of Canadians, on this issue.

We will not cut corners when it comes to ensuring the safety of those who use the bridge.

One way to ensure that is to have a new bridge open as quickly as possible. Awarding the contract to Arup will help us achieve that goal.

I can assure you that the new bridge will meet the needs of users because we are ensuring that its design, architecture and functionality are taken into consideration throughout the entire planning process. I invite my colleague to do his part by paying his taxes.

## ECONOMIC DEVELOPMENT

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, it is hard not to comment on the quality of the contribution that members opposite make to debates here in the House. Unfortunately, I do not have time.

I would like to read the question that I asked on November 8, 2013:

...mourning will take time, but the very courageous people of Lac-Mégantic are ready to rebuild.

Business people will be part of the solution, but many of them are struggling right now because the town's commercial core was decimated by the tragedy.

Will the Minister of the Economic Development Agency of Canada for the Regions of Quebec listen to the chamber of commerce and business people in the Megantic region and set up a special funding program to help businesses get back on their feet, in addition to the decontamination and reconstruction budget that has already been announced?

*Adjournment Proceedings*

The Parliamentary Secretary to the Prime Minister, for Official Languages and for the Economic Development Agency of Canada for the Regions of Quebec gave the following answer:

Mr. Speaker, the Economic Development Agency of Canada for the Regions of Quebec's mandate focuses on economic development.

I swear that is what he said. He went on to say:

We are always concerned about regions that are struggling, and we will help them.

I guess I will have to try one last time. It is unbelievable. Members of the House were told that the mandate of the Economic Development Agency of Canada for the Regions of Quebec is economic development. That November 8, 2013, answer wins the prize for most insipid answer ever in the House. That is why we are looking for something approaching a better answer tonight.

I would like to point out that my colleague did not mention the word "Lac-Mégantic" in his answer. He did not even manage to say the word "Lac-Mégantic" in the answer he gave on November 8, 2013.

The NDP is pleased with the \$60 million that will be allocated to rebuild Lac-Mégantic's downtown and with the \$95 million federal contribution for decontamination.

The Minister of International Development's comment that "This is not the time for bureaucratic squabbles" gave us hope.

That statement must guide all of the government's actions at all stages and with all partners.

I should point out that five months have passed since the disaster and there is still no agreement on how Ottawa will pay its share of the \$60 million.

Lac-Mégantic's downtown was destroyed and will be out of commission until 2015.

The new commercial condos being built will allow some businesses—though not all—to reopen, but not before February 2014.

A news article from November 21, 2013, included the following quote from Karine Lévesque, the business valuation director, regarding the situation facing business owners in Lac-Mégantic:

Some are covered by a fixed amount, for example, the first \$5,000 or \$150,000. Other policies cover lost profits for the first 12 months, but that is the maximum. After that period...we will have to see what measures the government will put in place.

Only 25% of business owners in Lac-Mégantic have the better 12-month coverage.

We have to rebuild this town. We also have to ensure that the town becomes prosperous again.

Before he finished his last visit to Lac-Mégantic, the Prime Minister stopped in for a photo op at a cheese factory in Lac-Mégantic.

This evening, I am asking the government if it will turn its photo ops into action and create a special funding program for Lac-Mégantic—it is okay to say that word tonight, unlike November 8 when he could not even say it—in addition to the money already announced, to support business owners in Lac-Mégantic.

If so, when will this program be put in place?

• (1845)

**Mr. Jacques Gourde (Parliamentary Secretary to the Prime Minister, for Official Languages and for the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, I would like to thank my colleague for his question and his concern for the people of Lac-Mégantic.

This will allow me to explain just how much the government wants to help this community that was devastated last summer. We are committed to rebuilding and reviving the town's economy. We have also taken action to support rail safety and to make this means of transportation safer.

The Prime Minister visited the town the day after the accident to see the extent of the damage and to provide his support for the people of Lac-Mégantic. On July 22, the Minister of International Development and Minister for La Francophonie, the member for Mégantic—L'Érable, announced \$60 million in assistance for response and recovery efforts for Lac-Mégantic.

A first instalment of \$25 million will be provided by Public Safety Canada to support immediate response and recovery needs. Another \$35 million will support economic recovery and long-term rebuilding of the community and businesses. Thus, Public Safety Canada and the Economic Development Agency of Canada have joined forces to work with various stakeholders to support the Lac-Mégantic community and to respond to its needs.

I want to point out that the Government of Quebec is the primary point of contact for this issue. The money is available and we are actively working with Quebec. The government has always offered its support to help communities get back on their feet during times of crisis. We make it a priority, and we reiterated that commitment in the throne speech.

There have already been several meetings to discuss the terms of this co-operation, which will provide tangible support for communities and businesses in Lac-Mégantic. Of course, there are short-term measures in place. The federal government will also provide long-term development support, to help this community be prosperous over the long term.

On November 21, the Prime Minister went to Lac-Mégantic for the third time and announced that the government would provide additional financial support for the decontamination work in Lac-Mégantic. We will split the decontamination costs in half with the Government of Quebec, up to \$95 million. The city of Lac-Mégantic and the Government of Quebec expressed a need for assistance. This additional assistance shows that our government is working to help community stakeholders with their solutions.

Our multi-faceted support shows that our government is willing to do everything it can to help the people involved in Lac-Mégantic's economic development, as they are working on its recovery and stimulating economic activity.

**Mr. François Lapointe:** Mr. Speaker, the government has taken a very small step.

*Adjournment Proceedings*

My colleague said “Lac-Mégantic” in a response about the need to support Lac-Mégantic's economic recovery. That was a very small step. However, as usual, this government completely sidestepped the question as to whether it will launch a specific program with a specific amount of money attached and a clear implementation date, an initiative that would specifically target SMEs, which are in serious financial difficulty as a result of the worst rail disaster in the history of Canada.

They are outright victims. Those people had businesses in a prosperous downtown that was destroyed. They will soon run out of the little insurance money they received. My colleague spoke about providing tangible support. What we are suggesting this evening is simple and tangible.

Why will the government not simply announce what it intends to do about this specific need instead of talking about other issues concerning Lac-Mégantic?

**Mr. Jacques Gourde:** Mr. Speaker, as we have always said, we are committed to keeping Canadians safe.

We will work together while respecting provincial and territorial jurisdictions during tragic events such as those we witnessed in Lac-Mégantic.

The \$35 million that has been set aside for Lac-Mégantic's economic recovery is an exceptional measure that is being overseen by Economic Development Canada, which is perfectly suited to carry out this mandate. Economic Development Canada is a key partner for economic development in all regions of Quebec. Its community presence provides an opportunity for the organization to really understand the needs and challenges each region is facing. It is also there when a community is facing the extraordinary challenge of economic recovery.

The government is committed to stimulating the economy, creating jobs and ensuring long-term prosperity. It will be there for the businesses and the community of Lac-Mégantic.

● (1850)

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:50 p.m.)

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# CONTENTS

Wednesday, November 27, 2013

## STATEMENTS BY MEMBERS

<b>Rails to Relevance</b>	
Ms. May .....	1421
<b>Violence Against Women and Girls</b>	
Mrs. Smith .....	1421
<b>FAB3R</b>	
Mr. Aubin .....	1421
<b>Typhoon Haiyan Relief Efforts</b>	
Mr. Saxton .....	1422
<b>Hanukkah</b>	
Mr. Garneau .....	1422
<b>Physical Fitness</b>	
Mr. Weston (West Vancouver—Sunshine Coast—Sea to Sky Country) .....	1422
<b>Luc Baronette</b>	
Mr. Thibeault .....	1422
<b>Tusarnaarniq Sivumut Association</b>	
Mr. Keddy .....	1422
<b>Mother of Member for Fort McMurray—Athabasca</b>	
Mr. Jean .....	1423
<b>Violence Against Women</b>	
Mrs. Hassainia .....	1423
<b>Ukraine</b>	
Mr. Opitz .....	1423
<b>Status of Women</b>	
Mrs. Sellah .....	1423
<b>Typhoon Haiyan Relief Efforts</b>	
Mr. Toet .....	1424
<b>By-elections</b>	
Mr. Lamoureux .....	1424
<b>International Trade</b>	
Ms. Young (Vancouver South) .....	1424
<b>Ethics</b>	
Mr. Stewart .....	1424
<b>Firearms Registry</b>	
Mr. Norlock .....	1425

## ORAL QUESTIONS

<b>Ethics</b>	
Mr. Mulcair .....	1425
Mr. Harper .....	1425
Mr. Mulcair .....	1425
Mr. Harper .....	1425
Mr. Mulcair .....	1425
Mr. Harper .....	1425
Mr. Mulcair .....	1425

Mr. Harper .....	1425
Mr. Mulcair .....	1426
Mr. Harper .....	1426
Mr. Trudeau .....	1426
Mr. Harper .....	1426
Mr. Trudeau .....	1426
Mr. Harper .....	1426
Mr. Trudeau .....	1426
Mr. Harper .....	1426
Mr. Mulcair .....	1426
Mr. Harper .....	1426
Mr. Mulcair .....	1427
Mr. Mulcair .....	1427
Mr. Harper .....	1427
Mr. Mulcair .....	1427
Mr. Harper .....	1427
Mr. Mulcair .....	1427
Mr. Harper .....	1427
Mr. Mulcair .....	1427
Mr. Harper .....	1427
Mr. Mulcair .....	1427
Mr. Harper .....	1427
<b>Taxation</b>	
Mr. Mulcair .....	1427
Mr. Harper .....	1427
Mr. Mulcair .....	1427
Mr. Harper .....	1428
<b>Ethics</b>	
Mr. Trudeau .....	1428
Mr. Harper .....	1428
Mr. Trudeau .....	1428
Mr. Harper .....	1428
Mr. Trudeau .....	1428
Mr. Harper .....	1428
<b>Taxation</b>	
Mr. Rankin .....	1428
Ms. Findlay .....	1428
Mr. Rankin .....	1428
Ms. Findlay .....	1429
<b>Foreign Affairs</b>	
Mr. Dewar .....	1429
Mr. Baird .....	1429
Ms. Laverdière .....	1429
Mr. Baird .....	1429
<b>International Trade</b>	
Mr. Komarnicki .....	1429
Mr. Fast .....	1429
<b>Food Safety</b>	
Mr. Allen (Welland) .....	1429
Ms. Ambrose .....	1429

Ms. Brosseau.....	1430
Ms. Ambrose.....	1430
<b>Rail Transportation</b>	
Mr. Mai.....	1430
Ms. Raitt.....	1430
Ms. Chow.....	1430
Ms. Raitt.....	1430
<b>Infrastructure</b>	
Ms. Sgro.....	1430
Mr. Lebel.....	1430
<b>Employment Insurance</b>	
Mr. Easter.....	1430
Mr. Kenney.....	1431
<b>Housing</b>	
Mr. Sullivan.....	1431
Ms. Bergen.....	1431
Ms. Boutin-Sweet.....	1431
Ms. Bergen.....	1431
<b>International Co-operation</b>	
Mr. Adler.....	1431
Ms. Brown (Newmarket—Aurora).....	1431
<b>Government Advertising</b>	
Mr. Byrne.....	1431
Mr. Clement.....	1432
<b>Government Accountability</b>	
Mr. Ravignat.....	1432
Mr. Clement.....	1432
<b>The Environment</b>	
Mr. Preston.....	1432
Mr. Calandra.....	1432
<b>Employment Insurance</b>	
Mr. Aubin.....	1432
Mr. Kenney.....	1432
<b>The Environment</b>	
Ms. May.....	1433
Mr. Harper.....	1433
<b>Presence in Gallery</b>	
The Speaker.....	1433
The Speaker.....	1433

## ROUTINE PROCEEDINGS

<b>International Trade</b>	
Mr. Fast.....	1433
<b>Committees of the House</b>	
<b>Health</b>	
Mr. Lobb.....	1433
<b>Marine Mammal Regulations</b>	
Mr. Kerr.....	1433
Bill C-555. Introduction and first reading.....	1433
(Motions deemed adopted, bill read the first time and printed).....	1433

<b>Petitions</b>	
<b>Financial Administration</b>	
Mrs. Day.....	1433
<b>Health of Animals and Meat Inspection</b>	
Mr. Atamanenko.....	1434
<b>Animal Welfare</b>	
Mr. Atamanenko.....	1434
<b>Agriculture and Agri-Food</b>	
Mr. Valeriote.....	1434
<b>Mining Industry</b>	
Mr. Bellavance.....	1434
<b>Consumer Protection</b>	
Mr. Stewart.....	1434
<b>41st General Election</b>	
Ms. May.....	1434
<b>Canadian Broadcasting Corporation</b>	
Ms. May.....	1434
<b>Pensions and Benefits</b>	
Mr. Lamoureux.....	1434
<b>International Trade</b>	
Mr. Hyer.....	1435
<b>Questions on the Order Paper</b>	
Mr. Lukiwski.....	1435
<b>Motions for Papers</b>	
Mr. Lukiwski.....	1435
<b>Points of Order</b>	
<b>Oral Questions</b>	
Mr. Byrne.....	1435

## GOVERNMENT ORDERS

<b>Protecting Canadians from Online Crime Act</b>	
Mr. MacKay.....	1435
Bill C-13. Second reading.....	1435
Ms. Boivin.....	1438
Mr. Casey.....	1439
Mr. Dechert.....	1439
Mr. Hyer.....	1440
Ms. Boivin.....	1440
Mr. MacKay.....	1442
Mr. Casey.....	1443
Mr. Chisholm.....	1443
Mr. Casey.....	1444
Mr. Nicholson.....	1446
Ms. Boivin.....	1447
Mr. Lamoureux.....	1447
Mr. Dechert.....	1447
Mr. Nantel.....	1447
Mr. Dechert.....	1448
Ms. Boivin.....	1450
Mr. Casey.....	1450
Mr. Wallace.....	1450
Ms. Ayala.....	1451
Mr. Chisholm.....	1451



**PRIVATE MEMBERS' BUSINESS**

**National Hunting, Trapping and Fishing Heritage Day Act**

Bill C-501. Second reading .....	1453
Mr. Wallace.....	1453
Ms. Michaud .....	1453
Mr. Lamoureux.....	1455
Mr. Sopuck .....	1456
Mr. Cleary.....	1457
Mr. Miller .....	1458
Mr. Norlock .....	1459

(Motion agreed to, bill read the second time and referred to a committee) .....	1460
---	------

**ADJOURNMENT PROCEEDINGS**

**Champlain Bridge**

Mr. Mai.....	1460
Mr. Gourde .....	1460

**Economic Development**

Mr. Lapointe .....	1461
Mr. Gourde .....	1462

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