



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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VOLUME 148 • NUMBER 264 • 1st SESSION • 42nd PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, February 14, 2018**

—

**Speaker: The Honourable Geoff Regan**

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# HOUSE OF COMMONS

Wednesday, February 14, 2018

The House met at 2 p.m.

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*Prayer*

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● (1400)

[*Translation*]

**The Speaker:** We will now have the singing of the national anthem led by the hon. member for Edmonton Centre.

[*Members sang the national anthem*]

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## STATEMENTS BY MEMBERS

[*Translation*]

### AVIGNON—LA MITIS—MATANE—MATAPÉDIA

**Mr. Rémi Massé (Avignon—La Mitis—Matane—Matapédia, Lib.):** Mr. Speaker, the people of my riding, Avignon—La Mitis—Matane—Matapédia, are enjoying yet another exceptional winter. We have had 250 centimetres of snow since the start of the season.

There is nowhere in this country quite like my riding, with its abundant natural beauty, marine vistas, and mountainous landscapes. Locals know how to enjoy it to the fullest and help countless tourists do likewise.

All across my riding, hundreds of volunteers spend time organizing events, festivals, and carnivals that showcase everything there is to love about our winters. Hundreds of people work hard every day to make amazing ski areas, outdoor centres, and snowmobile trails available to everyone. This winter, young and old alike have been going the extra snowy mile to make all kinds of exciting activities and events happen.

I would like to thank all the organizers and volunteers involved in every one of those activities. Their dedication is outstanding.

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### WEB GIANTS

**Ms. Monique Pauzé (Repentigny, BQ):** Mr. Speaker, today is Valentine's Day, and love is all around, including in the House of Commons.

Can we not see Cupid flitting around and shooting arrows left and right? How else can we explain the love the government is showing for Web giants? They do not pay taxes here on their advertising

revenue, and they are making record profits by cannibalizing our media content. However, they are the ones getting the lion's share of federal ad spending.

Even the IMF is at a loss to explain why we are missing out on \$700 million in taxes from the Facebooks and Googles of the world.

The government must put an end to this dangerous relationship with Web giants. It must force these multinational corporations to declare their ad revenue in Canada, like all Quebec companies are required to do. It must reconsider its attitude towards our media outlets, which produce high-quality original content and have the decency to pay taxes in Canada.

\* \* \*

● (1405)

[*English*]

### CANADA SUMMER JOBS PROGRAM

**Hon. Alice Wong (Richmond Centre, CPC):** Mr. Speaker, here in Ottawa we are in the deep throes of winter, but in my beautiful riding of Richmond Centre spring is just around the corner. Soon the blooming crocuses of spring in Richmond will give way to the sunshine of summer, but not all is “sunny ways”.

The Canada summer jobs program plays a crucial role in handing valuable workplace experience to the youth of Canada and has been used by some agencies combatting social isolation among seniors. However, many agencies involved in this important work cannot and will not sign on to the Liberals' values test.

I, as well as the numerous constituents of Richmond Centre who have petitioned me, urge the government to remove its shameful attestation and return some of the brightness into the lives of our most valuable resources, the elderly and the young.

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### MINING INDUSTRY

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, nine years ago this month, I introduced a bill on corporate accountability, Bill C-300. It proposed the withdrawal of consular and financial support from Canadian mining companies found to have breached international human rights or environmental standards. Companies told us that this would be the end of western civilization as we knew it. Hell hath no fury like a mining company cut off from its money and support.

*Statements by Members*

Needless to say, Bill C-300 nearly died several times as it made its way from the House to committee and back again. However, die it ultimately did by six votes. However, it had an afterlife and lived on in the imagination of civil society, the international press, and hundreds of thousands of Canadians. At one point, 450,000 petitions were presented to the former prime minister, and ignored.

January 17 was resurrection day for Bill C-300, with the announcement of the creation of the Canadian ombudsperson for responsible enterprise.

I would like to thank the Prime Minister, the previous and current ministers of international trade, and the hundreds of thousands of Canadians who kept the dream of Bill C-300 alive.

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**PENSIONS**

**Mr. Scott Duvall (Hamilton Mountain, NDP):** Mr. Speaker, nine years after Nortel failed, leaving its pensioners in the lurch, Sears Canada did the same, terminating 15,000 employees, denying severance or termination pay, and cutting off benefits. At the same time, Sears executives were given over \$6 million in bonuses.

Last month, the Prime Minister said that displaced Sears employees could fall back on EI and CPP. Sadly, he does not understand that in Canada, the scales are weighted in favour of large corporations and the richest in society. Hard-working Canadians play by a different set of rules or are told to wait at the end of the line.

This is why I have introduced Bill C-384, which offers a simple proposal for ending pension theft. My bill includes amendments to Canada's inadequate bankruptcy laws to ensure that workers' pensions, along with any severance packages, will be paid out ahead of wealthy creditors, banks, and parent companies whenever a company files for bankruptcy protection. These changes would have a profound effect on the lives of many workers and pensioners.

We can and must do more. We have offered the government a solution, and now it is time for it to act.

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**BLACK HISTORY MONTH**

**Mr. David Lametti (LaSalle—Émard—Verdun, Lib.):** Mr. Speaker, I rise to honour Black History Month and recognize the legacy of black Canadians, past and present.

[Translation]

Today, I want to share the story of Fred Christie, a diehard Montreal Canadiens fan of African-American origin who worked hard to be able to buy season tickets in the 1930s. Like many people, Christie was a fan of Maurice "Rocket" Richard and went to the tavern in the Montreal Forum to cheer on his team.

Unfortunately, in 1936, he was a victim of discrimination when the tavern refused to serve him because of the colour of his skin. The police would not help him. He ended up suing the tavern, but sadly the Supreme Court ultimately upheld the tavern's right to refuse him service based on private law.

[English]

I know many in the black community who have suffered similar tragic stories.

This Black History Month let us reflect on our collective history and recognize not only the suffering the black community has endured, but also its massive contribution to Canadian society.

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**RED DEER ROYALS**

**Mr. Blaine Calkins (Red Deer—Lacombe, CPC):** Mr. Speaker, the Red Deer Royals marching show band has entertained people all over the world and across our country. Its members are fantastic ambassadors for our nation, and have been a source of immense pride in central Alberta for nearly 50 years.

Just recently, the Red Deer Royals received a gold medal at the 2017 World Music Contest at Kerkrade, Netherlands. For the first time in its history, the Royals have built themselves a permanent home for rehearsals and training. The organization has done yeoman's work to raise the money for this space, and now looks for respect from the federal government.

The Red Deer Royals had previously applied for Canada150 funding, but were turned down. It has looked for other programs to apply through, but there are none.

I have in my possession more than 1,000 letters, written by members of the Red Deer Royals, alumni, families, and supporters from all over central Alberta, requesting the Prime Minister's support to help fund this project. As the current government has no qualms with deficits, is spending billions outside Canada's borders, and pays millions for a temporary ice rink, it seems only fitting that it would support the long-term legacy and ambassadorship of the Red Deer Royals.

As I give these letters to the Prime Minister I hope their request receives every consideration.

\* \* \*

● (1410)

[Translation]

**BROSSARD'S 60TH ANNIVERSARY**

**Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.):** Mr. Speaker, I am delighted to rise in the House today to mark an important anniversary in the history of my riding, the 60th anniversary of Brossard.

Despite its young age, Brossard has emerged as a first-class city, one of the most open and welcoming in Quebec. Our proximity to downtown Montreal, our contribution to the region's economic development, and especially our vibrant and diverse social and community life make it a great place to live.

*Statements by Members*

[English]

In fact, the city of Brossard was the first officially multicultural city in the province, as it boasts over 60 cultural communities, all living in harmony and in mutual respect. Brossard, and more generally the constituency I am so lucky to represent, is a true symbol of our Prime Minister's unambiguous belief that diversity is our strength.

[Translation]

Once again, I would like to wish the City of Brossard and all residents a very happy birthday.

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[English]

**BLACK HISTORY MONTH**

**Mr. Gagan Sikand (Mississauga—Streetsville, Lib.):** Mr. Speaker, I rise today to recognize Black History Month. In my riding of Mississauga—Streetsville, we truly have representation of Canadian values, in that we are rich in diversity and cultural variety.

To mark the significance of Black History Month, I had the pleasure of attending an event, hosted by the United Way Peel Region. The primary focus of the event was mental health awareness in the black community.

I would like to pay special recognition to the Black Community Advisory Council of the United Way Peel Region and its leadership for the exemplary work they show in our community, and the understanding and compassion they promote.

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**LUNAR NEW YEAR**

**Mr. Bob Saroya (Markham—Unionville, CPC):** *Da ja hao.*

Mr. Speaker, this week nearly two million Canadians will be celebrating the lunar new year, and thousands of Markham residents will be joining in this festival. In my riding, this day is very special. That is why I have spent some time over the last few weeks putting together red pockets to share with my constituents. This is a time when families get together, decorate, and enjoy a meal.

Please allow me to take this opportunity to wish all the Chinese, Korean, and Vietnamese Canadians a happy new year.

Markham residents will be welcoming the year of the dog. I am looking forward to getting back to Markham today to take part in the celebration.

*Xin nian kuai le.*

\* \* \*

**LUNAR NEW YEAR**

**Mrs. Deborah Schulte (King—Vaughan, Lib.):** Mr. Speaker, February 16 marks the start of the lunar new year, and the month has been filled with lunar new year celebrations across Canada and in my riding. I have had the honour of being invited to the Tet Festival hosted by the Vietnamese Association and the lunar new year celebration at Vaughan City Hall, and I have several more wonderful lunar new year events to attend over the next few weeks.

I want to thank the Federation of Chinese Canadians, Dr. Ken Ng, the Vietnamese Association, and the Korean community for sharing their rich heritage and culture with Canadians and for helping to host a number of wonderful events.

On behalf of my colleagues in the House, we wish good fortune, good health, and a year of happiness to all those celebrating.

[Member spoke in Korean]

[Member spoke in Vietnamese]

[Member spoke in Chinese]

[English]

Happy new year.

\* \* \*

**SPRING FESTIVAL**

**Mr. Geng Tan (Don Valley North, Lib.):** Mr. Speaker, on the occasion of Spring Festival, we come together to bridge our cultural differences and strengthen our multicultural society. Spring Festival is a time to celebrate the contributions of Canadians of Asian heritage to the growth and prosperity of Canada. Thanks to this country's multiculturalism, new Canadians from all parts of the world enjoy harmony, cross-cultural understanding, and mutual respect.

I encourage all my colleagues to participate in tonight's Spring Festival reception, from 6:00 p.m. to 8:00 p.m., in the Sir John A. Macdonald Building. It is a chance to see first-hand how Canada's commitment to diversity and multiculturalism is what makes this country so special.

Happy Spring Festival.

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● (1415)

**OLYMPIC WINTER GAMES**

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, the Olympic Winter Games are in full swing, and despite the cold, Canadians everywhere have Olympic fever.

Canadian athletes dedicate their lives to their sport and to be able to proudly carry the Olympic hopes of all Canadians into competition with them.

Chay Genoway, from Morden, in my riding of Portage—Lisgar, is one of those fiercely determined athletes who has never given up on his dream. Tomorrow morning he will take to the ice as the men's Olympic hockey team faces Switzerland. For Chay, hockey has not just been a game he plays but an absolute passion since he was only two years of age. Chay knew from a very young age that he wanted to spend his life playing the game he loves, and he has always been supported by his entire family, especially his brother Colby.

While this is Chay's first Olympic games, he is no stranger to representing Canada in big tournaments like the Spengler and Deutschland cups.

*Oral Questions*

I wish Chay and the whole Canadian men's Olympic hockey team good luck as they kick off their quest for gold. We are all cheering for them. I know they will make us all immensely proud.

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**HEART AND STROKE FOUNDATION**

**Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.):** Mr. Speaker, to quote Emily Dickinson:

If I can stop one heart from breaking,  
I shall not live in vain;  
If I can ease one life the aching,  
Or cool one pain,  
Or help one fainting robin  
Unto his nest again,  
I shall not live in vain.

We must all join the Heart and Stroke Foundation's pledge to save hearts from breaking and lives from being shattered due to heart-related illnesses. Nine in 10 Canadians have at least one risk factor for heart disease and stroke. Almost 80% of premature heart disease and stroke can be prevented through a healthy diet and active living.

Today is the Heart and Stroke Foundation's heart day on the hill, and I wear my heart pin to promote healthy hearts. At a time when heart disease is on the rise in Canada, we must raise awareness for ourselves and future generations so we can live, love, and use our hearts to their full capacity.

Happy Valentine's Day.

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**MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS**

**Ms. Jenny Kwan (Vancouver East, NDP):** Mr. Speaker, 28 years ago, indigenous women in the Downtown Eastside marched for the first time to bring attention to the debilitating number of women and girls missing and murdered in their community. Twenty-eight years later, the RCMP indicates that there are 1,200 cases of missing and murdered indigenous women and girls across Canada. Many believe the numbers to be much higher. Communities across the country are still marching and still demanding action and accountability.

There is not one indigenous community in Canada that has not been touched by systemic racism and sexism that allows indigenous women and girls to be stolen from their loved ones and, I might add, indigenous men like Colten Boushie to be killed without repercussions.

My heart is with the families and allies who are marching, once again, for justice. We need to honour the memories of the women and girls by demanding concrete action and justice, not just today but every single day.

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**SENATOR BERT BROWN**

**Hon. Kevin Sorenson (Battle River—Crowfoot, CPC):** Mr. Speaker, I rise today to pay my respects to the late former Senator Bert Brown. My thoughts and prayers are with his daughter, Angela.

Bert died on February 3, just shy of his 80th birthday and three years after the passing of his beloved wife, Alice.

The distinguished Albertan studied civil engineering at the University of Oklahoma, earned a pilot's licence after Vietnam veterans taught him how to fly, advised Alberta's premier on the Charlottetown Accord, and was a licensed realtor, former newspaper columnist, past director of the Calgary Chamber of Commerce, and member of the board of my riding association.

In 2007, former prime minister Stephen Harper appointed Bert Brown to the Senate of Canada, three years after he took the most votes in Alberta's third senate election in 2004. Prior to his appointment, he spent 20 years fighting for an elected, equal, and effective Senate. Bert is best known, especially in my part of the country, for plowing the message "Triple-E Senate or else" into his neighbour's barley field.

Bert will be sadly missed.

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● (1420)

**BRAIN CANCER RESEARCH**

**Mr. Neil Ellis (Bay of Quinte, Lib.):** Mr. Speaker, today I rise to applaud the courage and resilience of a remarkable family from the Bay of Quinte that has faced unimaginable loss not once, but twice. The Grouchy family lost their beloved daughter Holly in 2005, at age 11. The same aggressive brain tumour also claimed the life of their beautiful daughter Katie this past October, at age 20, yet they have remained tireless advocates for others affected by this devastating disease.

Throughout their journey, the Grouchy family has raised public awareness and much-needed funding for brain cancer research. Their story has inspired an outpouring of support, including generous donations to the Gord Downie Fund for Brain Cancer Research. Gord, I am sure my hon. colleagues know, also lost his battle to brain cancer last year.

I encourage my honourable colleagues, and all Canadians, to champion this cause so that the groundbreaking research needed to expand treatment options and improve outcomes can continue.

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**ORAL QUESTIONS**

[English]

**MARIJUANA**

**Hon. Lisa Raitt (Milton, CPC):** Mr. Speaker, the Prime Minister said, in legalizing marijuana, that he was doing it because he wanted to keep organized crime out of the market. We are learning today of significant investments being made in Quebec cannabis companies by offshore accounts that have anonymous members.

Can the Prime Minister give us assurances that these are not companies set up by organized crime?

*Oral Questions*

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, right now the sale of marijuana across this country puts billions of dollars in the pockets of organized crime. That is a failure of the current, actual system. We know that by legalizing and controlling the sale of marijuana, not only will we reduce the profits going to organized crime, street gangs, and gun runners but we will do a better job of protecting our kids and their communities with a legalized framework.

**Hon. Lisa Raitt (Milton, CPC):** Mr. Speaker, I am trying to bring to the Prime Minister's attention an actual issue, and I do not need his talking points given back to me.

There is a company based in the Cayman Islands. It has secret investors. It has just invested \$271 million in a Quebec cannabis company, and guess what. The founder of that company is the former chief financial officer of the Liberal Party of Canada. Canadians deserve to have the assurance that there is no organized crime element within these secret investors.

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, one of the fundamental reasons for legalizing and controlling the sale of marijuana is to reduce the amount of profit going into the coffers of organized crime across the country. For 10 years, the Conservative government allowed to perpetuate a system of prohibition that actually created sources of funding for organized crime, street gangs, and gun runners to continue to expand their illicit activities. We are moving forward to limit the profits to organized crime through the legal framework for marijuana. That is what we are sticking with.

[*Translation*]

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, despite all the warnings, the Prime Minister insists on legalizing marijuana by July 1, less than five months from now. The closer we get to the deadline, the more we understand why. Wherever there is money and tax havens, there are Liberal Party cronies ready to do anything to line their pockets.

Is this why the Prime Minister is being stubborn and interfering with the work of the senators in the Senate?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, it is very simple, the current system is failing. It fails to protect our children, it fails to protect our communities, and it fails to keep organized crime from making billions of dollars per year in profits from marijuana sales. That is why we are bringing forward a system that will control and regulate the sale and production of marijuana to better protect our kids, better protect our communities, and keep billions of dollars in profits out of the hands of organized crime.

• (1425)

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, here is the situation and here is why the Liberals want to push through the marijuana legislation. Anonymous investors from tax havens have invested hundreds of millions of dollars in Canadian companies owned by Liberal cronies.

Can the Prime Minister assure Canadians that no one involved in organized crime and none of his Liberal friends are involved with these marijuana producers?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, part of our framework for the sale of marijuana and associated investments involves extensive screenings and background checks of everyone who works in the marijuana industry, including investors. Yes, we will ensure that no one involved in organized crime invests in the sale and production of marijuana.

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Mr. Speaker, tax haven is synonymous with Liberal haven. The former national director of the Liberal Party of Canada, the former chief financial officer of the Liberal Party, former Liberal ministers of health, justice, and national revenue, and major Liberal Party donors are all involved. What do they have in common? They are all affluent Liberals, people the Prime Minister knows personally, and they are all going to get richer with the legalization of cannabis.

Is this another sponsorship scandal?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, again, the Conservatives are trying to divert attention from their own failure on this file. The Conservative government perpetuated a system that made it easier for young people to access marijuana in Canada than in 29 other countries in the world. Their system was a total failure. We want to better protect our young people. We want to keep profits out of the hands of organized crime. That is exactly what we are doing and they have nothing to say about it.

[*English*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, yesterday, Liberals voted down an NDP motion that would have taken real action in fighting tax havens. Why the Prime Minister will not stand up to tax cheats and the unaccountable leadership of the Canada Revenue Agency is beyond me.

What is clear to me and what is clear to Canadians is that highly connected Liberal insiders are not shy about exploiting Canada's weakness on tax havens to invest in cannabis production. Why is the Prime Minister so slow in acting on the unaccountability of the CRA, so slow in acting against tax havens, and even slower in addressing the critical issue of anonymous tax haven investors in cannabis production?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, it is nice to see the NDP and Conservatives working together for once.

The Minister of Finance recently reached an agreement with his provincial and territorial counterparts to ensure that we know who owns which corporations, which will prevent Canadian or international companies from facilitating tax evasion, money laundering, and other criminal activities. There will be background checks on significant investors in any marijuana organization. That is the kind of framework that we are putting in place to protect Canadians, to reduce the profits of organized crime, and to protect our communities.

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, the problem is that under the tax agreements that this government has signed we cannot find out who is part of those tax havens.

*Oral Questions*

Automatic information-sharing agreements do not work. We still do not know who owns these corporations and who is investing in tax havens. How do we know whether they will invest here next?

Oddly enough, we learned today that friends of the Liberal Party, including a former treasurer and a former advisor, are using these tax havens to invest in the production of cannabis, just a few months before it is legalized. We are understandably concerned.

This is a wake-up call the Prime Minister is ignoring. When will he wake up and realize that the involvement of these Liberal friends is just the tip of the iceberg?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, we are going to continue to crack down on tax evasion and tax avoidance by making investments. We invested nearly \$1 billion in the Canada Revenue Agency for that very purpose. I am also pleased to repeat the announcement that was made today. Across the country, 30 CRA investigators are taking action in Vancouver, Calgary, and Toronto to ensure that we are continuing to crack down on tax evasion and tax avoidance.

• (1430)

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, the number of ties between the Liberal Party of Canada, companies that produce cannabis, and investments from tax havens is simply mind-boggling.

On top of that, the secretive operations of shell companies in tax havens really raise concerns about who is ultimately making money from those companies.

The government simply failed to establish strict rules governing the financing of that industry, and the proposed regulatory framework is a smokescreen.

What are the Prime Minister's real intentions in legalizing cannabis? Is it simply so that friends of the Liberal Party of Canada can make more money?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, with regard to tax information, we are focused on transparency and increasing and expanding the sharing of information.

Canada has a vast network of treaties and a number of tools that enabled the Canada Revenue Agency to share 2.2 million pieces of information last year. Thanks to our historic investment of \$1 billion to combat tax evasion and aggressive tax avoidance, the CRA will be able to recover over \$5 billion in federal revenues over the next six years. We will continue to work hard to combat tax evasion and tax avoidance.

[English]

**Mr. Peter Julian (New Westminster—Burnaby, NDP):** Mr. Speaker, simply there is no due diligence. We are talking about \$277 million coming to Canada from secret tax havens benefiting from the poor management by the government of cannabis. We do not even know who is involved. Is it Liberal insiders again, is it organized crime, or is it both?

The Prime Minister's willingness to sign anything with overseas tax havens and poor fiscal rules means these secretive funds do not

even have to report their capital gains in Canada. Perfect for money laundering. Why is the Prime Minister being so utterly irresponsible?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, protecting the health and safety of Canadians is a top priority for our government, and that is why we are moving forward on a legalized regime for the sale of marijuana.

Under our proposed regulations, security clearances will be mandatory for individuals who occupy key positions in any organization, as well as background checks on significant investors to any marijuana company. In addition, the Minister of Finance recently reached an agreement with his provincial and territorial counterparts to ensure that we know who owns which corporations, which will help prevent Canadian or international companies from facilitating tax evasion.

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**ETHICS**

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, on the subject of ministers receiving valuable and improper gifts, the Liberal vice-chair of the ethics committee, a Liberal member of the Prime Minister's caucus said, "I do think repayment of the reasonable value of an improper gift that one receives is prudent and reasonable under the act."

Does the Prime Minister agree with the Liberal vice-chair of the ethics committee that ministers should return the commercial value of any improper gift they receive?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, immediately after the Ethics Commissioner released her report, I accepted the findings of the report, took responsibility, and am following up on every single element of her advice or recommendations.

That is what Canadians expect, and that following of the Ethics Commissioner's advice and recommendations is exactly what Canadians expect of any of us.

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

**The Speaker:** Order. Do members not think that Canadians have the capacity to judge the quality of questions and answers? I think they recognize that is the case. I think members know that Canadians, the public, have the capacity to do that. They do not need assistance from this chamber.

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, I am glad the Prime Minister mentioned the Ethics Commissioner, because his vice-chair asked the Ethics Commissioner if he agreed that a minister should return any improperly received gifts. The commissioner said, "Of course it would be—".

Does the Prime Minister agree with the Ethics Commissioner on that?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, what is interesting is that we have the best economic growth numbers in years, the lowest rate of unemployment in 40 years, the fastest growth rate in the G7, and the members opposite spend their time slinging mud, making personal attacks, and trying to stir up stories that have already been dealt with.



*Oral Questions*

I took responsibility. I accept the full recommendations and advice of the Ethics Commissioner. They do not have anything else to criticize us on.

• (1435)

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, we are just trying to help Liberal cabinet ministers understand what the rules are. That is why I am asking the Prime Minister.

The Prime Minister's cabinet is here and they are listening. He has an opportunity to inform them. If a minister, for example, got a \$200,000 gift from someone who is lobbying that minister, would the Prime Minister take action? What action would he take? Would he fire the minister? Would he force them to give the gift back? Would he refer the matter to the RCMP, or just shrug?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, as has been the case for previous prime ministers, and as the former commissioner herself stated, security costs are incurred whenever and wherever the Prime Minister travels.

Moving forward, of course, I am happy to follow all the advice and recommendations that the commissioner had made, including those surrounding personal and private travel.

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, I am not talking about the cost of the transportation and security. I am talking about the commercial value of a gift. I never actually mentioned the Prime Minister, by the way. I just described some conduct and he immediately attributed it to himself. It is funny.

An island like the one on which he vacationed is advertised for, and they cost a lot of money, approximately \$200,000 for the amount of time and the number of people the Prime Minister had vacationing as part of this gift.

Does he believe that a minister, any minister, should repay an improper gift of that size?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, Canadians watching question period could be alarmed at the tone and the attacks that go back and forth in this place, but they should be reassured that above the partisanship, above the mudslinging, we have an Ethics Commissioner who looks into allegations and looks into behaviours, and makes determinations on what happened and what needs to happen going forward.

I am actually pleased that the Ethics Commissioner made clarifications, significantly put forward recommendations. I accepted responsibility and have endeavoured and will commit to following all the recommendations of the Ethics Commissioner.

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, paragraph 121(1)(c) of the Criminal Code says it is an offence for a government official “to accept from a person who has dealings with the government a commission, reward, advantage or benefit of any kind for themselves or another person”.

If the Prime Minister learned that one of his ministers had accepted a benefit from someone who had dealings with the government, what would he do about it?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, Canadians understand and appreciate that the function of an opposition in this parliamentary system is to ask tough questions and challenge the government. What is important to know, however,

is that we have a system that goes above the partisan attacks and the personal mudslinging and actually charges the Ethics Commissioner with looking into issues and allegations of this, making findings of fact, and making determinations on the path forward.

I have fully accepted all the findings, all the advice, and all the recommendations by the Ethics Commissioner. I thanked her for her work and will keep going—

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

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, once again I merely quoted sections out of the Criminal Code without referring to the Prime Minister. He instantaneously assumed that I was making a personal attack against him.

This is a Prime Minister who accepted a gift that is worth approximately \$200,000 from someone who was seeking a \$15 million grant from the Government of Canada. Does he dispute these facts?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, the issue we have run into before with this particular member opposite is that he was able to say things in the House of Commons under parliamentary immunity that he would no longer repeat outside. The fact is that we have an Ethics Commissioner whose job it is to look at the facts to determine what is public, what is private, what is responsible and what is not, what are personal attacks and what are not.

I accepted responsibility. I accept the full findings and recommendations of the Ethics Commissioner, and that is what reassures Canadians.

\* \* \*

[*Translation*]

#### CANADIAN HERITAGE

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Mr. Speaker, 7,000 people across Quebec have signed a petition calling on the Prime Minister, the Minister of Canadian Heritage, and the Minister of Finance to take urgent action to support our media and our journalism. Seven thousand people is a lot of people.

Journalists came to Parliament today to present this petition. Unfortunately, only one Liberal was on hand to welcome them. What a shame. This sector has shed 16,000 jobs and now our media, journalists, and democracy need urgent measures.

Will the Prime Minister commit to include urgent measures in his next budget?

• (1440)

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, high-quality local and community information is essential to our democracy.

As a result of our \$675-million investment in CBC/Radio-Canada, new journalists are now in communities where previously there had been no coverage.

*Oral Questions*

We are also modernizing the Canada periodical fund. Our goal is to ensure that the fund meets the need for local information and local magazines. We know that more needs to be done and we will continue to work with organizations to ensure that we will have a free, independent, and viable press.

[English]

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, today is another sad day for journalism. The *Toronto Star* has laid off over 50 people. The news media are undergoing unprecedented changes, yet the Minister of Canadian Heritage has not acted on any of the recommendations from either her commissioned report or the parliamentary committee report. Months have passed and job losses are a daily occurrence in the media.

How many consultations, reports, and recommendations will it take for the government to decide to do something, even to act on a single recommendation?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, reliable local and community news is essential for the functioning of our democracy. For example, we have invested \$675 million in CBC-Radio Canada that then turned around and introduced journalists into areas where they had never served before. We are also modernizing the Canada periodical fund to ensure that it is meeting the needs of local news and magazines, including in the transition to digital.

We know there is more to do. We will continue to work with our valued friends and partners in the media to ensure they can continue to do their job of holding the democracy to account and informing citizens.

\* \* \*

**ETHICS**

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, paragraph 121(1)(c) of the Criminal Code makes it an offence for a government official “to accept from a person who has dealings with the government a commission, reward, advantage or benefit of any kind for themselves or another person”.

Was the Prime Minister aware of this paragraph of the Criminal Code when he accepted a \$200,000 gift from a person who has dealings with his government?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, again, above the mudslinging, we have a Conflict of Interest and Ethics Commissioner, who is tasked with looking into the facts of issues, making recommendations, and holding all parliamentarians to account. When the commissioner put forward her report, I fully accepted that report, took responsibility, and have been implementing the advice and recommendations she made. The opposition may continue to want to sling mud and make personal attacks, but Canadians can be reassured that the Ethics Commissioner has done her job.

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, the commissioner's job does not include investigating matters under the Criminal Code. There are two essential elements to paragraph 121(1)(c) of the Criminal Code: one, a government official accepting a benefit, and two, “from a person who has dealings with the government”.

Did the Prime Minister accept a benefit from the Aga Khan? Does the Aga Khan have dealings with the government?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, these are all questions that the Ethics Commissioner dug into in her report and made clear recommendations on. However, what is clear is that on this side of the House we value and respect the work done by officers of Parliament. On that side of the House, they continue to question the work of the Ethics Commissioner, just as they did for 10 years of insulting, minimizing, and discarding the advice of officers of Parliament. That is what they did when they were in government. We take a different approach. We respect the great work done by our officers of Parliament.

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, it is not the Ethics Commissioner who is responsible for investigating matters under the Criminal Code. The RCMP is responsible for that.

Did the Prime Minister or his office ever discuss his island vacation with any member of the RCMP?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, again, the Ethics Commissioner did a complete and thorough investigation, at the request of members opposite. I cooperated with the Ethics Commissioner every step of the way, and her report is fulsome and rigorous. If the Conservatives choose to question the work that she has done, the quality of the work that the former ethics commissioner did, that is their prerogative. Quite frankly, it is consistent with the approach that the Conservative government under Stephen Harper always had, which was to minimize, discard, and ignore the great work done by officers of Parliament.

●(1445)

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, I want to be clear. On behalf of the opposition, we fully endorse the Ethics Commissioner's finding of guilt of the Prime Minister. He broke four sections of the ethics law, and now he wants to turn himself into the victim because the opposition is asking legitimate questions about section 121 of the Criminal Code.

Does he dispute that he accepted thousands of dollars of benefits from somebody who had official dealings with his government and with him personally?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, in this place we have a system where different parties ask questions and hold governments to account, and it works very well. What also works very well is that Canadians can be reassured that above the mudslinging and personal attacks, we have officers of Parliament, like the Conflict of Interest and Ethics Commissioner, who will dig into the actual facts of the matter and make thorough investigations. We worked with the Ethics Commissioner throughout the fall and can say that we fully accept all her findings and have moved forward on accepting all her recommendations.

*Oral Questions*

[Translation]

**STATUS OF WOMEN**

**Ms. Karine Trudel (Jonquière, NDP):** Mr. Speaker, rural and suburban mail carriers are paid 25% less per hour than their urban counterparts. They also receive fewer benefits. Two-thirds of rural mail carriers are women, while urban units have mostly men.

Canada Post refuses to even acknowledge the existence of a pay gap, and the government is dragging its feet. Women have been waiting for far too long.

When will the government keep its promise and stop this injustice?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, a gender pay gap in 2018 is unacceptable.

After 10 years of inaction by the previous government, we are working to eliminate the pay gap and support women's participation in the workforce. We have invested \$7 billion into early childhood education and daycare. We have increased parental and maternity benefits. We have invested in affordable housing and home care infrastructure. We are introducing flexible work arrangements for employees under federal jurisdiction. I could go on. I know that there is work left to do, and we will continue to work on that.

[English]

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Mr. Speaker, for 30 years Canada Post fought its female workers in court. It is shameful.

Two years ago, the Liberals voted for our NDP motion to give women the respect we deserve and implement pay equity, but we still have not seen any movement. The Prime Minister claims to be a feminist, yet the government has not legislated pay equity in law. Women want concrete action today. We have waited far too long already.

With the budget coming in two weeks, will the government finally introduce measures to legislate equal pay for women? We are looking for action, not words.

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, I am very pleased that half an hour into question period we finally get a question on the upcoming budget.

We consider that a gender wage gap in 2018 is unacceptable. Therefore, after 10 years of inaction from the previous government, we are taking action to help address the wage gap and support women's labour market participation.

Already we have put \$7 billion to address early learning and child care. We have increased parental and maternity benefits. We have invested in affordable housing and home care, and we are also going to be moving forward on pay equity.

\* \* \*

**YOUTH**

**Mr. Raj Grewal (Brampton East, Lib.):** Mr. Speaker, in my riding of Brampton East, young people are eager to share their ideas on the most pressing issues of our time. Each week, I host a basketball drop-in where a hundred young Canadians come in. We play some ball and talk about issues impacting Canada's future.

Whether it is climate change, economic prosperity, or social justice issues, young Canadians are ready to have their voices added to the conversation.

Will the Prime Minister please update the House and all Canadians on the launch of a national dialogue on Canada's first youth policy and how young Canadians can get involved?

● (1450)

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, as we know, young Canadians are not just leaders of tomorrow; they are leaders today. We announced the launch of a new interactive online platform, youthaction.ca, where young Canadians can share their ideas and perspectives on the development of a youth policy. This is the first step toward building a policy that will hold this government and future governments to account when it comes to issues that matter to young Canadians.

I encourage all young Canadians to join the conversation, and I look forward to their feedback.

\* \* \*

**NATURAL RESOURCES**

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, if the Liberals have a plan of action and they are going to actually do what it takes to get Trans Mountain built, why did they refuse to tell Canadians exactly what that plan is? The only consistent action by the Liberals has been inaction, and the Prime Minister's failure of leadership has directly led to the escalating interprovincial dispute. Clearly, he has lost control of this national priority.

The pipeline opponents say that they will use all tools available to kill it. What tools will the Prime Minister commit to using to get the pipeline built?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, this is eerily reminiscent of the tone and approach that for 10 years failed to get pipelines built by the previous Conservative government. The Conservatives thought that ramming things through was the way to get things done, and they did not get it done.

On this side of the House, we understand what Canadians know, that we protect the environment and grow the economy together, and that is exactly what we are doing. That is why we put forward a national plan on fighting climate change at the same time as we are moving forward on building the Keystone XL, or rather the Kinder Morgan pipeline.

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

*Oral Questions*

**The Speaker:** Order. Feel the love. It is Valentine's Day.

The hon. member for Lakeland.

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, that is confidence building, but that was the wrong one.

The minister says that he will not accept any undue delays on the Trans Mountain expansion, although he will not define them, even though it has already been held up for 142 days. Construction is stalled. Spending is slowed, and operations are postponed.

The Prime Minister says that he will not allow it to be stalled or stopped, and he claims the pipeline will be built. However, yesterday the Liberals defeated a motion just asking them to set out a concrete plan of action, and he will not answer today.

Is the Prime Minister not willing to announce his plan because he actually does not even have one?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, we understand that protecting the environment and growing the economy go together, and that is exactly what we have done. We have focused on building a world-class carbon reduction plan that is actually going to deliver on our Paris targets. We have invested over \$1.5 billion in protecting our coasts, and we are moving forward on getting our resources to new markets through the Kinder Morgan pipeline.

These are the things that Canadians expect of a government, to pull things together and create an economy and an environment that go together. That is what the Conservatives failed to do. That is what we are doing.

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, let us look at the facts regarding the Liberals and pipelines.

The Prime Minister was a failure on northern gateway. That one is dead. The Liberals' anti-development policy has killed energy east. That is dead. Trans Mountain is now under threat because the Prime Minister is abdicating his responsibility and missing in action. The Prime Minister's standing up and spouting platitudes is not leadership.

Does he have a plan, and when is Kinder Morgan going to get started?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, the leadership we have demonstrated on growing the economy and protecting the environment, together, is showing its fruits. It is showing benefits.

We have the fastest-growing economy in the G7 right now and the lowest unemployment rate in 40 years, and that is partially because we have restored Canadians' trust in our process. They know that we can both reduce our carbon emissions to meet our Paris targets, and build outlets for our resources to new markets, such as the Kinder Morgan pipeline.

That is what Canadians expect. That is what the Conservatives failed at.

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, we have heard the Prime Minister, his top advisers, and many of his own caucus say that they think our oil should stay in the ground and pipelines should not even be built.

Now the Prime Minister has said that approving Trans Mountain was a trade-off. He admitted that he used it as a bargaining chip to negotiate with. It is clear that the Prime Minister does not value or respect our natural resources and the people who work in them. He sees them as pawns for his own benefit.

When will the Prime Minister stand up for energy workers' interests and get Trans Mountain started?

• (1455)

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, it is in questions like this that we see the Conservatives have learned nothing from the 2015 election campaign.

They still refuse to accept that the environment and the economy need to go together. They fought against that for 10 years. Not only were they unable to protect our environment, but they did not get anything done on the economic side, because they refuse to understand that the only way to grow the economy and create jobs in the future for Canadians is to be responsible on the environment at the same time. They refuse to get that.

\* \* \*

[Translation]

**EMPLOYMENT INSURANCE**

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, government after government, be it Liberal or Conservative, has left seasonal workers out in the cold.

The spring gap is when workers' benefits run out during the off-season because of bad employment insurance reforms. For some, the spring gap can last over four months. The Liberals broke their promise to scrap the Conservatives' reform, which penalizes seasonal workers and their families.

When will this government keep its promises and help seasonal workers? Maybe in the upcoming budget?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, when we were elected, we promised to restore employment insurance and reverse the Conservatives' changes, and that is exactly what we did.

I would like to thank all our members from the Atlantic provinces, Quebec, and elsewhere in the country who worked with us to give seasonal workers the employment insurance options they need.

Yes, we are very aware of the upcoming spring gap. That is why we are committed to working with them to address that challenge.

*Oral Questions*

[English]

● (1500)

**CANADIAN HERITAGE**

**Mr. Wayne Stetski (Kootenay—Columbia, NDP):** Mr. Speaker, this year marks 80 years since Gatineau Park was established, and for nearly 50 years the Canadian Parks and Wilderness Society has been striving for its protection. Gatineau Park is a cherished resource within our national capital region, and home to 118 rare or endangered species, but despite its importance, there are no restrictions on development and no set borders for the park.

Will the Prime Minister and the Minister of Canadian Heritage accept CPAWS' request and amend the National Capital Act to protect the ecological integrity of Gatineau Park and establish its boundaries in law?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, like many people who live in Ottawa, we appreciate Gatineau Park to an extraordinary degree. The trails and the millions of Canadians who visit it every year make it a true jewel in our national capital region.

We will continue to work with the National Capital Commission and various partners to ensure that we are doing everything we can to protect this beautiful wilderness area for generations to come.

\* \* \*

**FOREIGN AFFAIRS**

**Hon. Erin O'Toole (Durham, CPC):** Mr. Speaker, the Prime Minister of Canada has been silent on the Iranian protest, which Amnesty International yesterday confirmed has led to thousands being imprisoned. He has been silent on drones and missiles financed by Iran facing our ally Israel. He has been silent even on the death of a Canadian, Professor Seyed-Emami, in an Iranian prison on the weekend.

Instead of silence from the Prime Minister, when can we have him stand up for human rights, for democracy, and for Canadians, instead of cozying up to the Iranian regime?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, this government has been consistent in standing up for human rights everywhere around the world. Whenever I meet with any leader around the world, I bring up human rights and we talk about the importance of protecting Canadian interests. In this tragic case coming out of Iran, we have communicated clearly our desire for an autopsy, for a complete independent investigation. We demand that Canadians be treated fairly, that their families be supported, and that we get to the bottom of this situation.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, an independent investigation from the Government of Iran? After those town halls, maybe it is hard to know when the Prime Minister is joking, but this joke is not funny. The Government of Iran is a regime that gives LGBTQ children electric shock therapy.

The government should stop cozying up to the regime. This is his chance. The Prime Minister has said nothing thus far on the protest. Could he stand up and finally support the cause of protesters who are fighting for democracy, human rights, justice, and the rule of law?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, on this side of the House we are always unequivocal about standing up for LGBTQ rights. We are, of course, deeply troubled by the deaths and detentions of protesters during protests in Iran. The Iranian people must be able to freely assemble without facing violence or imprisonment. We will always defend human rights. That is why Canada rallied more countries than ever before at the UN in November on a resolution calling on Iran to comply with its international human rights obligations. Our government is committed to holding Iran to account for its violation of human and democratic rights.

\* \* \*

**INTERNATIONAL AID**

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Mr. Speaker, organizations are swiftly ending their affiliation with Oxfam after serious allegations of its staff sexually exploiting Haitian women surfaced. In November, the Prime Minister announced \$17.5 million to Oxfam's Philippine operations to empower women and girls in gender-sensitive sexual health services. Today, Oxfam's regional director for Asia said she knew of claims of sexual abuse involving their staff in the Philippines.

Will the Prime Minister suspend funding to Oxfam?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, we strongly condemn all forms of exploitation and abuse of women and children in the conduct of international aid operations and we take these situations and these allegations very seriously. Oxfam Canada and Oxfam-Québec confirm that no employee or Canadian funds are connected to the deplorable situation in Haiti. In regard to the Philippines, we are following up. We require that all partners we work with in disaster or humanitarian situations adhere to internationally agreed on codes of conduct and code principles related to sexual exploitation and abuse.

\* \* \*

**CITIZENSHIP AND IMMIGRATION**

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Mr. Speaker, love is in the air as today is Valentine's Day. I am reminded of the Centeno family. They are a married couple with children and face difficulty due to separation. Through a spousal sponsorship, they were reunified and overjoyed that their file was approved and finalized. The Conservatives kept newcomer families apart by making them wait for over 26 months to be reunited in Canada with their spouses and children.

*Oral Questions*

Will the Prime Minister please give the House an update on how our government is continuing to support family reunification on this Valentine's Day?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, I want to first thank the member for Surrey Centre for his advocacy on this family reunification issue.

The Conservatives left us a backlog of over 75,000 applications and forced families to remain separated from each other for over two years. With our commitment and investments in family reunification, we have reduced the backlog to under 15,000 and maintained a service standard for processing applications in under 12 months for spouses and children. While Conservatives kept families apart, our government will continue to work to reunite loved ones.

\* \* \*

[Translation]

**STATUS OF WOMEN**

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, Bill C-452, introduced by a female member of Parliament to help women who are victims of human trafficking, was shelved by a Prime Minister who claims to be a feminist.

Instead of accepting the decisions made by the House and the Senate, he came back with his own bill, which favours the offenders over the women.

Why will he not acknowledge that his bill is sloppy, and when will he help and protect these vulnerable women?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, our approach as a feminist government has been to invest in women, support women, invest in combatting gender-based violence, and ensure that women have recourse in difficult situations.

We will continue to support women. We know that empowering women, encouraging women in the workplace, and protecting women who are victims of harassment or violence are at the core of any Canadian government's mandate.

\* \* \*

[English]

**ROYAL CANADIAN MOUNTED POLICE**

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the night that Colten Boushie was killed, the RCMP raided the home of his grieving mother and treated her as if she were an accomplice. They left his body lying in a field in the rain for two days. They handcuffed his friends and took them on a high-speed police chase. This is not how to treat victims of crime, so no one should say that race was not a huge part of this tragedy.

Will the Prime Minister agree to an independent investigation into the RCMP's handling of the Boushie killing, and tell the House that the RCMP in Saskatchewan will finally be brought under an independent review process to deal with police complaints?

• (1505)

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, I was touched and honoured to be able to sit with Colten Boushie's family members just yesterday, and to reflect with them on

the challenges facing not just them, but indigenous peoples across the country, facing the justice system and facing police services.

What I was incredibly inspired by in their conversation was that despite all the pain and anger, they are very much focused on fixing the system for the future for other families. We are going to work with them. We are going to fix our justice system and our police systems to make sure everyone is treated fairly.

\* \* \*

[Translation]

**EMPLOYMENT INSURANCE**

**Mr. Rémi Massé (Avignon—La Mitis—Matane—Matapédia, Lib.):** Mr. Speaker, my colleagues and I work hard to represent our constituents in Ottawa. For some time now, people in our ridings have been expressing concerns about the EI gap, an issue our government is particularly sensitive to.

As the Prime Minister said earlier, we have already reversed the Conservatives' EI reforms. We know that supporting seasonal workers is essential.

Could the Prime Minister tell us more about this situation to address the concerns of seasonal workers?

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, I want to thank the member from Avignon—La Mitis—Matane—Matapédia for his question.

I would like to start by saying that all of our Atlantic and Quebec MPs are doing a great job of representing their constituents and drawing attention to the EI gap, which is a major problem.

We are aware of the reality faced by seasonal workers. We are currently working to find short- and long-term solutions to this problem. I am proud of our team, whose members continue to defend their communities' interests here in Ottawa.

\* \* \*

**PUBLIC SERVICES AND PROCUREMENT**

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):** Mr. Speaker, negotiations between the Canadian Coast Guard and Davie shipyard will begin tomorrow morning at 9 because we need icebreakers. Who said that? It was the Prime Minister himself.

That was in Quebec City in January during the Prime Minister's tour. There has been radio silence ever since. The Davie shipyard workers are being shortchanged despite having successfully delivered the first supply ship, the *Asterix*, on time and on budget.

When will the shipyard workers get to resume working on the four icebreakers the Prime Minister promised?

*Private Members' Business*

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, the Davie shipyard is a major shipyard and we recognize the expertise of its workers. They did an excellent job delivering the *Asterix*. After consultations with the industry, the Government of Canada started discussing options with Davie shipyard to see whether it could help meet the needs of the Canadian Coast Guard for interim icebreaker capacity.

We are in the initial stages and we hope to provide more information once the discussions are complete.

\* \* \*

**TAXATION**

**Mr. Gabriel Ste-Marie (Joliette, BQ):** Mr. Speaker, regarding the Davie shipyard, it is high time the Liberals put their money where their mouth is.

The Minister of National Revenue showed a lack of respect yesterday for my constituents and the people represented by all opposition members with her contemptuous remarks in question period, although she did apologize.

Will the Prime Minister, who is the grand master of apologies, follow suit and apologize to honest taxpayers, the people who pay their taxes, while his government is giving a free pass to the wealthy by signing more agreements with tax havens?

This deserves a real apology.

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, the very first thing we did in government was lower taxes for the middle class and ask the wealthy to do a little more and pay more taxes. Next, we introduced the Canada child benefit, which is giving more money to nine out of ten families and will lift 40% of young people out of poverty. We are talking about roughly 100,000 young people. We will continue to combat tax evasion and tax avoidance, specifically through the \$1-billion investment we made in our first two years so that the Canada Revenue Agency can do its job.

**PRIVATE MEMBERS' BUSINESS**

• (1510)

[Translation]

**PREVENTION OF RADICALIZATION THROUGH FOREIGN FUNDING ACT**

The House resumed from February 9 consideration of the motion that Bill C-371, An Act respecting the prevention of radicalization through foreign funding and making related amendments to the Income Tax Act be read the second time and referred to a committee.

**The Speaker:** It being 3:09 p.m., pursuant to order made Tuesday, February 13, the House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-371 under private members' business.

Call in the members.

• (1520)

[English]

(The House divided on the motion, which was negated on the following division:)

(Division No. 451)

**YEAS**

Members

Aboultair	Albas
Albrecht	Allison
Anderson	Arnold
Barlow	Barsalou-Duval
Beaulieu	Benzen
Bergen	Bernier
Berthold	Bezan
Blaney (Bellechasse—Les Etchemins—Lévis)	Block
Boucher	Boudrias
Brassard	Brown
Calkins	Carrie
Chong	Clarke
Clement	Cooper
Deltell	Diotte
Dreeschen	Eglinski
Falk (Battlefords—Lloydminster)	Falk (Provencher)
Fast	Finley
Généreux	Genius
Gill	Gladu
Godin	Gourde
Harder	Hoback
Jeneroux	Kelly
Kent	Kniec
Kusie	Lauzon (Stormont—Dundas—South Glengarry)
Leitch	Lloyd
Lobb	Lukiwski
MacKenzie	Maguire
McCauley (Edmonton West)	McColeman
Miller (Bruce—Grey—Owen Sound)	Motz
Nater	Nicholson
Nuttall	O'Toole
Paul-Hus	Pauzé
Plamondon	Poillievre
Rayes	Reid
Rempel	Richards
Saroya	Schmale
Shields	Shipley
Sopuck	Sorenson
Stanton	Ste-Marie
Strahl	Stubbs
Sweet	Thériault
Tilson	Van Kesteren
Van Loan	Vecchio
Viersen	Wagantall
Warawa	Warkentin
Waugh	Webber
Wong	Yurdiga
Zimmer — 95	

**NAYS**

Members

Aldag	Alghabra
Alleslev	Amos
Anandasangaree	Angus
Arseneault	Arya
Aubin	Ayoub
Badawey	Bagnell
Bains	Baylis
Beech	Bennett
Benson	Bibeau
Bittle	Blaikie
Blair	Blaney (North Island—Powell River)
Boissonnault	Bossio
Boulerice	Boutin-Sweet
Bratina	Breton
Brisson	Brosseau
Caesar-Chavannes	Cannings
Caron	Carr
Casey (Cumberland—Colchester)	Casey (Charlottetown)

*Private Members' Business*

Chagger	Champagne
Chen	Choquette
Christopherson	Cormier
Cullen	Cuzner
Dabrusin	Damoff
Davies	DeCoursey
Dhaliwal	Dhillon
Di Iorio	Donnelly
Drouin	Dubé
Dubourg	Duclos
Duguid	Duncan (Edmonton Strathcona)
Dusseault	Duvall
Dzerowicz	Easter
Ehsassi	El-Khoury
Ellis	Erskine-Smith
Eyking	Eyolfson
Fergus	Fillmore
Finnigan	Fisher
Fonseca	Fortier
Fraser (West Nova)	Fraser (Central Nova)
Fuhr	Gameau
Garrison	Gerretsen
Goldsmith-Jones	Goodale
Gould	Graham
Grewal	Hajdu
Hardcastle	Hardie
Harvey	Hébert
Hogg	Holland
Housefather	Hughes
Hussen	Hutchings
Johns	Jolibois
Joly	Jordan
Jowhari	Julian
Khalid	Khera
Kwan	Lambropoulos
Lametti	Lamoureux
Lapointe	Lauzon (Argenteuil—La Petite-Nation)
Laverdière	LeBlanc
Lefebvre	Leslie
Levitt	Lightbound
Lockhart	Long
Longfield	Ludwig
MacAulay (Cardigan)	MacGregor
MacKinnon (Gatineau)	Malcolmson
Maloney	Massé (Avignon—La Mitis—Matane—Matapédia)
May (Cambridge)	May (Saanich—Gulf Islands)
McCrimmon	McDonald
McGuinty	McKay
McKenna	McKinnon (Coquitlam—Port Coquitlam)
McLeod (Northwest Territories)	Mendès
Mendicino	Mihychuk
Miller (Ville-Marie—Le Sud-Ouest—Île-des-Soeurs)	
Monsef	
Moore	Morneau
Morrissey	Murray
Nantel	Nassif
Ng	O'Connell
Oliphant	Oliver
O'Regan	Ouellette
Paradis	Peschisolido
Peterson	Petipas Taylor
Philpott	Picard
Poissant	Quach
Qualtrough	Ramsey
Rankin	Ratansi
Rioux	Robillard
Rodriguez	Rogers
Romanado	Rota
Rudd	Ruimy
Rusnak	Saganash
Sahota	Saini
Sangha	Sansoucy
Sarai	Scarpaleggia
Schiefke	Schulte
Serré	Sgro
Shanahan	Sheehan
Sidhu (Mission—Matsqui—Fraser Canyon)	Sidhu (Brampton South)
Sikand	Simms
Sohi	Sorbara
Spengemann	Stetski
Stewart	Tabbara
Tan	Tassi
Trudeau	Trudel
Vandal	Vandenbeld

Vaughan	Virani
Weir	Whalen
Wilkinson	Wilson-Raybould
Wrzesnewskyj	Yip
Young— 211	

PAIRED

Nil

**The Speaker:** I declare the motion defeated.

\* \* \*

[Translation]

**CHILD HEALTH PROTECTION ACT**

The House resumed from February 12 consideration of the motion that Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children), be read the second time and referred to a committee.

**The Speaker:** Pursuant to order made Tuesday, February 13, 2018, the House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill S-228 under private members' business.

● (1530)

[English]

(The House divided on the motion, which was agreed on the following division:)

*(Division No. 452)***YEAS**

Members

Aldag	Alghabra
Alleslev	Amos
Anandasangaree	Angus
Arseneault	Arya
Aubin	Ayoub
Badawey	Bagnell
Bains	Barsalou-Duval
Baylis	Beaulieu
Beech	Bennett
Benson	Bibeau
Bittle	Blaikie
Blair	Blaney (North Island—Powell River)
Boissonnault	Bossio
Boudrias	Boulerice
Boutin-Sweet	Bratina
Breton	Brison
Brosseau	Caesar-Chavannes
Cannings	Caron
Carr	Casey (Cumberland—Colchester)
Casey (Charlottetown)	Chagger
Champagne	Chen
Choquette	Christopherson
Cormier	Cullen
Cuzner	Dabrusin
Damoff	Davies
DeCoursey	Dhaliwal
Dhillon	Di Iorio
Donnelly	Drouin
Dubé	Dubourg
Duclos	Duguid
Duncan (Edmonton Strathcona)	Dusseault
Duvall	Dzerowicz
Easter	Ehsassi
El-Khoury	Ellis
Erskine-Smith	Eyking
Eyolfson	Fergus
Fillmore	Finnigan
Fisher	Fonseca
Fortier	Fraser (West Nova)
Fraser (Central Nova)	Fuhr
Gameau	Garrison



*Private Members' Business*

Genuis	Gerretsen
Gill	Goldsmith-Jones
Goodale	Gould
Graham	Grewal
Hajdu	Hardcastle
Hardie	Harvey
Hébert	Hogg
Holland	Housefather
Hughes	Hussen
Hutchings	Johns
Jolibois	Joly
Jordan	Jowhari
Julian	Khalid
Khera	Kwan
Lambropoulos	Lametti
Lamoureux	Lapointe
Lauzon (Argenteuil—La Petite-Nation)	Laverdière
LeBlanc	Lefebvre
Leslie	Levitt
Lighthouse	Lockhart
Long	Longfield
Ludwig	MacAulay (Cardigan)
MacGregor	MacKinnon (Gatineau)
Malcolmson	Maloney
Massé (Avignon—La Mitis—Matane—Matapédia)	
May (Cambridge)	
May (Saarich—Gulf Islands)	McCrimmon
McDonald	McGuinty
McKay	McKenna
McKinnon (Coquitlam—Port Coquitlam)	McLeod (Northwest Territories)
Mendès	Mencicino
Mihychuk	Miller (Ville-Marie—Le Sud-Ouest—Île-des-Soeurs)
Monsef	Moore
Morneau	Morrissey
Murray	Nantel
Nassif	Ng
O'Connell	Oliphant
Oliver	O'Regan
Ouellette	Paradis
Pauzé	Peschisolido
Peterson	Petitpas Taylor
Philpott	Picard
Plamondon	Poissant
Quach	Qualtrough
Ramsey	Rankin
Ratans	Rioux
Robillard	Rodriguez
Rogers	Romanado
Rota	Rudd
Ruimy	Rusnak
Sagamash	Sahota
Saini	Sangha
Sansoucy	Sarai
Scarpaleggia	Schiefke
Schulte	Serré
Sgro	Shanahan
Sheehan	Sidhu (Mission—Matsqui—Fraser Canyon)
Sidhu (Brampton South)	Sikand
Simms	Sohi
Sorbara	Spengemann
Ste-Marie	Stetski
Stewart	Tabbara
Tan	Tassi
Thériault	Trudeau
Trudel	Vandal
Vandenbeld	Vaughan
Virani	Weir
Whalen	Wilkinson
Wilson-Raybould	Wrzesnewskyj
Yip	Young — 220

**NAYS**

## Members

Aboultaif	Albas
Albrecht	Allison
Anderson	Arnold
Barlow	Benzen
Bergen	Bernier
Berthold	Bezan
Blaney (Bellechasse—Les Etchemins—Lévis)	Block
Boucher	Brassard

Brown	Calkins
Carrie	Chong
Clarke	Clement
Cooper	Deltell
Diotte	Dreeschen
Eglinski	Falk (Battlefords—Lloydminster)
Falk (Provencher)	Fast
Finley	Généreux
Gladu	Godin
Gourde	Harder
Hoback	Jeneroux
Kelly	Kent
Kmiec	Kusie
Lauzon (Stormont—Dundas—South Glengarry)	Leitch
Lloyd	Lobb
Lukiwski	MacKenzie
Maguire	McCauley (Edmonton West)
McColeman	Miller (Bruce—Grey—Owen Sound)
Motz	Nater
Nicholson	Nuttall
O'Toole	Paul-Hus
Poillievre	Rayes
Reid	Rempel
Richards	Saroya
Schmale	Shields
Shipley	Sopuck
Sorenson	Stanton
Strahl	Stubbs
Sweet	Tilson
Van Kesteren	Van Loan
Vecchio	Viersen
Wagantall	Warawa
Warkentin	Waugh
Webber	Wong
Yurdiga	Zimmer — 86

**PAIRED**

## Members

Fortin

Zahid — 2

**The Speaker:** I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Health.

(Bill read the second time and referred to a committee)

\* \* \*

**DEPARTMENT OF VETERANS AFFAIRS ACT**

The House resumed from February 12 consideration of the motion that Bill C-378, An Act to amend the Department of Veterans Affairs Act (fairness principles), be read the second time and referred to a committee.

**The Speaker:** Pursuant to order made on Tuesday, February 13 the House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-378 under private members' business.

● (1540)

(The House divided on the motion, which was negated on the following division:)

*(Division No. 453)***YEAS**

## Members

Aboultaif	Albas
Albrecht	Allison
Anderson	Angus
Arnold	Aubin
Barlow	Barsalou-Duval
Beaulieu	Benson
Benzen	Bergen
Bernier	Berthold
Bezan	Blaikie

*Private Members' Business*

Blaney (North Island—Powell River)	Blaney (Bellechasse—Les Etchemins—Lévis)	Dubourg	Duclos
Block	Boucher	Duguid	Dzerowicz
Boudrias	Boulerice	Easter	Ehssasi
Boutin-Sweet	Brassard	El-Khoury	Ellis
Brousseau	Brown	Erskine-Smith	Eyking
Calkins	Cannings	Eyolfson	Fergus
Caron	Carrie	Fillmore	Finnigan
Chong	Choquette	Fisher	Fonseca
Christopherson	Clarke	Fortier	Fraser (West Nova)
Clement	Cooper	Fraser (Central Nova)	Fuhr
Cullen	Davies	Garneau	Gerretsen
Deltell	Diotte	Goldsmith-Jones	Goodale
Donnelly	Dreeshen	Gould	Graham
Dubé	Duncan (Edmonton Strathcona)	Grewal	Hajdu
Dusseau	Duvall	Hardie	Harvey
Egliniski	Falk (Battlefords—Lloydminster)	Hébert	Hogg
Falk (Provencher)	Fast	Holland	Housefather
Finley	Garrison	Hussen	Hutchings
Généreux	Genuis	Joly	Jordan
Gill	Gladu	Jowhari	Khalid
Godin	Gourde	Khera	Lambropoulos
Hardcastle	Harder	Lametti	Lamoureux
Hoback	Hughes	Lapointe	Lauson (Argenteuil—La Petite-Nation)
Jeneroux	Johns	LeBlanc	Lefebvre
Jolibois	Julian	Leslie	Levitt
Kelly	Kent	Lightbound	Lockhart
Kmiec	Kusie	Long	Longfield
Kwan	Lauson (Stormont—Dundas—South Glengarry)	Ludwig	MacAulay (Cardigan)
Laverdière	Leitch	MacKinnon (Gatineau)	Maloney
Lloyd	Lobb	Massé (Avignon—La Mitis—Matane—Matapédia)	
Lukiwski	MacGregor	May (Cambridge)	
MacKenzie	Maguire	McCrimmon	McDonald
Malcolmson	May (Saarich—Gulf Islands)	McGuinity	McKay
McCauley (Edmonton West)	McColeman	McKenna	McKinnon (Coquitlam—Port Coquitlam)
McLeod (Kamloops—Thompson—Cariboo)	Miller (Bruce—Grey—Owen Sound)	McLeod (Northwest Territories)	Mendès
Moore	Motz	Mendicino	Mihychuk
Nantel	Nater	Miller (Ville-Marie—Le Sud-Ouest—Île-des-Sœurs)	
Nicholson	Nuttall	Monsef	
O'Toole	Paul-Hus	Morneau	Morrissey
Pauzé	Plamondon	Murray	Nassif
Poillievre	Quach	Ng	O'Connell
Ramsey	Rankin	Oliphant	Oliver
Rayes	Reid	O'Regan	Ouellette
Rempel	Richards	Paradis	Peschisolido
Saganash	Sansoucy	Peterson	Petitpas Taylor
Saroya	Schmale	Philpott	Picard
Shields	Shipley	Poissant	Qualtrough
Sopuck	Sorenson	Ratansi	Rioux
Stanton	Ste-Marie	Robillard	Rodriguez
Stetski	Stewart	Rogers	Romanado
Strahl	Stubbs	Rota	Rudd
Sweet	Thériault	Ruimy	Rusnak
Tilson	Trudel	Sahota	Saini
Van Kesteren	Van Loan	Sangha	Sarai
Vecchio	Viersen	Scarpaleggia	Schiefke
Wagantall	Warawa	Schulte	Serré
Warkentin	Waugh	Sgro	Shanahan
Webber	Weir	Sheehan	Sidhu (Mission—Matsqui—Fraser Canyon)
Wong	Yurdiga	Sidhu (Brampton South)	Sikand
Zimmer — 137		Simms	Sohi
		Sorbara	Spengemann
		Tabbara	Tan
		Tassi	Trudeau
		Vandal	Vandenbeld
		Vaughan	Virani
		Whalen	Wilkinson
		Wilson-Raybould	Wrzesnewskyj
		Yip	Young — 170

**NAYS**

## Members

Aldag	Alghabra
Alleslev	Amos
Anandasangaree	Arseneault
Arya	Ayoub
Badawey	Bagnell
Bains	Baylis
Beech	Bennett
Bibeau	Bittle
Blair	Boissonnault
Bossio	Bratina
Breton	Brisson
Caesar-Chavannes	Carr
Casey (Cumberland—Colchester)	Casey (Charlottetown)
Chagger	Champagne
Chen	Cormier
Cuzner	Dabrusin
Damoff	DeCoursey
Dhaliwal	Dhillon
Di Iorio	Drouin

**PAIRED**

## Members

Fortin Zahid — 2**The Speaker:** I declare the motion defeated.

I wish to inform the House that because of the deferred recorded divisions, government orders will be extended by 30 minutes.

*Routine Proceedings***ROUTINE PROCEEDINGS***[English]***CERTIFICATES OF NOMINATION**

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, pursuant to Standing Order 111.1, I have the honour to table, in both official languages, a certificate of nomination with the biographical notes for the proposed appointment of Caroline Maynard as the Information Commissioner.

I request that the certificate of nomination and biographical notes be referred to the Standing Committee on Access to Information, Privacy and Ethics.

\* \* \*

**RIGHTS OF INDIGENOUS PEOPLES**

**Right Hon. Justin Trudeau (Prime Minister, Lib.):** Mr. Speaker, I would like to begin by recognizing that we are, as we are every day in the House, on the ancestral land of the Algonquin people.

*[Translation]*

Last September, I spoke before delegations from all over the world at the United Nations. I told them the harsh truths about the long and complex relationship that Canada has with first nations, the Inuit, and the Métis nation. I spoke about the colonial approach that led to the Indian Act, which is discriminatory and paternalistic.

*[English]*

It was a colonial approach that systematically ignored the history of the Métis nation and denied its people their rights and that in the name of Canadian sovereignty, forced the relocation of entire Inuit communities, starving individuals, uprooting families, and causing generations of harm.

*[Translation]*

I am sure that all members of the House are very familiar with these tragic events, but it is remarkable how much Canadians know about them.

*[English]*

I just finished a series of town hall visits in communities all across Canada. Everywhere I went, there was at least one person who wanted to know what our government is doing to combat racism, to help advance reconciliation, to improve the quality of life for indigenous peoples. There were questions about fishing rights, land claims, and pipeline approvals, questions about the national inquiry into missing and murdered indigenous women and girls, about clean water, and about the alarming number of indigenous children in foster care.

These were thoughtful questions, and it was immediately clear, every time these kinds of questions were asked, that the room leaned in to hear. This was, in part, a show of support for the people who stood up and asked some tough questions, but it was also a signal that these are questions that Canadians want answered, questions that strike right at the heart of who we are and what kind of country we want to be.

One of those questions is how we, as a government, recognize and implement the rights of indigenous peoples. We have seen those questions grow in number and intensity in just these past few days, as more and more Canadians come to grips with the fact that we have so much more work to do, more work to push back against the systemic racism that is the lived reality for so many indigenous peoples, more work to deal with the fact that too many feel and fear that our country and its institutions will never deliver the fairness, justice, and real reconciliation that indigenous peoples deserve.

There is also reason to be hopeful. Yesterday I had the honour of spending some time with Colten Boushie's family, with his mom, Debbie; cousin, Jade; and Uncle Alvin. Through all their grief and anger, and frustration, their focus was not on themselves and the tragedy they just endured, but on how we must work together to make the system and our institutions better, better for indigenous youth, for indigenous families, and for all Canadians.

We have a responsibility to do better, to be better, to do our best to make sure that no family has to endure what they went through.

The criminal justice system is just one place in which reforms are urgently needed. Reforms are needed to ensure that, among other things, indigenous peoples might once again have confidence in a system that has failed them all too often in the past. That is why we will bring forward broad-based concrete reforms to the criminal justice system, including changes to how juries are selected.

● (1545)

*[Translation]*

Obviously, indigenous peoples and all Canadians know that change is way overdue.

At the same time, some see our government's ambitious commitments with a certain degree of distrust. If we look at how things have been done in the past, it is difficult to honestly say that such distrust is not warranted.

After all, it is not as though we are the first government to recognize the need to make changes and to promise to do things differently.

Over 20 years have passed since the Royal Commission on Aboriginal Peoples called for the recognition of indigenous people as self-governing nations with a unique place in Canada. Over 30 years have passed since the Penner report and the first ministers' conferences on the rights of aboriginal peoples.

*[English]*

Last year marked 35 years since aboriginal and treaty rights were recognized and affirmed through section 35 of the Constitution Act. The government of the day, led by my father, did not intend to include these rights at the outset. It was the outspoken advocacy of first nations, Inuit, and Métis peoples, supported by non-indigenous Canadians, that forced that government to reconsider.

*Routine Proceedings*

Imagine what that must have felt like, to have fought so long, so hard, against colonialism, rallying their communities, reaching out to Canadians, riding the Constitution express, and in the end, to finally be recognized and included, to see their rights enshrined and protected in the foundational document upon which Canada's democracy rests.

Now, imagine the mounting disappointment, the all too unsurprising and familiar heartache, and the rising tide of anger when governments that had promised so much did so little to keep their word.

The challenge then, as now, is that while section 35 recognizes and affirms aboriginal and treaty rights, those rights have not been implemented by our governments. The work to give life to section 35 was supposed to be done together with first nations, Inuit, and Métis peoples, and while there has been some success, progress has not been sustained nor significant. Therefore, over time it too often fell to the courts to pick up the pieces and fill in the gaps. More precisely, instead of outright recognizing and affirming indigenous rights, as we promised we would, indigenous peoples were forced to prove time and time again, through costly and drawn out court challenges that their rights existed and must be recognized and implemented.

● (1550)

[*Translation*]

Indigenous peoples, like all Canadians, know that this must change, and we know this too. That is why we have been working hard for two years to renew our relationship with indigenous peoples, a relationship based on recognition of rights, respect, co-operation, and partnership. We are on the right track.

[*English*]

We endorsed the United Nations Declaration on the Rights of Indigenous Peoples without qualification and committed to its full implementation, including with government support for Bill C-262.

We engaged in new recognition of rights and self-determination negotiations, where the government and indigenous peoples work together on the priorities indigenous partners say are necessary to advance their vision of self-determination.

We signed agreements with first nations, Inuit, and the Métis nation, outlining how we will work together to identify each community's distinct priorities and how we will work together to develop solutions.

We established a working group of ministers to review our federal laws, policies, and operational practices to ensure the crown is meeting its constitutional obligations and adhering to international human rights standards, including the UN Declaration on the Rights of Indigenous Peoples.

To guide the work of decolonizing Canadian laws and policies, we adopted principles respecting Canada's relationship with indigenous peoples.

[*Translation*]

To preserve, protect, and revitalize indigenous languages, we are working jointly with indigenous partners to develop a First Nations,

Inuit, and Métis languages act. We have made changes in order to recognize indigenous rights and traditional knowledge, as well as to make sure that indigenous peoples are more included when there are developments in their communities.

[*English*]

These efforts are an important start, but they are just a start. To truly renew the relationship between Canada and indigenous peoples, not just for today but for the next 150 years and beyond, we need a comprehensive and far-reaching approach. We need a government-wide shift in how we do things. We need to both recognize and implement indigenous rights, because the truth is, until we get this part right, we will not have lasting success on the concrete outcomes that we know mean so much to everyone.

Indigenous peoples in Canada should be able to drink the water that comes out of their taps. They should be able to go to sleep in homes that are safe and not overcrowded. Indigenous children should be able to stay with their families and communities where they are known and loved. Indigenous youth should not grow up surrounded by the things that place them at elevated risk for suicide, such as poverty, abuse, and limited access to a good education and good health care.

All of these things demand real, positive action, action that must include and be grounded in the full recognition and implementation of indigenous rights. We need to get to a place where indigenous peoples in Canada are in control of their own destinies and making their own decisions about their futures.

● (1555)

Today, I am pleased to announce that the government will develop, in full partnership with first nations, Inuit, and Métis people, a new recognition and implementation of indigenous rights framework that will include new ways to recognize and implement indigenous rights. This will include new recognition and implementation of rights legislation. Going forward, recognition of rights will guide all government interactions with indigenous peoples. The contents of the framework that we build together will be determined through a national engagement led by the Minister of Crown-Indigenous Relations and Northern Affairs with support from the Minister of Justice.

[*Translation*]

Earlier, I cited many reports and a number of previous studies and consultations. I can appreciate that some would see any future consultation as just another hindrance to the struggle for the self-determination of indigenous people. Let us be clear: no matter how responsible, well-intentioned, or thoughtful it is, a solution coming just straight out of Ottawa will not do much good.

We understand that indigenous peoples are looking forward to beginning the considerable work themselves to rebuild their nations and their institutions. As a government, our work is to support First Nations, Inuit, and Métis peoples and to work in partnership with them to establish the framework and provide them with the tools they need as they lead the way, together with all Canadians.

*Routine Proceedings**[English]*

We will also be engaging the provinces and territories, non-indigenous Canadians, people from civil society, industry, and the business community, and the public at large, because all Canadians have a stake in getting this right. While the results of this engagement will guide what the final framework looks like, we believe that, as a starting point, it should include new legislation and policy that would make the recognition and implementation of rights the basis for all relations between indigenous peoples and the federal government moving forward.

This framework gives us the opportunity to build new mechanisms to recognize indigenous governments and ensure the rigorous, full, and meaningful implementation of treaties and other agreements. With this framework, we have a chance to develop new tools to support the rebuilding of indigenous communities, nations, and governments, and advance self-determination, including the inherent right of self-government.

This framework could establish new ways to resolve disputes so that collaboration becomes the new standard and conflict the exception rather than the rule. By including tools that oblige the federal government to be more transparent and accountable, we can build greater trust between indigenous peoples and government.

*[Translation]*

Lastly, with this new framework, we will be able to better align Canadian legislation and policies with the United Nations Declaration on the Rights of Indigenous Peoples, which the government wholeheartedly supports.

We believe that a framework that includes measures such as this one will finally act on many of the recommendations made by the Royal Commission on Aboriginal Peoples and the Truth and Reconciliation Commission of Canada and set out in countless other studies and reports over the years.

*[English]*

Some may worry that this ambitious approach may require reopening the Constitution. That is not true. In fact, we are finally fully embracing and giving life to the existing section 35 of the Constitution. We will replace policies like the comprehensive land claims policy and the inherent right to self-government policy with new and better approaches that respect the distinctions between first nations, Inuit, and Métis peoples. This will give greater confidence and certainty to everyone involved.

The federal government's absence over generations in recognizing and implementing indigenous rights has resulted in social and economic exclusion, uncertainty, and litigation, when our shared focus should have always been on creating prosperity and opportunity for everyone. Better opportunities for indigenous peoples and certainty for indigenous youth are precisely what we hope to achieve through this framework.

Engagement will continue throughout the spring, but it is our firm intention to have the framework introduced later this year and implemented before the next election.

● (1600)

*[Translation]*

This is work not only for the government, but for this Parliament as well. There will be committee work, witnesses, and vigorous debate in both chambers.

The history of Canada's relationship with indigenous peoples transcends all governments. The Indian Act was passed in this House, as was section 35. Now, as a Parliament, we have the opportunity, and in fact the responsibility, to finally implement section 35.

We all know that we cannot erase the past. We cannot recover what was lost. What we can do, what we must do, is to commit to being better and doing better. As a start, let us do what the Constitution Act, 1982, has required us to do for almost 40 years.

*[English]*

We will work together to do away with legislation and policies built to serve colonial interests. We will work together as we follow through on our commitments to build a new and better relationship.

Indigenous Canadians and all Canadians are ready for change, ready for a new relationship based on recognition, rights, respect, co-operation, and partnership. With a recognition and implementation of rights framework, we can build that new relationship together. It will not be easy, nothing worth doing ever is, but it will be worth it. It will be worth it because we will have taken more steps toward righting historical wrongs. It will be worth it because we will have replaced apathy with action, ignorance with understanding, and conflict with respect. We will have laid the foundation for real and lasting change, the kind of change that can only come when we fully recognize and implement indigenous rights.

Together we will take concrete action to build a better future, a better Canada, for indigenous peoples and for all Canadians.

● (1605)

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, I rise today to speak on behalf of the official opposition and the Conservative caucus in response to the ministerial statement.

The Prime Minister and the government have just informed the House that they intend to move forward with negotiations with a broad range of stakeholders, most specifically and crucially, Canada's indigenous communities and peoples on the construction of a new framework for indigenous rights in Canada and the relationship rooted in those rights. This, of course, is a noble and important goal. The rights of indigenous peoples in Canada for too long were ignored, maligned, or bent in the pursuit of other interests, and it is incumbent on all of us to continue moving forward in the spirit of reconciliation.

It is unacceptable that in a nation such as Canada so drastic a disparity should exist between indigenous communities and their fellow non-indigenous citizens. When communities lack even something as essential as drinking water, there is still much important work to be done, and quickly.

*Routine Proceedings*

The road to reconciliation has not always been easy. Even with the best of intentions, we sometimes falter. Yet, as many in the House know, successive governments have also taken important steps forward to correct and make amends for the diminishing of the rights of Canada's indigenous peoples.

I and many of my colleagues on this side of the House are proud of the previous government's record in this regard. It was, of course, a Conservative government that first made important steps for Canada to endorse the UN Declaration on the Rights of Indigenous Peoples in a manner fully consistent with Canada's Constitution and laws, almost a decade ago.

Under a Conservative government, there was a significant awakening in Canada's relationship with first nations, Inuit, and Métis peoples, exemplified by the apology to the former students of Indian residential schools. There was also the historic creation of the Truth and Reconciliation Commission, the apology for relocation of Inuit families to the High Arctic, and the honouring of all Métis veterans at Juno Beach, among other milestones. The contributions and challenges of Canada's indigenous peoples were, and must continue to be, recognized and addressed.

In particular, the recognition of the Declaration on the Rights of Indigenous Peoples and the Truth and Reconciliation Commission combine to create the lens through which so much of our current work is now focused. They remain watershed moments for Canada's relationship with its indigenous peoples.

Together, all parties agreed to a new path for Canada, one wholly devoted to appreciating the depth of this country's diverse aboriginal cultures.

For nearly 10 years, it was a Conservative government that did take action to improve the lives of indigenous peoples in Canada, in partnership with their leadership, communities, and industries.

The challenges were significant, but we did make progress. Economic development, job readiness, housing, child and family services, education, access to safe drinking water, land claims, governance, and sharing benefits of natural resources development were core principles that provided the foundation for a new relationship.

One of the more crucial elements to the plan was the extension of human rights protection and matrimonial real property rights to first nations on reserve. Those were important steps to ensuring that Canada's indigenous peoples saw themselves reflected in the same human rights protections afforded to any other Canadian citizen, with an emphasis particularly on women. No protections or initiatives are more important to any government than those having to do with recognizing the rights of every person who calls Canada home.

Under the previous government, there was significant progress made toward fulfilling and protecting the rights of aboriginal peoples, especially in filling existing gaps affecting the rights of indigenous peoples living on reserve.

Section 67, as we alluded to, of the Canadian Human Rights Act was repealed to ensure that indigenous people in Canada have full

access to the protections of the Canadian Human Rights Act when living on reserve.

The Family Homes on Reserves and Matrimonial Interests or Rights Act was enacted, providing spouses on reserve with basic rights and protections that any Canadian would expect. In so many instances where the act took effect, the primary beneficiaries were women and children.

• (1610)

We also made great strides in the reconciliation and fulfillment of aboriginal rights through the negotiation of modern treaties and the settlement of land claims. These initiatives were all crucial for real and lasting progress and, as is the hope of everyone in this House, a prosperous future for indigenous peoples. It is a record not just of goals achieved but of goals designed to be achievable, to deliver results in the lifespan of a government elected over and over again because it could be trusted to get things done.

Allow me to reiterate that much good work has been done in consultation and in partnership with indigenous leaders to improve every aspect of indigenous life in Canada, not just to improve but to promote, to champion, and to hold up to the world a Canadian example of how all sides can work together to make that future even brighter. Of course, it always must be coupled with the recognition that we are far from perfect. It is heartening to hear the Prime Minister say that any steps forward the government takes in the creation of a new framework for indigenous rights will be done in full consultation with indigenous communities, leaders, and others.

If I were to point to any concern with the Prime Minister's promises, it is that the government has too often fallen short of them, even in its brief time in office. There is always room for improvement when it comes to Canada's approach, and that is true regardless of the government of the day, but the current Liberal government in particular has had significant difficulty in delivering on the lofty commitments it makes. It has been unable to adhere to its own standard of openness and transparency, despite arguments to the contrary. Community members have been deprived of basic financial information by the government. It is unable to hold its leadership to account and this is not democracy. The government is on track to fall well short of some of the deadlines it set in the most recent election when it comes to promises made.

We all must recognize that there can be no true and lasting reconciliation without considering economic reconciliation, empowering indigenous communities to share in the wealth that Canada is so capable of creating for all of its citizens. We can and will urge the government in its consultations to consider what impediments exist to the financial success of indigenous communities and how they can be removed, thereby ensuring long-term prosperity rather than reliance on short-term solutions.

Finally, the government must take up the leadership role it has so far studiously avoided and address the challenges facing the National Inquiry into Missing and Murdered Indigenous Women and Girls.

*Routine Proceedings*

Members of this House will be watching closely at the proposals brought forward by the government. We will be testing them rigorously against standards of what is achievable in the short, medium, and long term. We will be looking to see if the talk around the table is going to lead to meaningful action on the ground that will make a difference in the quality of life of indigenous peoples.

Canada is one of the only countries in the world where indigenous and treaty rights are entrenched in its Constitution. That is a responsibility we should be taking very seriously, not one on which we should ever stake a simple election promise never to be achieved or revisited. We look forward to engaging on the ideas brought forward by the indigenous communities across the country, and working together with the current government to deliver actual results.

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):**

*[Member spoke in Cree]*

*[English]*

Mr. Speaker, I want to start by honouring the memory of the late Colten Boushie, because this tragedy, which I have lost sleep over since it happened, is an equally tragic reminder of where things are in this country they call Canada. The underlying discrimination, the denial of rights, and the impoverishment are pervasive in this country for indigenous peoples, as they are for indigenous peoples all over the world. The discrimination and other human rights violations indigenous peoples face or encounter throughout Canada are at crisis levels. It is as simple as that. Indigenous peoples, families, youth, women, and children are all impacted, with ongoing, devastating effects.

The United Nations Declaration on the Rights of Indigenous Peoples must be the framework for reconciliation to ensure that present and future generations of indigenous peoples and individuals will be treated as equal to other peoples, while recognizing our right to be different, and respected as such.

Self-determination is not just a word. Self-determination is the most basic human right, for indigenous peoples as well, without which other human rights cannot be fully enjoyed.

There is hope in the words of the Prime Minister, and I thanked him in Cree for those words. While I appreciate the Prime Minister's words today, we need to make sure that this time it is for real. One of the most unacceptable things politicians can do is to quash the hope of the most vulnerable in our society by breaking yet another promise. That cannot happen. I will not let that happen again. We have known that for 150 years. We have faced broken promises for 150 years. Guess what. We will not let that happen again for the next 150 years.

Everyone's friend internationally, Desmond Tutu, once said, "Hope is being able to see that there is light despite all of the darkness."

•(1615)

The "rising tide of anger" are the words of the Prime Minister. The rising tide of anger we feel in this country at the moment will reach further heights if he does not deliver on his commitments today,

because we all know that there is another case coming down for a ruling: Tina Fontaine. I am frightened by the prospect of another negative outcome for indigenous peoples. I am frightened about that moment coming up.

We need to make sure that we deliver on our promises. We need to go from words to action now. I heard the same words from the mouth of the Prime Minister during the last federal election campaign. I heard the same words from the Prime Minister after his election. I heard the same words from the Prime Minister when he spoke in December 2015, after his election, to the Assembly of First Nations. He talked about the United Nations declaration. He talked about delivering on that promise. Let us make sure that it happens for real this time.

There are many files and issues we can fix right now that we could not fix two years ago when the Liberals were elected. They were elected on those promises, yet indigenous peoples in this country continue to face discrimination and injustice. We cannot claim that we are upholding the honour of the crown if we continue to not respect the human rights of indigenous peoples in this country. The denial of the rights of indigenous peoples continues under the current government, despite its promise of real change. I remember those promises. I was in that campaign as well.

We would like to remind members of the resistance of the government to the ruling of the Canadian Human Rights Tribunal. It took four compliance orders following the ruling. To give another example, there is a lack of access to the fishing rights of my brothers and sisters in the Nuu-chah-nulth territory on the west coast of British Columbia, despite the fact that they won their court case 10 years ago. Governments have spent millions of dollars fighting this case over the years.

Indigenous women and girls continue to go missing or are murdered. Our youth continue to take their own lives. Free, prior, and informed consent is not being used in major projects, such as Site C, Kinder Morgan, and Muskrat Falls. In fact, we are even threatened by the Minister of Natural Resources if we dare to oppose these projects.

I could go on with the list of things we could fix right away. It is possible. The frameworks are there. Let us start going beyond the MOUs, the framework agreements, the engagement sessions, and the litany of expressions the Liberals have been using. I have negotiated for 30 years with governments and third parties. In our jargon, we call that delay tactics. We call that a policy of "we will do it, eventually."

I believe in reconciliation. I believe in justice for indigenous peoples. I think we all can agree with those concepts in this country now, since the report of the Truth and Reconciliation Commission. There were major recommendations contained in that report we should all endorse right now.

*Routine Proceedings*

●(1620)

When I say that there are already frameworks in this country, I am talking about the section 35 aboriginal and treaty rights. I am talking about the United Nations Declaration on the Rights of Indigenous Peoples. I am also talking about our treaties. I am talking about our international obligations as a member state of the United Nations. We are signatories to major conventions in that regard. The two international human rights covenants speak to the right to self-determination of indigenous peoples. That is another framework.

Before the Truth and Reconciliation Commission was established, the Supreme Court of this country, the highest court of this land, talked about reconciliation. In doing so, the Supreme Court said, in the 2004 Haida Nation case, that the objective is “to reconcile pre-existing Aboriginal sovereignty with assumed Crown sovereignty”. “Assumed” is not my word. It is the Supreme Court’s.

In the spirit of reconciliation, and also in the spirit of collaboration with the government, I want to propose a couple of suggestions for the work ahead of us. I have always offered my support in collaboration with any party in power, and I continue to do so to this day, especially with regard to the human rights of the first peoples of this country.

The framework should contain several key elements.

The first element is that indigenous peoples’ rights are human rights. Let us start using that language in this place and in this country. The human rights of indigenous peoples have been treated as human rights for three decades within the United Nations system. I think we should start doing that today in this country.

The second element is that international human rights standards need to be followed, and not just those contained in the United Nations Declaration on the Rights of Indigenous Peoples.

The third element is that we need special measures. In view of the ongoing impacts of colonization, which we cannot deny, discrimination, land and resource dispossession, and marginalization, the vulnerability and disadvantages of indigenous peoples are exacerbated. Let us recognize that as well. Therefore, special measures are required for a wide range of matters. These would include safeguarding the cultures, languages, and land and resource rights of indigenous peoples.

The fourth element is equality and non-discrimination, as affirmed in the preamble of the United Nations Declaration on the Rights of Indigenous Peoples:

indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such

That is a direct quote from the preamble of the UN declaration.

The Prime Minister has often said that cultural diversity in this country is important to him. There is yet another opportunity to maintain, protect, and promote the indigenous languages in this country, and we need to do that collaboratively. Again, as a Cree language speaker, I can assist the Prime Minister in this endeavour.

●(1625)

The fifth element is repudiation of the doctrine of superiority. Both the International Convention on the Elimination of All Forms of Racial Discrimination and the UN declaration condemn these doctrines as invalid and scientifically false.

The sixth element is consultation and co-operation, and the Prime Minister mentioned that.

The seventh element is that the free, prior, and informed consent concept needs to be acknowledged, endorsed, and embraced in our country. In many cases, after full and fair consideration of the rights of all those involved, the free, prior, and informed consent of indigenous peoples must prevail.

The eighth element is environment and development, which is important. In order to achieve sustainable and equitable development from an indigenous perspective, environmental protection must constitute an integral part of the development process. It cannot be considered in isolation from it.

The ninth element is legislative and other measures. Again, the Prime Minister talked about that today, and I thank him for that. We need to do that in order to move forward as a nation.

The 10th element is a human rights-based approach. The UN Permanent Forum on Indigenous Issues underlined that at the international, regional, and national levels, the human rights of indigenous peoples were always relevant if such rights were at risk of being undermined. Let us recall that again.

The 11th element is that there needs to be some form of restitution of lands and territories. That is also in the UN declaration. It is also says that when it is not possible, just, fair, and equitable compensation needs to happen for indigenous peoples.

Finally, is the revitalization of indigenous languages and cultures. The UN declaration articles 11 to 14 affirm that indigenous peoples have the right to revitalize their languages and cultures, and states have obligations to take effective measures in this regard. Such actions serve to reinforce indigenous peoples’ rights to live in peace and security as distinct peoples. All peoples, including indigenous peoples, contribute to the diversity and richness of civilizations and cultures around the world.

*[Member speaks in Cree]*

*[English]*

Very briefly, those concluding remarks were words of thanks and gratitude for me to be able to stand in this place, as a person who was born literally on the land under a tent some 50-more years ago, and to speak in the House and with the Prime Minister. I am very grateful for that. It has been a long journey.

I offer my collaboration to the government to achieve those commitments expressed by the Prime Minister. One of the most beautiful words in Cree is *NaweeDjawaagan*, which means he or she who walks by my side. I offer my friendship to all of us.



*Routine Proceedings*

• (1635)

[*Translation*]

**The Speaker:** Does the hon. member for Manicouagan have the unanimous consent of the House to speak?

**Some hon. members:** Agreed.

**Mrs. Marilène Gill (Manicouagan, BQ):** Mr. Speaker, in keeping with the tradition of independence, the Bloc Québécois has always defended the need to finally establish egalitarian relationships with the first nations. The future lies in constructive nation-to-nation partnerships that respect each side's legitimate interests.

Because Quebecers are themselves a minority, we cannot in good conscience be anything other than allies to indigenous communities. Quebec recognizes indigenous peoples as distinct peoples who are entitled to their cultures, languages, and traditions, and to the right to decide how to develop their own identity.

Members will recall that René Lévesque made Quebec the first state in America to recognize its 11 indigenous nations. This move was in line with the agreements signed with the indigenous peoples of Quebec, including the James Bay and Northern Quebec Agreement and agreements that came after it, such as the peace of the braves.

I would also like to point out that at the invitation of the Cree people, the Bloc Québécois was the first political party to participate in the UN initiative that led to the Declaration on the Rights of Indigenous Peoples. That is something we are extremely proud of.

I am recounting these events from the past few decades simply to remind the House that this is by no means the first time that indigenous people are hearing the kind of speech the Prime Minister just delivered. The basic tenet of his speech was adopted by the National Assembly of Quebec in 1985. That is why when the Prime Minister states that indigenous peoples know that change is way overdue, it will come as no surprise that the Bloc Québécois agrees completely.

We also agree with the Prime Minister's comments regarding how slow the federal government has been to take action on all matters relating to indigenous nations. We realize that establishing nation-to-nation relationships takes time but, above all, it takes political will, something that Ottawa has never had, no matter which party is in power.

So much remains to be done to change the paternalistic relationship that exists between the federal government and indigenous communities. So much remains to be done to ensure that they have access to public services tailored to their specific reality.

It is nothing short of scandalous that education, the key to the future of any people, remains in the hands of a level of government that does not take different indigenous cultures into account. It is outrageous that, when Ottawa is doling out funding, it spends half as much on indigenous children as it does on other children. That leads to problems with employment and career development.

There is still so much to do in terms of health care and social services. Adults and children who need those services still have to leave their communities. Problems with housing, sanitation, drinking water, and more persist. Underfunding affects indigenous communities in ways that would not be tolerated in other communities.

There is still so much to do to enable first nations to manage their land in ways that enable them to thrive, including in business.

There is still so much to do to make sure children in indigenous communities have an equal opportunity to flourish and succeed.

Nevertheless, we are not here just to point out what is sorely lacking. We also need to remember that the government has made repeated promises to indigenous communities and did so again today. We also need to acknowledge that a speech will not make up for generations of federal neglect and mistreatment.

There are many challenges, as we must rebuild the relationship between Ottawa and first nations from the ground up. We agree with the principles set out in the government's statement. Naturally, we will wait and see if anything comes of it before applauding.

These words must translate into concrete action and real success for communities. The government must ensure the participation of all stakeholders and respect its constitutional limits. The government must respect the needs of each nation. The government has always had an institutional preference for one-size-fits-all plans that are not appropriate for anyone.

We have all heard the Prime Minister's speech before. However, today, by reiterating his commitments and his willingness to take action, the Prime Minister has clearly established that the success of his mandate will be judged by the success of the new agreements with indigenous peoples.

The time for talk is over.

• (1640)

[*English*]

**The Assistant Deputy Speaker (Mr. Anthony Rota):** Is there unanimous consent to allow the member for Saanich—Gulf Islands to deliver her allocution?

**Some hon. members:** Agreed.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, we stand on traditional territory of the Algonquin people and accept their extraordinary generosity, again with thanks. In the language of the people whose territory I am deeply honoured to represent here, the W SÁNEC people, I raise my hand to all people this place and say *Hych'ka Siem*. It is with honour and gratitude that I address them.

I am deeply grateful to the Prime Minister for taking this opportunity to make a major statement of commitment to address historical and current wrongs that are reflected in the recent and deeply unsettling case of Colten Boushie's death and the absence of justice.

*Routine Proceedings*

I am very grateful to the Minister of Indigenous Services, the Minister of Crown-Indigenous Relations and Northern Affairs, and to our Minister of Justice. I do not think there has ever been a time in our country when broken promises set that aside. As individual human beings of deep integrity, I know those ministers mean what they say and will do everything possible to make it so. I join with the honourable and astonishingly courageous member for Abitibi—Baie-James—Nunavik—Eeyou in saying that we will do anything together to make it so.

I think this place is deeply colonial. Look around us. Could anything look more like the vestiges of Queen Victoria? We are in a deeply colonial place, and we need to de-colonialize; we need to indigenize. We will do that better if we leave partisanship aside.

We are members of Parliament dealing with the reality that we have 150 years of injustice, of deep and systemic racism, and, as my hon. friend for Kamloops—Thompson—Cariboo has referenced, a history of a system of separating children from their parents, generation after generation, for the purpose of breaking their spirit and denying the reality of who they are. We have a long way to go, and one afternoon of speeches does not get us there. However, as it has been an afternoon of speeches, I will be brief.

With deep respect to the member for Abitibi—Baie-James—Nunavik—Eeyou, I want to suggest something humbly, because of the idea that as a non-indigenous person I should add anything to the list of principles we should adopt. We should also repudiate the Doctrine of Discovery. If we are to de-colonialize, we need to start there. To recognize the sovereignty of the nations of the indigenous people who were here first, we really need to find a way to roll back 150 years. As the Prime Minister said, and surer words were never spoken, “It won't be easy”.

I turn to the pages of a very important book for settler-culture Canadians to read, which is Thomas King's *The Inconvenient Indian*. He said:

The fact is, the primary way that Ottawa and Washington deal with Native people is to ignore us. They know that the court system favours the powerful and the wealthy and the influential.

When Thomas King was referring to that court system, he was referring to the long, protracted, and financially exhausting process of pursuing treaty rights, of chasing fishing rights through the court, and of chasing the right to say “you can't log that place”. However, it applies to the court system as visited on the Boushie family.

We have some very specific recommendations that I hope the Minister of Justice will consider, such as abolishing pre-emptory challenges in jury trials, as recommended recently by legal scholar Kent Roach. There are things we can do and there are things we must do.

We also need to put out a message of love and embracing hope that says to those, as I know indigenous communities and first nations as the voice of non-violence, that this is a plea for non-violence that permeates all calls for civil disobedience. It permeates all calls for justice. It lets them raise their voices higher. Let us ensure that we pray for mutual understanding, love, and deep consideration.

My friend, the former president of the Haida Nation, Miles Richardson, was asked what reconciliation meant. What did it look like once we had gotten there? He said, “If you can see me as I see myself, and I can see you as you see yourself”.

• (1645)

In other words, it is the foundational principle of mutual respect, of human rights for each and every one of us, which means that in this country, with the history that we have and the present that we experience, we have a long way to go. That road is made possible through the resilience, courage, and incredible leadership of indigenous peoples and we hope to be deserving of their ongoing patience, consideration, and friendship.

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**PETITIONS**

**BANKING SERVICES**

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Mr. Speaker, I have the pleasure today to be presenting a petition on behalf of some of my constituents who have been doing work on the issue of predatory banking. They are very concerned about access to banking services and how we can ensure that people are not subject to predatory banking.

I would like to thank Donna Borden for her leadership in arranging for this petition and getting these signatures.

[Translation]

**FOREIGN AFFAIRS**

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, I am pleased to rise today to present a petition signed by nearly 1,000 Canadians who, in honour of the 100th anniversary of the Balfour Declaration, are reminding the government of its obligation to respect the rights of the Palestinian people, and also to honour its international commitments, such as the United Nations Security Council resolutions and the fourth Geneva Convention. Canada signed this agreement regarding the colonization and occupation of the Palestinian territory in 1967.

[English]

**GUARANTEED ANNUAL INCOME**

**Ms. Linda Duncan (Edmonton Strathcona, NDP):** Mr. Speaker, I am pleased to table an e-petition by 678 residents of Alberta, calling on the Government of Canada to implement a guaranteed annual income of \$1,500 a month or \$18,000 a year for all Canadian citizens, 18 years or older, and that the \$18,000 a year be in addition to any personal income already earned.

[Translation]

**FALUN GONG**

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I have two petitions to present today.

The first is signed from people across Canada who are calling on the government to take action regarding the persecution of Falun Gong practitioners in China. They are calling on Canada to put an end to illegal organ trafficking, which takes place with the consent of the Chinese regime. They are calling on the government to demand that the Chinese government stop persecuting practitioners and to bring former leader Jiang Zemin and his accomplices to justice.

• (1650)

#### AGRICULTURE AND AGRI-FOOD

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I am also presenting an e-petition signed by 986 individuals regarding the Canadian government's compensation program for dairy farmers in light of the signing of CETA.

The petitioners denounce the fact that sheep and goat dairy farms suffered enormous harm by being willfully excluded from the Government of Canada's dairy business program simply because they are not cow dairy farms.

These petitioners are calling on the government to rectify this injustice and to create a compensation program so that our sheep and goat dairy businesses can also receive financial support just like Canadian cow dairy farms.

[English]

#### CLIMATE CHANGE

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, it is an honour to rise and present petitions from constituents and from residents of Ottawa, who are calling on the government to consider the growing costs of the climate crisis. Costs of the climate crisis are rising now in the order of between \$1 billion and \$8 billion a year and could rise by 2050 estimates to \$20 billion to \$43 billion a year.

The petitioners urge the government to accelerate efforts to prepare Canadians for adaptation, to assist in learning how to adapt across various sectors in Canada, and to pursue adaptation with the same vigour as mitigation.

#### EATING DISORDERS

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, I am pleased to table a petition to the Government of Canada concerning a pan-Canadian strategy for eating disorders.

Eating disorders such as anorexia and bulimia have the highest mortality rate of all mental illnesses; however, the sooner people can receive the treatment they need, the better their chance of recovery. The first cause of death for people with eating disorders is cardiac arrest and the second is suicide. Children as young as seven years old are being diagnosed and hospitalized with eating disorders. More than one million Canadians suffer. Their families also suffer as they are negatively affected by this. Canadians with eating disorders suffer through long wait-lists for help, which is unacceptable, limited access to mental health services, and a lack of trained professionals in hospitals and residential care.

The petitioners call upon the government to put in place a pan-Canadian strategy for eating disorders by working together with provincial and territorial ministers responsible for health and all

#### Routine Proceedings

stakeholders, and to include better prevention, diagnosis, treatment, support, and research. The petitioners are also calling on the government and the House of Commons to support Motion No. 117.

\* \* \*

[Translation]

#### QUESTIONS ON THE ORDER PAPER

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

[English]

**The Assistant Deputy Speaker (Mr. Anthony Rota):** Is that agreed?

**Some hon. members:** Agreed.

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#### MOTIONS FOR PAPERS

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask that all Notices of Motions for the Production of Papers be allowed to stand.

**The Assistant Deputy Speaker (Mr. Anthony Rota):** Is that agreed?

**Some hon. members:** Agreed.

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#### WAYS AND MEANS

##### CREE NATION OF EYYOU ISTCHEE GOVERNANCE AGREEMENT ACT

**Hon. Catherine McKenna (for the Minister of Crown-Indigenous Relations and Northern Affairs)** moved that a ways and means motion to introduce An Act to give effect to the Agreement on Cree Nation Governance between the Crees of Eeyou Istchee and the Government of Canada, to amend the Cree-Naskapi (of Quebec) Act and to make related and consequential amendments to other Acts, be concurred in.

(Motion agreed to)

• (1655)

**Hon. Catherine McKenna (for the Minister of Crown-Indigenous Relations and Northern Affairs)** moved that C-70, An Act to give effect to the Agreement on Cree Nation Governance between the Crees of Eeyou Istchee and the Government of Canada, to amend the Cree-Naskapi (of Quebec) Act and to make related and consequential amendments to other Acts, be read the first time and printed.

*Government Orders*

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

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## GOVERNMENT ORDERS

[English]

### IMPACT ASSESSMENT ACT

**Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.)** moved that Bill C-69, An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

She said: Mr. Speaker, before I begin, I wish to acknowledge that we are all on the traditional territory of the Algonquin and Anishinabe peoples. On this historic day, the Government of Canada has committed to developing a new recognition and implementation of an indigenous rights framework.

I stand here today to address this chamber in support of Bill C-69, a legislative initiative that is a key priority of our government. We are keeping our promise to Canadians. We are putting in place better rules to protect our environment and build a stronger economy. After 14 months of hearing from provinces and territories, indigenous peoples, companies, environmental groups, and Canadians from coast to coast to coast, we are making real changes.

Bill C-69 aims to restore public trust in how the federal government makes decisions about major projects, such as mines, pipelines, and hydro dams. These better rules are designed to protect our environment while improving investor confidence, strengthening our economy, and creating good middle-class jobs. They will also make the Canadian energy and resource sectors more competitive. We are working to build on Canada's strong economic growth and historic job numbers.

[Translation]

Today we are keeping our promise to Canadians. We are putting in place better rules to protect our environment and build a stronger economy. After 14 months of hearing from provinces and territories, indigenous peoples, companies, environmental groups, and Canadians across the country, we are making real changes. The legislation we are introducing today aims to restore public trust in how the federal government makes decisions about major projects, like mines, pipelines, and hydro dams. These better rules are designed to protect our environment while improving investor confidence, strengthening our economy and creating good middle-class jobs. They will also make the Canadian energy and resource sectors more competitive. We are working to build on Canada's strong economic growth and historic job numbers.

[English]

Our government understands the importance of the resource sector to our economy. Over \$500 billion in major resource projects are planned across Canada over the next decade. These projects would mean tens of thousands of well-paying jobs across the country and provide an economic boost for nearby communities and our economy as a whole, but we cannot get there without better rules

to guide our decisions around resource development. Unfortunately, the Harper government gutted environmental protections and made changes to the environmental assessment process that eroded public trust in how decisions are made.

[Translation]

Unfortunately, the Harper government gutted environmental protections and made changes to the environmental assessment process that eroded public trust in how decisions are made.

[English]

Canadians became concerned that project approvals were based on politics rather than robust science. There were concerns that changes were putting our fish, waterways, and communities at risk and we are not taking into account the climate impacts of projects. They were also concerned that the views of communities and indigenous peoples were not being heard. This lack of trust resulted in polarization and paralysis. Projects stalled and resource development became a lightning rod for public opposition and court challenges. Billions of dollars of investment were put in jeopardy, raising concerns for investors and shareholders. Ironically, the Harper government's changes made it a lot more challenging for good projects to get built. Weaker rules hurt both our environment and our economy.

Since we formed government, we have worked very hard to restore public trust while providing certainty to business. In January 2016, we introduced interim principles to guide how our government would review proposed major projects until we could put better rules in place. We knew we could not keep approving projects under the Harper government's flawed rules, but we also knew that we could not put our economic development on hold for two years while we worked on the new rules.

• (1700)

Our recent principles were the first part of delivering on one of our high priority platform commitments: to review and fix Canada's environmental assessment process and to restore confidence in how decisions about resource development are made. Those interim principles made it clear that decisions would be based on robust science, evidence, and indigenous traditional knowledge; that we would listen to the views of Canadians and communities that could be affected by proposed projects; that indigenous peoples would be consulted in a meaningful and respectful manner; that decisions would take into account the climate impacts of proposed projects; and that no project already under review would be sent back to the starting line.

*Government Orders*

Our government did not stop at the interim principles. In November 2016, we also announced a \$1.5-billion oceans protection plan. Through that historic investment we are creating a world-class marine safety system while protecting our coastlines and clean waters for generations to come. Then in the summer of 2016, after a year of negotiations with provinces, territories, and indigenous leaders, we announced the first ever made-in-Canada climate plan. Our national climate plan builds on the actions of provinces and territories and provides a clear road map as to how we will cut carbon pollution and move together toward a cleaner future.

[*Translation*]

Using the interim principles, and building on the foundations of our oceans protection plan and climate action plan, we moved forward with approving new major projects worth billions of dollars to the Canadian economy and thousands of good middle-class jobs across the country. These projects are clearly in the national interest, and because of the steps we have taken to date, we are confident they can be built in a way that protects our environment and communities. We are committed to seeing them built.

[*English*]

The better rules outlined in Bill C-69 build on improvements we have already made and on the feedback that we received from Canadians over the last 14 months. We heard loud and clear that Canadians want a modern environmental and regulatory system that protects the environment, supports reconciliation with indigenous peoples, attracts investment, and ensures that good projects go ahead in a timely way to create new jobs and economic opportunities for the middle class. We heard from investors and project proponents that they want a clear, predictable, and timely process. That is what our better rules provide.

First, these better rules will rebuild trust. When it comes to resource development, we cannot get very far if people do not trust the rules and the way governments make decisions. The same goes for companies. They need to know what is expected of them from the start and that the process will be predictable, timely, and evidence-based. That is why our top priority with the changes we are proposing is increasing transparency and rebuilding trust.

● (1705)

[*Translation*]

To rebuild trust, we will increase public participation in project reviews so that Canadians can help shape the project design, provide input into the project plan, and assess the science used to make decisions. We will create a new early engagement phase, to ensure that indigenous peoples' rights are recognized and respected, and that we work in partnership from the outset; and that communities will have their voices heard from the start.

We will create a single agency, the Impact Assessment Agency of Canada, that will lead all impact assessments for major projects, to ensure the approach is consistent and efficient.

[*English*]

The impact assessment agency of Canada will work with and draw expertise from other bodies, such as the Canadian energy regulator, which is currently the National Energy Board, the Canadian Nuclear Safety Commission, and offshore boards, but the final decision on

major projects will rest with me or with the federal cabinet, because our government is ultimately accountable to Canadians for the decisions we make in the national interest.

Second, decisions on projects will be transparent and guided by robust science, evidence, and indigenous traditional knowledge. We will also increase Canadians' access to the science and evidence behind project proposals and make easy-to-understand summaries of decisions publicly available.

Third, we are expanding project reviews to assess what matters to Canadians. The new impact assessment will look at a project's potential impacts, not just on the environment but also its health, social, gender, and economic impacts over the long term as well as the impacts on indigenous peoples. We will also evaluate projects against our environmental obligations and national climate plan.

Fourth, we will advance Canada's commitment to reconciliation and get to better project decisions by recognizing indigenous rights and working in partnership from the start. We will make it mandatory to consider indigenous traditional knowledge alongside science and other evidence. Indigenous jurisdictions would have greater opportunities to exercise powers and duties under the new impact assessment act, and we would increase the funding available to support indigenous participation and capacity development relating to assessing and monitoring the impacts of projects.

Fifth, project reviews will be completed through a timely and predictable process. The new early planning and engagement phase would provide clarity on what is required and more certainty about the process ahead. Shorter legislated timelines for the project review phase will be rigorously managed to keep the process on track. A more efficient and predictable process will lead to more timely decisions.

● (1710)

Finally, we will streamline the process and coordinate with the provinces and territories to reduce red tape for companies and avoid duplicating efforts in reviewing proposed projects. Our goal is one project, one review.

We have also announced that we are seeking Canadians' feedback on how we will change the project list regulations that define the types of projects that would be subject to impact assessment. The project list aims to make it easier for everyone to understand when the new rules will apply, providing certainty that both Canadians and companies need and expect.

*Government Orders*

The Harper government's project list was a grab bag of projects developed in a non-transparent way, and based on political motives, not the public interest. The project list is meant to identify the types of projects that pose significant risks to the environment in areas that fall under federal jurisdiction. These projects will always require federal review.

[*Translation*]

We want to hear from Canadians on the criteria to revise the project list to ensure that they are more robust and effective and that they include criteria such as environmental objectives and standards for clean air, water and climate change.

[*English*]

The new rules outlined in Bill C-69 must undergo a thorough review in the House and the Senate until they come into effect. Existing laws and interim principles for project reviews will continue to apply to projects under review.

In terms of changes to other statutes as part of our government's regulatory review, we are also proposing changes to the Canadian Navigable Waters Act, and in Bill C-68, to the Fisheries Act, as was announced by the Minister of Fisheries, Oceans and the Canadian Coast Guard last week. These changes would better protect waterways, fish, and fish habitat.

The Canadian Navigable Waters Act will restore navigation protection for every navigable waterway in Canada. Changes to the Fisheries Act will add important new safeguards for our fisheries, including measures to rebuild damaged fish stocks and restore degraded habitat, ensuring that our fisheries and environment are protected for future generations.

Of course, none of these proposed changes mean much without providing the extra capacity needed to deliver on our commitments. That is why we are investing up to \$1 billion over five years to support the proposed changes to impact assessments and the Canadian energy regulator; increased scientific capacity in federal departments and agencies; changes required to protect water, fish, and navigation; and increased indigenous and public participation.

[*Translation*]

I am extremely proud today that we are delivering on one of our major campaign promises. I want to thank Canadians from coast to coast to coast for all of their valuable input which will help ensure better rules to make our environment and grow the economy.

We know that the changes we are announcing today in Bill C-69 will not satisfy everyone. People who tend to distrust business and want no project to go ahead will say we are doing too little to protect our environment. Those who want every project to go ahead whatever the environmental cost will say we are doing too little to support resource development. However, the better rules we are announcing today in Bill C-69 reflect what we have heard overwhelmingly and consistently from Canadians over the past year and a half.

●(1715)

[*English*]

Canadians want a modern environmental and regulatory system that protects the environment, supports reconciliation with indigenous peoples, attracts investment, and ensures good projects can go ahead, which creates middle-class jobs and grows our economy. Canadians understand that better rules will make us more competitive, not less. Canadians understand that the environment and the economy go together.

[*Translation*]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):**

Mr. Speaker, I thank the Minister of the Environment for her speech and for introducing this bill that attempts to close a loophole in our environment assessment process that has been around for several years. It is true that the process was not deserving of Canadians' or Quebecers' trust. In the coming months, I will have a chance to talk about the weaknesses of the bill before us, which we think is incomplete.

I have a very specific question for the minister regarding one of our concerns. One clause of the bill seems to indicate that a project on the land of a province that already has a cap on greenhouse gas emissions would not be subject to a federal environmental assessment. We find this worrisome. Could the minister clarify this?

**Hon. Catherine McKenna:** Mr. Speaker, I thank my colleague for the question.

All our decisions certainly have to respect our environmental and climate change obligations. We have negotiated with the provinces and territories a made-in-Canada plan to fight climate change and we must ensure that every project falls in line with that plan. Under Bill C-69, it is clear that we will consider the impact projects will have on the climate.

We also said that we wanted to conduct a strategic environmental assessment to ensure that the projects fit with the climate change action plan. We worked very hard on our Canadian plan to fight climate change and we have international obligations that we are determined to satisfy. It is very important to our government.

[*English*]

**Hon. Ed Fast (Abbotsford, CPC):** Mr. Speaker, I want to thank my colleague, the minister, for her intervention. Even though we profoundly disagree with this legislation, I know the minister's heart is in the right place. She and I both share a deep respect for the environment, and we all want to do right by the environment, because we have future generations that depend on us to get it right.

I want to point the minister to the mandate letter from her Prime Minister, directed to her. It says:

We have also committed to set a higher bar for openness and transparency in government. It is time to shine more light on government

It goes on to say,

*Government Orders*

As Minister, you will be held accountable for our commitment to bring a different style of leadership to government. This will include: close collaboration with your colleagues;

That is presumably in this House. It will also include:  
meaningful engagement with Opposition Members of Parliament,

That is me, members of the Conservative Party, the NDP, the Bloc, and the Greens.

This legislation, all 370 pages of it, an omnibus bill, was tabled last Thursday, at 10 o'clock in the morning. At 10:45 in the morning, the minister and her staff had arranged for a briefing from environment officials. Who was included in that briefing? It was the media and stakeholders. Who was excluded? It was members of Parliament, who were not given a briefing until five to six hours later.

**An hon. member:** Shame.

**Hon. Ed Fast:** That is shameful, Mr. Speaker. What happened to transparency in government?

Could the minister tell us if this is the new style of government her government promised to deliver for Canadians? Does she stand behind the decision to provide the media with access to a government briefing five or six hours before MPs themselves received that briefing?

● (1720)

**Hon. Catherine McKenna:** Mr. Speaker, I really appreciate my colleague's hard work. We have a great committee, which he is part of, and I am looking forward to the debate that goes on there.

First of all, I have always said, no drama, no surprises. This is one of my basic principles. We have been working on this legislation for 14 months. We have been consulting with Canadians, industry, indigenous peoples, the provinces and territories, and environmentalists. It went through the committee process, and then we had an expert panel. We also made sure that we had more consultations with Canadians, and then we issued a discussion paper.

We are very proud that as part of the legislation, we are increasing transparency. One of the biggest problems with the past government was that there was no transparency in how decisions were made. It was not clear that it looked at and took into consideration robust science. We are committed to putting our science out there in a transparent way, to making sure that we look at the science we are getting from proponents, to making things available in a way that is easy to understand for Canadians, and that when we make decisions, we provide the reasons behind the decisions. That is what transparency looks like.

When we introduced the legislation, it was in the House. We were very pleased to provide briefings. I am very happy to have folks continuing to provide information and answer questions, and I certainly look forward to the committee process.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I know the hon. minister has been working hard. I certainly have made many efforts to brief the department and submit briefs.

I find it disturbing that after all this time, the fundamental lessons of environmental assessment have escaped the drafters of this legislation. It is not about getting to faster decisions, yes or no.

I hate to sound so very old, but I participated in the first environmental assessment in this country, which took place in 1976. The goal of environmental assessment is not binary, top down, and discounting the views of the Green Party, and others who find this completely inadequate as improved rules, by saying that we somehow want only “no” decisions and are not prepared to see development. What is frustrating is that environmental assessment has always been primarily a planning tool. It takes time to get to good decisions.

It is also about modifying proposals. For example, the oriented strand board plant in Manitoba, during the course of the EA, changed its smokestack provisions to cut out more toxic effluent than it planned. The Al-Pac mill, in northern Alberta, changed its plans because the environmental assessment revealed that it could do better.

What I find is a collective sort of amnesia, which is sad. The minister believes, apparently, that she has revealed the first made-in-Canada climate plan. We had an excellent made-in-Canada climate plan in 2005. Former environment minister Stéphane Dion, now our ambassador to Germany, could fully inform that side of the House on that climate plan. In 2005 we also had effective environmental assessment legislation that worked better than what is before us today.

I have a question for the minister, because I cannot determine the answer from reading the bill. It is not transparency Canadians want. It is effective environmental review with rights for the public to participate effectively. This means that we would not ever see a travesty like what happened in the Kinder Morgan NEB review, where intervenors were denied the right to cross-examine experts. I see in this bill public participation in subclause 53(3) and the ability to participate in clause 51. However, with these increased timelines, will participant intervenors have the right to cross-examine the proponent?

● (1725)

**Hon. Catherine McKenna:** Mr. Speaker, I want to thank the member opposite for her long-standing commitment to the environment.

We think we can do better with environmental assessments. With due respect, I agree that environmental assessments are not about just transparency but are about making sure we have transparency as a precondition of trust. It is only with trust that we can have a system Canadians believe in and good projects can go ahead.

The concerns raised reflect the National Energy Board. There were major problems. I heard from Canadians about them. I heard from indigenous peoples that they were not given standing. They were not given the opportunity to make their views fully heard. That is why we have moved forward with, for example, recognition of rights up front. Anyone would have the ability to participate in these reviews through our early engagement process.

We will be working with indigenous peoples to have an engagement plan, because we believe that the more information we get early on, the better it is, and then we can come to more timely decisions in the end.

*Government Orders*

That is really what this is all about. We understand that the environment and the economy go together, and that is the system we have designed.

**Hon. Ed Fast (Abbotsford, CPC):** Mr. Speaker, here we are with Bill C-69, all 370 pages of it, full of mind-numbing reading and rhetoric. Do members remember when the Liberals, during the last election, and the Prime Minister, when he was in opposition, lamented, decried the fact, actually, that the occasional omnibus bill was tabled by the previous government? They railed against omnibus bills. What do we have today from the Prime Minister, his government, and the minister? It is an omnibus bill. It covers the enactment of the impact assessment act and the Canadian energy regulator act, amending the Navigation Protection Act, and consequential amendments to other acts. Talk about omnibus. In fact, we are calling it the “ominous omnibus bill.” It is ominous because of what it means to our economy and our resource sector.

The bill is toxic to Canada's future development. It is toxic to our efforts to take the resources entrusted to us and to extract them in an environmentally sensitive way to make sure that future Canadians have a pristine environment and long-term prosperity. The omnibus bill, this ominous bill, does not do that. It does quite the opposite. It undermines our ability to have long-term prosperity.

Let me start off by talking about the bill itself. There are three main parts and a fourth one. The first three parts of the bill are effectively about a new environmental assessment process, a new Canadian energy regulator, and a new navigable waters act, which, by the way, would not be about the environment. The navigable waters act would be about navigation. Those are the three parts covered in the bill itself.

Earlier last week we also saw tabled the Fisheries Act, which contains further amendments that would make it more difficult for Canadians to realize the full value of our economy and our resource sector. It would put more hurdles and obstacles in the way of extracting our natural resources and building critical infrastructure across the country, which is so important to our national prosperity.

Effectively, what would happen is this. We have the National Energy Board. The first thing that would happen is that the board would be stripped of its impact assessment functions, the ones that are used to review resource projects that come forward. I believe that every Canadian and every member of this House understands how important it is to protect the environment for future generations. We disagree on how we go about doing that. However, the impact assessment function addresses the review process that resource projects, such as pipelines, mines, and oil and gas projects, have to go through to get an approval that proves that they are environmentally sustainable and not harmful in the long term to our environment.

The second part that would be stripped from the National Energy Board would be its regulatory functions. Once projects are built, we want to make sure that they are carried on and managed sustainably. Effectively, the regulatory function ensures, through the life cycle of the project, that we protect our environment.

The third part is the navigable waters protection piece, which is all about ensuring that on waters used for navigation, we do not

impose impediments to navigation and do not undertake infrastructure projects that would impede navigation.

• (1730)

It is interesting. Navigable water is defined as a water body in which a canoe or a kayak can float. In fact, when our former Conservative government first undertook amendments to the Navigable Waters Protection Act, we did so because it had not been reformed for close to 150 years. Imagine, Mr. Speaker, a piece of legislation floating around that has not been really reviewed for 150 years, and that has definitions like that of navigable water being a body of water on which a canoe or a kayak can float.

Under the Liberal amendments, the navigable waters protection piece would introduce further obstacles that are not environment-related but navigation-related, and that would impair Canada's ability to build and implement critical infrastructure that drives the prosperity of this country.

Let me focus my comments on the environmental review process, the impact assessment process. This legislation would create a whole new body, called the impact assessment agency, which would oversee reviews of resource projects such as pipelines and mines. The promise we received from the minister, with which she went public, was that the process the Liberals have introduced would shorten the timelines under which a project gets reviewed, to provide better certainty for project proponents and to make sure that these projects, if they are environmentally sustainable, can get passed more quickly. Therefore, it would reduce the timeline of the assessment piece by, say, 60, 70, or 80 days.

However, what the minister did not tell Canadians is that at the beginning of the whole process there is a whole new process, called the planning phase, and that process is 180 days, so effectively the Liberals would add another 100 days onto the total process for getting any project reviewed in Canada. This is unconscionable, as investment in our resource sector is fleeing the country. As we know, over the last two years we have had incredible investment flight to places like the United States and elsewhere around the world, where there is more predictability and a more inviting investment environment. We are seeing this play out in front of our eyes, and the minister introduced a bill that would lengthen the process even more. It is shameful.

Here is the kicker. Within that 180-day planning phase, the proponent has to undertake all kinds of activities, many of them new activities, including consultations with the public. The public has a chance to share its opinions on a project that has not even gone through a science-based review. At the end of the 180 days, if the minister feels like it, usually on political grounds, she can simply kill the project right there. Can members imagine proponents coming forward with a billion-dollar proposal to develop a resource in Canada and being told that they are going to have to go through a 180-day process where they are going to have to consult with all kinds of people?



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By the way, we are not opposed to consultations. What we are opposed to is consultations that unnecessarily extend the process beyond what Canadians would consider reasonable and common sense. Can members imagine a proponent facing the 180 days and dealing with all this preplanning process, and then, before the proponent has ever had a chance to have a regulatory body, the impact assessment agency, review the application based on science and evidence, the proponent is told, "Sorry, go away. We are killing the project. We do not want your investment in Canada"? Can members imagine that? That is what this bill would do.

The minister has a veto right, at the end of the planning phase, and then, if the project gets to the impact assessment process and goes through that, through all the new criteria that the minister has established, at the end it goes back to the minister and cabinet for a decision, which invariably becomes a political decision.

● (1735)

Anybody looking from afar, with \$1 billion to invest and wondering whether to invest in Canada, would say, "At the end of the day, the Liberals are going to make a political decision, so we have no certainty at all that our project will be assessed on its merits, on the science, on the evidence."

This legislation would also codify the duty to consult with first nations, which is already established in our laws in Canada. The Supreme Court of Canada has spent decades trying to frame exactly what the duty to consult is. There is a lot of case law that provides companies with a clearer idea of the standard they have to meet in order to properly consult with first nations. Conservatives do not have a problem with that. We believe that first nations need to be partners in our prosperity and they need to be consulted, and that has been enshrined in this legislation.

The legislation would also require indigenous traditional knowledge to be considered in the review. Conservatives believe that this provision reflects what Canadians expect when a project proponent wants to move forward with a resource proposal. We believe it is in Canada's best interest to consult with indigenous Canadians and take into account, during the assessment process, the traditional knowledge they can offer to that process.

I mentioned additional criteria that proponents would now have to take into account. Historically, proponents have had to apply certain criteria to ensure that no environmental damage occurs as a result of a project being built, but now my Liberal friends across the way have inserted a requirement that the applicants have to take into account both upstream and downstream effects, and the impacts a project would have on Canada's climate change targets: new hurdles, new criteria, new discouragement for investment in Canada. We should not for a minute think that investors are not paying attention to the debate we are having in the House today and the legislation that is before us. As I mentioned earlier, this legislation is toxic to our long-term prosperity.

Another thing included in this legislation is a broad discretion for the minister to extend, and even suspend, timelines. People think they have 180 days, and then another 300 days for certain projects, and another 450 days for other projects. No, the minister can step in at any point along the timeline and say he is suspending the timelines

and that other things are going to be done, removing predictability, which is what investors in the resource sector covet most.

The bottom line is that additional uncertainty has been injected into our investment environment. The resource sector in Canada is responsible for some 16% of our economy. Imagine, Mr. Speaker, 16%. Two million jobs are either directly or indirectly related to our resource sector. Two million Canadians rely on us, as legislators, to get this right, to make sure we balance the environment and the economy.

The minister often talks about the environment and the economy going hand in hand. The problem is that she has no idea what that appropriate balance is, and more and more the Liberal government is leaning to the left, toward the environment, to the detriment of our economy and long-term prosperity. Do not get me wrong, Mr. Speaker. The environment, as I mentioned at the beginning of my speech, is critically important because we are leaving a legacy for our children and grandchildren, for future generations. We need to ensure that we leave them a pristine environment. Quite frankly, if we try to do that in the absence of prosperity, it is never going to happen.

● (1740)

Why do I say that? If we look around the world, which countries have the highest environmental standards? They are also the most prosperous countries in the world. Prosperity and the environment go together.

The intentions of the Liberal government, of the Prime Minister and the Minister of Environment, may be good, but unfortunately they have it all wrong. They have not been listening to the concerns of those who make a living from our resource sector, those who know the millions of jobs generated by that sector. No one should be surprised that we completely disagree with this legislation, and some of my colleagues in the Conservative Party will continue to highlight that in future speeches.

Earlier today, the minister said her goal was to basically develop a policy and introduce legislation where there would be no surprises and no drama. Unfortunately, she missed one piece: no surprises, no drama, no development. Our prosperity is at risk here, and I encourage my colleagues on the other side who are listening to this debate to please give their heads a shake. The more barriers we place in the way of extracting our resources in a sustainable way, the more we undermine the future prosperity of our children and grandchildren, of future generations.

Let me close by saying that there is one bottom line. The legislation ensures more uncertainty, longer timelines, and less investment in our resource sector, which equals less prosperity for Canada. That really is a shame, because we are cheating future generations out of the value that has been left to us as a legacy.

*Government Orders***Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):**

Mr. Speaker, I am somewhat disappointed with the comments from across the way. Once again, the Government of Canada has produced, through the minister, some solid legislation, legislation that we suspect a good majority of Canadians would see as very progressive, and it is the right thing to do.

When we talk about economic development and developing some of these projects, Canadians will also suggest that there needs to be a sound process. The government has demonstrated this. One only needs to look at the pipeline as a good example of how we were able to do something that the Conservatives could not do, while respecting the environment.

Would the member not recognize that if the Conservatives were really to be more in touch with Canadians, they would better understand that Canadians want us to be responsible stewards of the environment as we continue to develop our economy, and that in this way the middle class and all Canadians benefit?

• (1745)

**Hon. Ed Fast:** Mr. Speaker, the part where I can concur with my colleague is that we do need a safe, secure, and sound environment, a pristine environment that we can leave for future generations. However, I disagree with the suggestion that a majority of Canadians support this legislation. Really? It was tabled only last Thursday, 370 pages of omnibus bill, and the member is suggesting that Canadians have somehow read this and support it.

I can assure the member that Canadians do not have a clue what is in here, because the Liberal government has not communicated to Canadians what is really in the bill. The Liberals are hiding all kinds of stuff in here. I have highlighted some of it, and my colleagues will highlight other pieces. This legislation is toxic to our long-term prosperity.

**Ms. Linda Duncan (Edmonton Strathcona, NDP):** Mr. Speaker, it is a pleasure working at committee with the hon. member, although we regularly disagree.

I agree with the minister that the Conservative Party eviscerated the environmental assessment process. In the last election, her party committed to bring forward expeditiously a strengthened process. Unfortunately, and I know my colleague would agree with me, the bill is not a set of rules; it is a framework to eventually make the rules. Some people are carefully reading the bill and sending me their issues. We are now at the 40th discretion in the bill, and it is uncertain what will happen. Could the member speak to this? Surely the government could have issued the project list at the same time as it was consulting on the legislation. It is key to what will happen. We are just starting to discuss what might be on the project list

For certainty, many rules need to be enacted in the bill. Does the member agree that the process should have happened simultaneously to the consultation on the bill itself?

**Hon. Ed Fast:** Mr. Speaker, I agree with the member that the legislation is full of discretion and uncertainty. Yes, it is more like a framework than legislation that gets things done. It leaves much to the discretion of the government through orders in council, the cabinet, and minister to make up the rules as they go along. What

does that do to people who work in the resource industry? They lose faith in the system.

However, I disagree with the member that the Conservative Party eviscerated the environmental assessment legislation that was in place before the Conservative government was elected in 2006. The Conservative government saw that the legislation of the day was handling resource development without, in any way, contributing to a better environment. Therefore, we streamlined the process and the regulations. We ensured we restored confidence in the resource sector to attract investment from abroad so critical resource products could be built to drive long-term prosperity for the country.

On one last note, I regularly disagree with my colleague at committee, but we have also issued a couple of consensus reports. Consensus means unanimity and everybody agrees. There is some good work coming out of the committee, and I applaud my colleague for her contribution to that effort.

**Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC):**

Mr. Speaker, I have the privilege of sharing the ride back to beautiful British Columbia every Thursday night with the member. Along with us, on that airplane that uses fossil fuel, which has protested at times, are NDP members, Green Party members, and Liberal Party members. They talk a big game about stopping resource development, but use it themselves.

I digressed a bit. However, we need to stop the hypocrisy. I have challenged a few of those leaders to do that. If they really are opposed to resource development, they should not use those resources. I still see them getting on the same plane I do.

The member for Abbotsford talked about the end game of that group and groups within the Liberal government that wanted to stop the resource from being developed at all, including the environment minister. Could he highlight the fact that death through regulation is really the end game for the government?

• (1750)

**Hon. Ed Fast:** Mr. Speaker, my friend from Peace River country has it right. There is a lot of hypocrisy in the environmental movement. I think Canadians have taken note of that. The irony is not lost on me that on the polluting jets that fly us between Ottawa, Vancouver, and back are the very members in the House who rail against the fossil fuel sector but gladly accept the taxpayer-supported flights to and from their towns.

For some Canadians, the only process they will accept is one that ends in no. We have people in this chamber who believe that. That is an unacceptable way for Canada to move forward. There is no win in that because we desperately need to maximize the value of our resources in the ground, get the maximum dollar for them, which will drive prosperity for future generations.

*Government Orders*

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I would ask my hon. colleague from Abbotsford to withdraw the accusation of hypocrisy. I find it offensive. Everyone in this place knows that it is a requirement of our job to travel to our ridings to do our work and to be here in this place.

How can the hon. member for Abbotsford have such a short memory? Bill C-38, introduced in the spring of 2012, was the omnibus bill to end all omnibus bills. It was more than 400 pages long, and it changed 70 different bills. It repealed the Kyoto Protocol Implementation Act. It repealed the National Round Table on the Environment and the Economy Act. It repealed the Canadian Environmental Assessment Act, and replaced it with an entirely inadequate piece of garbage. This bill is a bit better than that, better than what was left in 2012. It is not adequate, but it is much better. In the words of former Conservative fisheries ministers, it “guttled” the Fisheries Act.

Bill C-38 was never attached to a single technical briefing. I sat at this desk and read all 430 pages, and by the time I was done, I saw that a decade's worth of environmental laws were pledged to be destroyed by the previous government.

Does the hon. member recall a single technical briefing on that omnibus bill?

**Hon. Ed Fast:** Mr. Speaker, I am going to have to ask her to withdraw a comment.

The 2012 legislation, as I mentioned, was focused exclusively on streamlining the process without, in any way, undermining the environmental rigour of our system, those very legislators who supported it and all the people who fed into the process, and she calls the end of that process garbage. A member of Parliament is calling our work in the House garbage. That is offensive to Canadians, and she needs to apologize.

[*Translation*]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, if I may, instead of rehashing the 2012 debate, I am going to mainly focus on Bill C-69 and on what is happening now, in 2018. It is always interesting to revisit history, and we could do that here all day.

This is not just any bill that the Liberals tabled last week. It is a bill whose purpose is to renew and review the environmental assessment process, which is crucial for the future. It is crucial for our role and our responsibilities with regard to climate change and cutting our greenhouse gas emissions. It is also crucial for life in many indigenous communities and white communities across the country. Respect and the quality of life of people in several regions will be influenced by ending the current process and bringing in this new environmental assessment program.

Everyone will have noticed by now that the Liberal government and the Minister of the Environment are extremely skilled at using buzzwords. All the buttons that need to be pressed to make the bill look good, modern, effective and respectful, all those words are always used in speeches, presentations, press releases and sometimes in legislation.

However, with all this talk about consultation, respect, biodiversity and climate change, more often than not, when you get right down to it, it is increasingly difficult to know just what is being proposed in government legislation, and I want people to be aware of that. If we cut through the rhetoric and look below the surface, we have serious doubts about the tangible effects of implementing this new environmental assessment process, and it is not just us. As my Conservative colleague said, this substantial, 364-page bill was released and tabled less than a week ago. There are a lot of things to go through and people have a lot of questions.

Naturally, our initial response is excitement at finally being able to talk about a new environmental assessment process. Hooray! We wanted to close the book on the Harper years. We are getting there, and that in itself is a good thing. It is too bad my colleague up the row does not agree, but over here, we welcome this as a step in the right direction even though we have major concerns.

I would like to point out that it is now February 2018, which means that the Liberal government was elected 28 months ago. In that time, the Liberals have used the old environmental assessment process to review and approve major projects. That worries a lot of NDP members, progressives, and environmentalists because the Liberals dragged their feet. They bought themselves all kinds of time by spending more than two years condemning a process that they were using anyway. I do not want to impugn anyone's motives, but if the Liberal government wanted to approve a pipeline project using the Conservatives' environmental assessment process, it could, and that is what it did.

On August 20, 2015, in British Columbia, an individual asked the Prime Minister if the Kinder Morgan project would be reviewed using his proposed new environmental assessment process. The Prime Minister replied that the project would be reassessed because the Conservative government's bare-bones environmental assessment process was not to be trusted. Now that the Liberals are in power, that promise has been forgotten. They are using the old process and approving the pipeline expansion.

● (1755)

As a result, we have a great many questions about this government's good faith and diligence. We wonder why it took so long to come up with the proposal before us.

The Canadian Environmental Assessment Agency will now oversee all assessments. Its name will be changed to the impact assessment agency. The National Energy Board and the Canadian Nuclear Safety Commission will carry on under new names. We would like to get more details on what their roles, duties, and responsibilities will be. A great many people question whether it is worth maintaining these organizations at all.

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We would have preferred it if their roles had been scaled back in much clearer and more decisive terms, especially in regard to what the government describes as “minor projects”, because the new National Energy Board, the new energy regulator, will have a role to play in this assessment process. We would not want a repeat of the bad experiences we had over the past few years with the NEB, where minor projects did not seem to matter so much.

In our view, when the goal is to protect the environment and respect local communities, there is no such thing as a major or minor project. Air quality, water quality, and greenhouse gas emissions all have a regional and cumulative impact. I will come back to those concepts later.

This is a complex bill. It amends several laws and affects many organizations. We are concerned by the continued mandate, for example, of the assessment panels of certain organizations, such as the Canada-Nova Scotia Offshore Petroleum Board and the Canada-Newfoundland and Labrador Offshore Petroleum Board. They will continue to be involved in the offshore oil and gas sector.

The new environmental assessment agency will not be mandated to conduct assessments of offshore projects. This worries us because although the agency has a clear mandate and the scientific capability to conduct environmental assessments, the two boards I mentioned, by virtue of their mandates, will be obliged to rule in favour of offshore oil and gas development. An important part of oil and gas development taking place off the coast of Nova Scotia and Newfoundland has been separated off, forgotten and discarded. This will be completely excluded from the prerogatives or the mandate of the new environmental assessment agency and we are concerned about that.

This begs the following question: which projects will be subject to this new environmental or impact assessment process? For now, it really is not clear. We do not have a new list of the projects that have been submitted. For now, the previous list that was established by the Conservative government remains an only list. There has been no change in the projects subject to a environmental assessment.

For now, we are being told that there will be a consultation process concerning the criteria for placing projects on this new list. I feel that this will take so long that, by the time the next election comes around in 2019, none of this will have been cleared up. Furthermore, the new agency will not have had the time to start its work because we will still be trying to determine which projects can be studied and assessed by the agency.

We can have an excellent impact assessment process and a very robust and competent agency with a lot of expertise. However, if that agency does not assess any projects, it will not have any impact on environmental protection, our communities, or the reduction of greenhouse gases. It is an empty gesture to create an impact assessment agency that does not conduct any studies, does not examine anything, and does not assess anything because no one knows what projects it should be examining. Such an agency is useless. It does not help to protect our environment and does not help us to fulfill our responsibility to reduce greenhouse gases.

● (1800)

Bill C-69 should set out the criteria for determining when an impact study or environmental assessment must be conducted. Is it when federal funding is being invested in a project, when a federal law comes into play, or when something under federal protection and jurisdiction is involved?

We think that the criteria should be logical and objective. We should be able to use them to force the agency to conduct an environmental assessment. That is not currently the case.

The bill indicates that sustainable development and climate change must always be included in the decision-making process and the agency's assessment. However, let us be clear. The current greenhouse gas reduction targets are not even part of the goals and objectives of the bill. The government has mentioned them and we have talked about them, but there are no concrete measures in place to give the process teeth and ensure that it has consequences. That is a big problem for the NDP.

For example, a project that would produce a large amount of greenhouse gas emissions should automatically result in an impact study or environmental assessment. However, the weight of carbon emissions is not currently one of the criteria for determining whether a project will be assessed simply because there are still no criteria. That is a major concern for us.

There is one detail we want to emphasize on today. According to our interpretation it would seem that the oil sands development sites that use *in situ* technology would not be covered under the agency's mandate. The agency would not have a mandate to study the environmental impact of certain projects that use certain types of technology.

People are starting to talk about this. We are very concerned because this technology is not perfect. We know there are major consequences even though the development sites are much smaller and less visible than they were in the past.

Earlier I asked the minister point-blank about this. She gave me a politician's answer full of buzzwords, but failed to give a clear answer as to whether a project submitted in a province that already has a GHG cap program would be excluded by virtue of the province already having a GHG cap program. The bill seems to touch on that.

We want confirmation on this because the federal government could very easily use this as an excuse to shirk its responsibilities and burden the province that might have an existing program, without any guarantee that the program is being enforced, that the objectives are met or that they are in the process of being met.

The Government of Quebec is participating in a North American carbon market. As of right now, however, there is no guarantee that it will meet its own targets.

*Government Orders*

If this pretext were used to say that environmental assessments are not needed because the Government of Quebec already has measures in place, that would be completely delusional and an attempt to shirk one's responsibilities. The federal government has absolutely no way of verifying whether the province is complying with the program and meeting its targets. We have some serious concerns about that at this time.

I will come back a little later to the heart of the consultations and what can be included in those consultations. When the Conservatives curtailed and gutted the environmental assessment process, one of the things they introduced was time limits for environmental impact studies. In their eyes, this was supposed to expedite the approval of certain projects, including potentially polluting ones.

• (1805)

Much to our surprise, the Liberal bill changes those provisions. Much to our surprise, it shortens the timeframe for environmental assessments. I would have thought the Liberals would have wanted to take a little longer to create a system that is transparent, public, open, and based on science, one that listens to the experts, cross-examines the experts, one in which participants are well informed, taking the time to do things right. Well, no, in another new twist, the Liberals are shortening the timeframe for assessments. Depending on the size of the project, it is dropping from 365 to 300 days, or for bigger projects, from 720 to 600 days.

We in the NDP see this as a direct response to demands from investors and industry. It is definitely not to improve the public consultation process or to ensure that things are done properly in good time. We believe that the process should take the necessary time to reach conclusions that meet with widespread approval, that are based on science, that respect the will of local and regional communities. As it stands, that is not the case, and we are very concerned about that.

With respect to the topic of consultations, the government claims to want to restore public trust in the assessment process. The changes proposed in Bill C-69 include getting the public and indigenous communities involved at the planning stage. This is good news, if everyone is truly included at the preliminary approval stages of a project. However, the bill is short on details about who will be able to participate in the consultations, how they can be heard, how long the consultation will last, whether individuals will have access to the information held by the agency, or whether individuals will be able to question industry experts or witnesses. This is still not clear. The NDP will want to make a lot of improvements to the bill to ensure that when this bill takes effect, the process is truly open and transparent, as the Minister of Environment has claimed it will be.

I want to talk about two more points, which are very important, including the one that worries us the most: the Minister of the Environment's arbitrary power. It is rather strange for the minister to say that she is bringing back a science-based process that will restore trust, and that will take communities into account, and then in the same breath say that, no matter the outcome of the process, the minister will just do as she pleases, since at the end of the day she is the one who decides. This is almost exactly what the Minister of the Environment just said in her speech a couple of minutes ago here in the House. Ultimately, she will decide. Not only do we not know

which projects will be assessed by the agency, but we also have a guarantee that no matter the recommendations or findings, one, single minister will have the final say. This is the type of political interference that the Liberals condemned during the election campaign.

We also do not know what criteria the minister will use. Clause 17 sets out the minister's power, and then clause 63 lists a series of factors that the minister must include in her consideration, but it does not state that the list is exhaustive. This means anything could be included.

When the Liberals spend days telling us they are here to protect the national interest and the public interest, yet offer up no definition of "national interest" whatsoever, that worries me. Is it in the national interest to make an oil company happy by forcing a pipeline through, or is it in the national interest to do our part to reduce greenhouse gases and respect what local, regional, and indigenous communities want?

That is not at all clear right now, and giving that much power to the minister, power that did not exist under the Harper government, really has us worried. We think ministerial power should be limited. The government claims its process is open and transparent, and we think the bill should absolutely reflect that. We need to do a lot of work on Bill C-69. We hope it can be split so that three different committees can study it. After all, it affects many different acts, and we need to be able to do our work properly and take a very good look at this in committee. We also hope that the parliamentary committees will be able to travel across the country so they can hear voices outside Ottawa, voices from all over the Canadian federation.

• (1810)

[English]

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the message from government members is that the environment and the economy need to work hand in hand. The member has been listening to what the government has been saying. He has not necessarily been following it, but at the very least, he has been listening to it and I appreciate that.

This legislation would put in place better rules that would ensure we protect our environment, our fish, and our waterways. We are looking at rebuilding public trust, respect, indigenous rights, and strengthening our economy. The government is taking a holistic approach to what is in the best interests of the nation. I understand at times that New Democrats are very much challenged on that.

Many New Democrats believe taking any oil out of the ground is bad. They do not favour that sort of development. There are others in the House who would say no environmental assessments are necessary, almost giving the green light. Our government recognizes that we need to respect our environment, take into consideration all the factors at play and look at the economic benefits and the national interest.

Would the member not agree that the national interest is a good interest to take into consideration?

*Government Orders*

•(1815)

**Mr. Alexandre Boulerice:** Mr. Speaker, I will agree if in the mind of a Liberal the national interest is not in the interest of the Liberal Party of Canada.

[*Translation*]

Basically, we have many concerns, especially about citizen participation, or public consultation. This is mentioned in the bill's preamble, but when you go through the bill clause by clause, it is gradually watered down.

What we want is for civic participation, public participation, to be enshrined in the bill, for it to be part of the mandate of the new impact assessment agency in order to guarantee that Canadians' voices are effectively heard.

There are several things either missing from the bill altogether or not strong enough. Regional strategic assessments are missing. With respect to the assessment of cumulative effects, it is all well and good to say there are a bunch of small projects, but several small projects together can have a greater regional impact and a big impact on people. As it stands, we do not see how cumulative effects could be taken into account under the current Bill C-69.

People who have been listening to the debates between the Liberal Party and the Conservative Party in recent days will have noted that this has mainly been about who can approve the most pipeline projects the fastest. Personally, as a citizen, hearing that really worries me.

[*English*]

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, given the member's comments on cumulative effects and his willingness to attach the impact of in situ exploration and production, which is regulated by the provinces, and downstream effects like emissions out of tailpipes and jets and airplanes as a condition to the building of critical infrastructure like pipelines, I wonder if he is alarmed by recent testimony at the natural resources committee that there is a complete lack of cumulative effects studies in Canada on the development of our renewable alternative technologies.

I wonder if his logic holds given that China is the world leader in rare earth metals used in wind turbines and the consequences of that development are thousands of cubic metres of hazardous radioactive waste in tailings ponds with no lining which have decimated and devastated the land and the water and agricultural land for hundreds of kilometres around these sites. Given that China will be the main supplier of rare earth metals to the construction of wind turbines, would the member oppose wind turbines or want to see an assessment of those cumulative effects in the support of wind turbines in Canada?

[*Translation*]

**Mr. Alexandre Boulerice:** Mr. Speaker, I am a little confused about my colleague's comments. I do not quite see how they tie in with Bill C-69. However, I can understand her comments on the weaknesses or shortcomings of other methods of electricity or energy production in the world. I think fossil fuels are the most polluting method right now. They release massive amounts of greenhouse gases. We need to be aware of that. We need to act

responsibly. We need to comply with the Copenhagen and Paris targets.

If we could then have a discussion on the virtues of electric cars, solar panels, or wind turbines, I would be extremely pleased. However, I can guarantee my colleague that there are many renewable energy alternatives with a very small environmental footprint or carbon footprint. Canada could become a leader in these technologies and in new ways of using or generating energy. I think that is the way of the future and the way of the 21st century.

•(1820)

[*English*]

**Ms. Linda Duncan (Edmonton Strathcona, NDP):** Mr. Speaker, I am listening with great interest to the debate. I am hopeful that we will get back to actually talking about the bill.

We heard from the minister. She has said several times over that she will be open to amendments. I have been talking to many people who have been poring over this bill. We now have a list of probably 30 to 40 discretionary provisions where we do not know how this process is going to be applied.

The minister claims that this is going to solve the public trust and the Liberals' great commitments to public participation, yet there is not a single word of specificity on what those rights to participate will be. They are going to be left up to the panels to decide or the regulations and we have no idea when those regulations will be promulgated.

Could my colleague speak to the fact that there is absolutely no certainty in this bill as to the right of public participation in these reviews?

[*Translation*]

**Mr. Alexandre Boulerice:** Mr. Speaker, I want to thank my colleague for her highly relevant question.

Again, this comes down to the difference between what the Liberal government says and what is actually done. Too often, unfortunately, there is a wide gap between the two. If we really want to promote public participation, we must not pass up this opportunity to add clear, precise constraints to the bill in order to guarantee that Canadians have balanced, informed, and active access to these environmental assessment processes.

Quebec sometimes makes poor decisions and sometimes makes good ones. Take, for example, the Bureau d'audiences publiques sur l'environnement, or BAPE, which is Quebec's environmental review agency. Part of BAPE's mandate is to listen to and inform the public about projects and their consequences. We could use it as a model in order to implement a process that is public-oriented and goes beyond mere lip service.

[*English*]

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I thank my hon. colleague from Rosemont—La Petite-Patrie for his analysis.

*Government Orders*

As the member for Edmonton Strathcona mentioned, I am one of the people who has been going through the bill looking for places where we can bring amendments. It is very clear that what we have before us is important. It is better than the so-called CEAA 2012, which completely eviscerated environmental assessment in this country, and led to multiple court cases awaiting decisions on Kinder Morgan that are now before the Federal Court of Canada. Many of them relate to the fact that rights of procedural fairness were denied. When I questioned the minister earlier in this debate, she declined to let us know if participatory rights will include the right to cross-examination.

Is the member worried, as am I, that overall the new government has kept much of what Harper created? That is to say a system that used to see about 4,000 assessments a year has shrunk to several dozen. It appears to me that the new formula of the Liberals is to improve rights of participation somewhat but keep the number of projects assessed to fewer than 100 a year. This will inevitably lead to projects going ahead that could cause significant environmental damage that will not get assessed.

[*Translation*]

**Mr. Alexandre Boulerice:** Mr. Speaker, I thank my colleague for her very relevant question, which made a connection between public consultation and participation and whether a project is or is not assessed.

If a project is not assessed because the government has limited the agency's ability to trigger assessments, then there is no public participation or consultation. That simply no longer exists. The two go hand in hand. We are therefore extremely concerned. That is why we are going to propose amendments to give this bill more teeth.

Of course, this bill is better than nothing, but that does not mean that it is good. For now, there are too many holes in this bill and that concerns us. We are not the only ones who feel that way. Mr. Lindgren said that, unless the proposed impact assessment act is substantially revised as it proceeds through Parliament, the Canadian Environmental Law Association concludes that the new environmental assessment process will not restore public trust or ensure credible, participatory, and science-based decision-making. The Canadian Environmental Law Association said that. Even they have huge doubts. We are therefore going to try to do our job to improve this bill.

• (1825)

[*English*]

**Mr. Arif Virani (Parliamentary Secretary to the Minister of Canadian Heritage (Multiculturalism), Lib.):** Mr. Speaker, I will be splitting my time with the member for Hastings—Lennox and Addington.

On this February 14, I would like to wish three loves of my life, my wife Suchita, and my sons Zakir and Nitin a very happy Valentine's Day.

I rise proudly today to speak to Bill C-69, an act to enact the impact assessment act and the Canadian energy regulator act. The bill would introduce the impact assessment agency of Canada, replace the National Energy Board with the Canadian energy

regulator, and reinstate protections for waters used for travel across this country.

I will start by complimenting the Minister of Environment and Climate Change and her department for the important work done to get us to where we are today. As stated in her speech earlier this evening, this legislation is the product of 14 months of extensive consultation with provinces and territories, indigenous persons, companies, environmental groups, and communities right across Canada. We went through that consultation period because we wanted to make sure that we got this assessment package right.

We are introducing today an impact assessment system, a reinvigorated energy regulator, and restoring protections for navigable waters. These would restore public trust in the government's ability to review major energy projects. This trust is critical. It was lost with the patchwork of harmful changes that had been introduced by the previous Conservative government.

To be clear, the orientation of our government cannot be more different from that of Mr. Stephen Harper, the previous prime minister. We accept the science that the climate is changing. We have unmuzzled scientists. We have put a price on carbon pollution. We have invested unprecedented sums in shifting to a low-carbon economy. Now we turn our work to the important aspects of environmental assessments.

We wanted to ensure that we not only restored the environmental protections that were cut under the Harper government, particularly those made in 2012, but that we also created a better framework to protect the environment while at the same time encouraging investment and job creation in Canada. We took the time necessary to get the feedback from those who would be directly involved in the process after its implementation to make sure that this new system will work.

With \$500 billion in energy investment that is planned for our country over the next decade, a functional, big-picture approach to energy and resource development is critical to ensure that we are protecting our environment while encouraging economic growth and job creation. The two go together.

To ensure that projects that came forward over the last two years were not held up or passed without careful review that ensured the protection of the environment, we put in place interim environmental assessment principles in January 2016. That step ensured that we had a framework to review major project proposals until we introduced this new assessment plan. This avoided leaving environmental assessment to the uneven and unbalanced system put in place by the previous government, which favoured industry to the detriment of environmental protection.

It was under those interim principles that our government approved the Kinder Morgan pipeline and rejected the northern gateway pipeline, which would have gone right through the pristine Great Bear Rainforest on the west coast of British Columbia and destroyed that vital ecosystem.

*Government Orders*

Let us be clear that in the face of widespread public opposition, the northern gateway pipeline was approved by former Prime Minister Harper to fit the political agenda set out by the previous government. The result of our 14 months of consultations is a clarified review process, which implements a robust method to protect our environment.

In addition, we are maintaining our commitment to require a gender-based analysis for every project under review. The consideration for how energy resource development impacts women and their livelihood has been neglected for far too long, which is why we are committing, through this legislation, to ensure that gender impact will always be a consideration for evaluating proposals.

Another critical aspect of this legislation is reconciliation with indigenous persons. Built into the new rules under Bill C-69 is a requirement to consider the impacts of development on indigenous rights and culture in the decision-making process, a recognition affirmed by section 35 of the Constitution. Whether or not a project moves forward is directly linked to the impacts it would have on the rights of affected indigenous communities.

Our goal across government is to renew the relationship with indigenous persons founded on the recognition of rights, respect, cooperation, and partnership. This was the theme of the Prime Minister's address in this very chamber earlier today. This is no longer a negotiable position. It is no longer the suggestion that it used to be under the previous government's regulations. It is now a mandatory factor to consider indigenous impact in assessing and developing energy projects in this country.

• (1830)

As well as making decisions based on science and evidence, we would require the incorporation of traditional indigenous and community knowledge right alongside it. We are committed to protecting indigenous traditional knowledge and using that very knowledge before making decisions on resource development.

In my riding of Parkdale—High Park, I have heard from my constituents on these very issues. At a recent town hall that I hosted on indigenous reconciliation, residents of my community voiced loudly and clearly that the rights and needs of indigenous people in this country must be taken into account when developing our energy and resource sector. A focal point of the concern expressed to me by the residents of Parkdale—High Park was that our first peoples were not involved in these processes when it came to projects such as mining, hydro, or oil and gas development, and that indigenous persons need to be partners in the assessments of projects.

I have heard these concerns of my constituents, I have relayed those concerns to our government, and our government has responded with this bill.

Under the new rules in Bill C-69, indigenous people will be engaged from the outset to the end of the process, with the aim of securing free, prior, and informed consent, implementing the principles of UNDRIP into resource development. This means that a requirement will now be built into the assessment system to engage and consult with indigenous people throughout the assessment process, including monitoring and follow-up engagement.

For example, we are investing a total of \$1 billion over the next five years to ensure that we have the capacity to support essential indigenous participation and capacity development for assessing and monitoring impact, as well as for expanding public participation and the scientific capacity of federal departments and government agencies.

The residents of my riding of Parkdale-High Park have spoken to me repeatedly about the importance of indigenous reconciliation as a means of achieving another fundamental priority: protecting our environment. During meetings at my constituency office, during gatherings right here in Ottawa, and at town hall discussions, I have heard repeatedly from strong advocates from my riding, such as Green 13, Green 14, the Citizens' Climate Lobby, and Earth Day Canada, that protecting the environment is the most pressing issue of our generation and that combatting climate change and reducing greenhouse gas emissions must be at the heart of any actions we take as a government. Again, those concerns were expressed to me. I heard them, and so too has our government.

In response to these kinds of concerns and the voices of Canadians, not just in my riding but right around the country, we are, through this bill, overhauling the assessment process so that it prioritizes the environment, so that it compels the involvement of indigenous persons, and so that it considers the impact of project development on women. These factors are all critical to ensuring that economic growth proceeds in a manner that has the confidence of all Canadians.

With Bill C-69, we are also attentive to the needs of proponents of projects for a streamlined, transparent, and more efficient process, for better rules, and for quicker decision-making.

[*Translation*]

Putting in place a predictable process, under which proponents can be rewarded if they invest in clean innovation and demonstrate that they maintain high standards for sustainability and corporate responsibility, means that we will be able to do better for Canadians across the country. Our government encourages the right type of investment and ensures that job-creating projects are carried out properly during our transition to a low-carbon economy.

Our government is committed to reducing our carbon footprint and fostering innovation. It will also establish regulations for our energy industry. This bill will also directly improve transparency and access to information. In order to ensure significant public participation in the assessment process, from the beginning of the phase of engagement, the new regulations will require that scientific and other information sources be taken into account in an impact assessment and that the reasons for decisions be made available to the public through an online registry.



*Government Orders*

[English]

Taking 14 months to consult with environmental groups, energy companies, indigenous leaders, and Canadians across the country, our government has developed a new set of rules that will restore public trust and ensure development moves forward responsibly. This bill would amend the patchwork of environmental laws and processes brought forward by the previous government, which created an impossible system that eroded trust, disregarded science, and put our communities at risk, and under which not a single major energy project was built.

With this one project, one assessment process bill, we are keeping our commitment to reduce greenhouse gas emissions, address climate change, transition to a low-carbon economy, and advance indigenous reconciliation, while encouraging vital job growth in this country.

I wholeheartedly support this bill and I urge my colleagues to do the same.

• (1835)

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Mr. Speaker, I listened attentively to the member's contribution to this debate. It will be no surprise to him that I do not support the bill. Basically, what the government has done is ensure, through this piece of legislation, that no new major energy infrastructure project will ever get built in Canada. In the past two years the government has overseen a greater capital flight of energy infrastructure money than in any time in the past 70 years.

What was so wrong with the previous process, the process they defend, because the project TMX was approved under the previous process? They are adamantly saying, with flowery words, that they will somehow make it happen, and then they produce no actual action. What was so wrong with the previous process that got the Alida to Cromer oil pipeline approved, the TMX Anchor oil pipeline approved, the Cochin oil pipeline, the Keystone, the Alberta Clipper, Bakken, Line 9B, the Edmonton to Hardisty—these oil pipelines?

They got the Brunswick natural gas pipeline approved, and the Deep Panuke offshore natural gas pipeline. I could go on and on with pipeline infrastructure that was approved under the previous process, approvals that now, under this process, will likely not happen.

The changes in the legislation are so fundamental. They would allow the minister so much broad power to cancel projects. I just cannot see how the member can defend it and say it is a good thing for energy workers in Alberta.

**Mr. Arif Virani:** Mr. Speaker, the member is right that the changes we are proposing are fundamental, and they are fundamental for a reason. The question that was posed was about what is different in Bill C-69. The two major differences are, first, mandatory consultation and engagement with indigenous people, and second, the issue of putting the environment hand in hand with the economy.

That was not achieved under the previous process. The previous process was tilted to one side and not the other. We firmly believe that the two go hand in hand. We can achieve pipeline approvals and we can achieve energy projects by considering the environmental impacts and ensuring it is a green project that goes forward.

In terms of things getting built, I stand behind our record of job creation in the country. The unemployment rate is the lowest it has been in 41 years, and 700,000 jobs have been created since October of 2015. That is a record of increased job creation.

We believe in promoting the economy, but we can do so while also promoting the environment.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, I want to probe one aspect of the member's remarks. He talked about taking into consideration the impact of development on indigenous communities, which is obviously important, but it is also important to take into consideration and to seek feedback from indigenous communities about the impact of a failure to develop. I certainly hear in Alberta, and in British Columbia as well, about the negative impact on indigenous communities that comes from the government imposing all kinds of measures that make development impossible.

I am frustrated, frankly, that in the public narrative around this we primarily hear, it seems, from a minority of voices within indigenous communities, yet many indigenous people support these developments. I wonder if the member could clarify if he thinks the negative impacts associated with continuously blocking development in and around indigenous communities should be considered as well.

**Mr. Arif Virani:** Mr. Speaker, I thank the member opposite for his contribution today and on many other days, almost every other day in the chamber, in terms of his level of engagement in debate here.

I will be candid and say he is absolutely correct. When we engage in consultation and solicit input, we do not get to cherry-pick what we are about to hear. If there are indigenous communities that want to move forward with more speed in terms of ensuring that community benefit agreements are struck with pipeline proponents, those are important aspects that need to be considered.

The bottom line is that indigenous voices and their myriad and diverse perspectives need to be heard, and it is mandatory they be heard. We know that community benefit agreements are part of this process. We know some 40-odd agreements were struck in the TMX approval process. That is a good thing for those communities, and those communities need to be heard from, the same way an indigenous community that is concerned about negative impacts on their resources would need to be heard.

Absolutely, we cannot cherry-pick who we hear from, but we definitely have the requirement to hear from everyone.

*Government Orders*

**Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.):** Mr. Speaker, I am pleased to have the opportunity to participate in this important debate on our government's proposed new impact assessment legislation, Bill C-69, an act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts, which was tabled in this House last week by my colleague, the Minister of Environment and Climate Change Canada.

I have spent about two decades of my life as a community activist alongside my colleagues in the Concerned Citizens of Tyendinaga and Environs and the Mohawks of the Bay of Quinte, fighting a megadump expansion that threatened the health of our community's water. Ensuring our communities have strong environmental protections is one of my driving forces, so when I saw the weakening of federal environmental protections under the previous Harper government, I was compelled to act.

I was pleased to see our government launch a comprehensive review in June 2016 to restore the confidence of Canadians in federal environmental assessment processes, restore lost protections for our fisheries and waterways, and modernize the National Energy Board. Now, after more than 14 months of extensive engagement with indigenous leaders, provincial and territorial leaders, businesses, environmental groups, and Canadians, our government has introduced proposed legislation that reflects the values and priorities Canadians expressed throughout this process.

The proposed impact assessment act lays out a vision for a modern impact assessment and regulatory system that recognizes that the environment and the economy must work together to build us a sustainable future. It represents an important shift in the way major projects will be assessed in Canada.

The Canadian Environmental Assessment Agency would now become the Impact Assessment Agency of Canada. It would be the single authority mandated to lead assessments and coordinate the government's consultations with indigenous peoples on all matters related to project assessments. This new structure would bring about greater process integrity and ensure consistency in how major projects are assessed.

The new agency would work closely with life-cycle regulators on major energy transmission, transportation, nuclear, and offshore oil and gas projects. The new Canadian energy regulator, which would replace the National Energy Board, the Canadian Nuclear Safety Commission, and offshore boards, would provide expertise for assessments of projects related to their mandates, such as major energy transmission, nuclear, and offshore oil and gas projects. The regulatory requirements would be considered within an integrated impact assessment process.

The proposed changes seek to broaden project reviews from environmental assessments to impact assessments, with a focus on sustainability. This means assessments would consider a broader range of potential impacts to understand how a proposed project could affect not just the environment but also social and health aspects, indigenous peoples, jobs, and the economy over the longer term.

An impact assessment is a dynamic process. It brings together a wide range of perspectives, including different cultural and historical references, often diverging economic interests, and varying points of view on how to manage our environment, our health, and our society.

Too often in the past, indigenous peoples and the general public were invited to engage in environmental reviews very late in the process. The Concerned Citizens of Tyendinaga and Environs and other community groups across the country know all too well the battle it can take to have our voices heard. As another way to rebuild faith in environmental reviews, the proposed impact assessment act introduces a new early planning and engagement phase for assessments. This would allow Canadians to have their say right from the outset and thereby influence the design of proposed projects. This early planning would also provide the basis for co-operating with other jurisdictions and ensuring early consultation with indigenous groups.

Regulatory certainty would be achieved by making the system more efficient and predictable, giving companies the clarity and predictability they need with legislated timelines, with the Impact Assessment Agency of Canada leading all reviews in collaboration with provinces, indigenous peoples, and life cycle regulators, where applicable, to support the objective of one project, one assessment. It is one thing to streamline the federal review process, but we also recognize other jurisdictions have their own assessments. This can be confusing for proponents and the public, creating duplication and delays.

● (1840)

The proposed impact assessment act would introduce a new era of collaboration in the review of projects. It would advance the principle of "one project, one assessment" to reduce duplication and increase co-operation with other jurisdictions. It would also create alignment within federal departments that contribute to different steps of the assessment and regulatory phases.

Through this proposed legislation, our government has demonstrated its commitment to restoring robust, thorough reviews of major projects while working closely with provinces to avoid duplication. Another element of the proposed legislation, reconciliation with indigenous peoples, is one of the main elements of the design of the new system. The proposed changes seek to build new partnerships based on recognition of indigenous rights up front. This includes early engagement and participation at every stage.

*Government Orders*

The legislation would create new space for indigenous jurisdictions to enter into agreements with the federal government to exercise powers under the act, including the potential to conduct assessments. Going forward, it would be mandatory to consider and protect indigenous traditional knowledge alongside science and other evidence. The proposed impact assessment act would provide a practical plan that will rebuild trust, drive innovation, encourage the use of cleaner technologies, and promote a healthy and clean environment.

With these significant improvements to our assessment system, Canadians will be confident that good projects can move forward in a way that protects our environment and supports reconciliation with indigenous peoples, while creating jobs and strengthening our economy. I believe strongly that the proposed impact assessment act would achieve a unique balance. We are making sure that good projects can be built sustainably while creating jobs and economic opportunities for Canadians.

I have reached out to conservation groups in my riding about this bill, and I have heard from organizations like Quinte Conservation and Lower Trent Conservation that the proposed changes are a positive step in the environmental assessment process. This proposed legislation represents a significant milestone, but we still have a lot of work to do to advance this bill and develop supporting policies. We will do so by continuing to engage Canadians, as we have done to date. The result will be an impact assessment process that demonstrates we can bring resources to market while considering our environment, our health, and our society, and that we can do it in a sustainable way.

I have been very fortunate to be part of both the environment committee and the indigenous affairs committee, and I have to say that this bill is very much informed by the importance of both areas to ensure that we get it right. The economy and the environment can go hand in hand, but so can indigenous rights. It is so important to recognize the principles of indigenous rights throughout all of the bills that we bring forward in the House to ensure that indigenous peoples are recognized and that they can move toward self-determination. That can only be accomplished by ensuring that they participate in every aspect of our environmental and economic development. I am very proud to be part of a government that recognizes the importance of including indigenous peoples in every aspect of legislation moving forward, whether it is environmental or otherwise.

In conclusion, the proposed legislation reflects values that are important to Canadians, including early, inclusive, and meaningful public engagement; nation-to-nation, Inuit-crown, and government-to-government partnerships with indigenous peoples; timely decisions based on the best available science and indigenous traditional knowledge; and sustainability for present and future generations.

● (1845)

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, I have had the opportunity to speak with my colleague opposite about our mutual concern about the quality of life and future opportunities for indigenous communities, and rural and remote communities.

I do have a question for him. While this bill would codify the duty to consult and the rights of consultation of indigenous people for

energy projects, it does not actually, radically, fundamentally change the principle and probably will not radically change the practice.

Indigenous leaders said that the Liberals' unilateral veto of the northern gateway pipeline, which killed 31 indigenous equity partnerships, was a huge blow. Métis Premier Bob McLeod of the Northwest Territories says that the Liberals late-2016 ban on drilling in the Arctic without consultation negates important benefits of the 2014 devolution agreement. He says that the ban is offensive, patronizing, and colonial, with the result that "everything we have built is in jeopardy".

As for the tanker ban, which killed the Eagle Spirit energy east pipeline, which would have been one of the most significant infrastructure capital investments in Canadian history, the 35 first nations there were not consulted on that ban, and every one of them support them along the pipeline. The Lax Kw'alaams says that the unilateral tanker ban is "an infringement of Indigenous land. It cuts our community off at the knees from any economic development related to the export of oil."

Would the member be urging the government to reconsider those decisions in light of his comments today?

● (1850)

**Mr. Mike Bossio:** Mr. Speaker, I would like to thank my hon. colleague for her constant advocacy for rural issues. We both see eye-to-eye on many rural issues, especially around indigenous concerns.

I have to re-emphasize the importance of the new planning phase that will exist for all projects going forward. The planning phase will provide the opportunity for the government to have that interaction that has to happen, that consultation, the free, prior, and informed consent that must happen with indigenous communities, if we really do plan to respect the rights of those communities, all of those communities.

There are going to be communities that have views in the indigenous community that are different from each other. There are 634 indigenous reserves across the country. There are urban indigenous people who all need to be consulted whenever we consider any of these projects moving forward.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I want to pursue something. Bill C-69 is an omnibus bill changing three bills. I should stress that Bill C-68 on the Fisheries Act gets it exactly right and keeps the promise to restore lost protections. Bill C-69 does not.

What we keep hearing from the government side is that there was listening and there was a great deal of consultation. There was a great deal of consultation, but there was not much listening. We had two high-powered expert panels convened by the Liberal government, one on environmental assessment and one on the National Energy Board. Both expert panels gave detailed advice for what should take place.

*Government Orders*

There was no formal response, ever, to those high-powered, and I imagine high-priced, efforts that had cross-country hearings. Their recommendations were not heeded at all in what we have here. I could detail the many ways in which they were not.

Perhaps the hon. member could explain to me why the government commissioned two expert panels to tour the country and provide advice, if it intended to give it no weight whatsoever in drafting new legislation.

**Mr. Mike Bossio:** Mr. Speaker, I am thankful for the hon. member's advocacy on all issues environmental. I look to her as a mentor on many of these issues, and I thank her for taking the time to share her thoughts with me on occasion.

Our government consulted with industry, indigenous groups, and the provinces and territories. We had advisory panels that went out. Thousands of Canadians participated in this process, and different aspects that came to us from those different organizations are represented in this legislation. It is trying to find the balance between the competing interests that exist between the environment and the economy going hand in hand together.

The government really did, in this bill, find that balance of being able to bring them together, combined with respecting indigenous rights. I would disagree with the member on that count. All of those views are represented in this bill, through the balance that we have been able to achieve.

**The Deputy Speaker:** Before we go to resuming debate and the hon. member for Lakeland, I will let her know that there are only about eight minutes remaining in the time for Government Orders for today. Of course, she will have her remaining time in the 20-minute period allowed for her speech when the House next resumes debate on the question.

The hon. member for Lakeland.

• (1855)

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, I am pleased to speak at second reading of Bill C-69. I will focus my comments on part 2, the Canadian energy regulator act.

Bill C-69 is about so much more than exactly how pipelines and other major energy projects are reviewed and approved. It is about what role Canada will play internationally on resource development and energy production. It is about whether Canada will continue to be a leader in producing the most environmentally and socially responsible energy under the highest standards in the world. It is about whether the federal government will fulfill its moral obligation and economic imperative to enable Canada to supply the ever-growing global demand with Canadian oil and gas. Canada must remain open for business. The world needs and wants more Canada. The world needs and wants more Canadian oil.

Every other oil-exporting country is stepping up to meet that demand and to seize its growing share of the world market, but during the two years since the last election, energy investment in Canada has declined more than in any other two-year period in 70 years. The dollar value is the equivalent of losing 75% of auto manufacturing and 100% of aerospace investment in Canada. Recent reports show that in 2017 alone, four projects worth \$84 billion left Canada.

The decline in Canadian energy investment is not only due to lower energy prices, which are now rallying, but due to irresponsible anti-energy policies and a lack of leadership and political will. The real consequences have been hundreds of thousands of Canadians, one-sixth of the total oil and gas workers in Canada, out of work; bankruptcies and foreclosures; family breakdowns; and escalating crime. The economic impacts have rippled through other sectors and across Canada. Canada is falling behind.

Reuters reports that Canadian oil producers are running out of options to get through to markets as pipeline and rail capacity fill up, driving prices to four-year lows and increasing the risk of firms having to sell cheaply until at least late 2019. Canada is a captive merchant to its American market with 99% of Canadian oil exports going to the U.S. However, the result of American regulatory reform and cost-cutting with the removal of the 40-year ban on oil exports is that U.S. shale oil is being recovered and sold to new markets at an ever-increasing pace. In 2005, the U.S. imported 12.5 million barrels per day. Today, it imports only four million. Today, it exports almost two million, and this number is estimated to double in only four years. The U.S. is expected to provide over 80% of the global supply growth over the next decade.

Market diversification is critical for Canada, and Canadian energy companies are trying to find a way to reach tidewater so that they can compete for international markets and not sell at a discount to the U.S. Meanwhile, the U.S. is removing red tape, ramping up exports, and rapidly pursuing its energy independence. However, the Liberal delays, uncertainty, and anti-energy agenda are threatening Canada's economy now and our position as a potential global leader.

The government's failure of leadership on the Trans Mountain expansion is the latest in a pattern of roadblocks to Canadian energy development. The same day the Liberals approved the Trans Mountain expansion, over 400 days ago now, they vetoed the federally approved northern gateway pipeline, which would have connected Alberta oil to the west coast for export to the Asia-Pacific region, where demand for oil will grow exponentially for decades.

*Government Orders*

Northern gateway had undergone the same rigorous review and consultation as Trans Mountain and Line 3, which were both approved, but despite the science and the evidence that the route was sound, despite the project being in the national interest, despite the 31 equity partnerships with indigenous communities, instead of the Prime Minister offering additional consultation or any options, he said that he did not “feel” right about the project and he vetoed it.

Recently, in October 2017, TransCanada was forced to abandon the nation-building energy east opportunity. It would have been one of the largest private sector infrastructure investments in Canadian history, and would have carried crude from the west through the heart of Canada to Atlantic ports for use in eastern Canadian markets and sale to Europe. However, the political risks and pressure were too great for the Prime Minister and after three years of delay, stops, and starts, additional review, and last-minute conditions, TransCanada finally warned and then withdrew its plans for the \$15 billion project. TransCanada estimates that it lost just over \$1 billion on energy east. Enbridge estimates it lost just over half a billion dollars on northern gateway, and that does not even come close to the lost opportunities for Canadians. Billions of dollars that should have been added to Canada's economy are going to other jurisdictions.

In July, Petronas cancelled the \$36 billion Pacific NorthWest LNG project after regulatory delays because “headwinds were too great”, despite widespread support, including the majority of first nations. Progress Energy, Petronas's Canadian subsidiary, anticipated Canadian investment dollars moving to American projects.

● (1900)

Calgary-based company, Veresen, recently announced it was investing up to \$10 billion on a new LNG project, proudly called “Jordan Cove”, in Oregon. The project will invest \$10 billion in the American economy and provide thousands of jobs in the U.S.

Oil and gas companies are moving their assets to the U.S. because the Liberals are constantly changing the rules of the game, making it ever more difficult to invest in Canadian energy. What is especially disappointing is that Canada has a long track record of rigorous and comprehensive environmental, social, safety, and economic assessments for energy projects like pipelines.

In 2014, WorleyParsons issued an exceptionally thorough report examining the processes and policies for oil and gas in many jurisdictions around the world to evaluate Canada's situation and compare it to its international competitors. It measured Canada against other countries for performance in areas such as overall decision-making process; cumulative assessments for regions with multiple projects; implementation of early and meaningful consultation with stakeholders and indigenous people, including the real integration of traditional indigenous knowledge; and the implementation of effective social impact in health assessments.

Here are the report's conclusions:

The results of the current review re-emphasize that Canada's EA Processes are among the best in the world. Canada has state of the art guidelines for consultation, TK, and cumulative effects assessment, Canadian practitioners are among the leaders in the area of indigenous involvement, and social and health impact assessment. Canada has the existing frameworks, the global sharing of best practices, the government institutions and the capable people to make improvements to EA for the benefit of the country and for the benefit of the environment communities and the economy....

In summary, the review found that EA cannot be everything to everyone. In Canada, however, it is a state of the art, global best process, with real opportunities for public input, transparency in both process and outcomes, and appeal processes involving independent scientists, stakeholders, panels, and courts.

However, since the 2015 election, the Liberals have constantly denigrated and undermined confidence in the regulator and in Canada's reputation, and have created a regulatory vacuum for energy development in Canada by ongoing reviews.

**The Deputy Speaker:** The hon. member for Lakeland will have twelve and a half minutes remaining in the time for her remarks when the House next resumes debate on the question.

I wish to inform the House that because of the delay, there will be no private members' business hour today. Accordingly the order will be rescheduled for another sitting.

[*Translation*]

Pursuant to an order made on Monday, February 12, 2018, the House shall now resolve itself into committee of the whole to consider Government Business No. 20 under government business. I do now leave the chair for the House to go into committee of the whole.

\* \* \*

[*English*]

## INDIGENOUS PEOPLES AND CANADA'S JUSTICE SYSTEM

(House in committee of the whole on Government Business No. 20, Mr. Bruce Stanton in the chair)

**The Chair:** Before we begin this evening's debate, I would like to remind hon. members how the proceedings will unfold.

Each member speaking will be allotted 10 minutes for debate followed by 10 minutes for questions and comments. The debate will end after four hours or when no member rises to speak. Pursuant to an order adopted Monday, February 12 members may divide their time with another member and the Chair will not receive any dilatory motions, quorum calls or requests for unanimous consent.

[*Translation*]

We will now begin tonight's take-note debate.

● (1905)

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.)** moved:

That the House take note of the experience of Indigenous Peoples within Canada's justice system.

*Government Orders**[English]*

**Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Chair, thank appreciate the opportunity to rise on this very important issue. Before I start, I would to acknowledge the tragic events that have occurred in Florida and extend my thoughts and the thoughts of everyone in the chamber to the people of Florida.

On this important issue, Canada can and must do better when it comes to indigenous peoples, especially with respect to the criminal justice system.

The events of the past week have occurred not in a vacuum, but in the context of a strained relationship over generations between indigenous people and the justice system, a system that has often been used to control and even deny the basic rights of indigenous peoples.

For indigenous peoples in Canada, the numbers tell a disturbing story. Indigenous people are overrepresented in Canada's criminal justice system as both victims and offenders, while simultaneously being under-represented as actors within that system. The rate of violent victimization of indigenous people is more than double that of non-indigenous peoples and is particularly concerning when it comes to indigenous females. Shockingly, indigenous people are seven times more likely to be murdered than non-indigenous people.

The causes are many, rooted in the colonial legacy. This includes intergenerational effects of violence and sexual abuse at residential schools, which has resulted in poverty, isolation, and social exclusion.

The Inquiry into missing and murdered indigenous women and girls continues its work in seeking out the underlying causes that contribute to the violence and sexual abuse that indigenous women and girls are experiencing. No doubt its recommendations will be very helpful.

In the meantime, however, we must look at all available options to address the disproportionate victimization and incarceration of indigenous people if we truly can achieve and will achieve reconciliation.

The figures of indigenous overrepresentation as accused and in our prisons are just as alarming. Indigenous adults account for 27% of admissions to custody, while only 4.1% of the adult population. The numbers are even worse for indigenous females.

Indigenous youth account for 35% of admissions to correctional institutions, while constituting 7.5% of the Canadian youth population.

Please consider those figures and what they mean for the future of indigenous people if we do not act. Indigenous people constitute one-third of our prison population. In some provinces, the numbers are significantly higher. This disturbing trend will only get worse over time.

If over-victimization and over-incarceration continue, today's indigenous youth will be the majority inhabitants in tomorrow's prisons.

We still have a window of opportunity to act, but it is closing fast. We must save the next generation of indigenous youth from the vicious and interrelated cycles of victimization and incarceration.

There is another sad truth, one that contributes to the feelings within many indigenous communities that the criminal justice system is not there to serve them. That truth is that indigenous people hold few positions of power and influence in that system. Indigenous peoples are seriously under-represented as judges, lawyers, crown prosecutors, police, and jurors. This is no mere trifle. We have seen how persistent under-representation can taint the justice system, leading to indigenous peoples to feel that it does not represent them or serve them.

While indigenous peoples have a unique history and constitutional relationship within Canada, they are not alone in this feeling of exclusion. Earlier this week, I sat down with representatives of the Federation of Black Canadians. They described to me how people of African descent in Canada faced similar crisis of overrepresentation as accused and under-representation as people of influence in the system.

Similar concerns have been raised about the overrepresentation as accused in the criminal justice system of those with mental illness, FASD, and addictions. I hear those concerns too. Indeed, I am certain that as we work to improve the system for indigenous peoples, we will be doing so for all Canadians.

● (1910)

What is the way forward?

First, we must change the face of the system to make it one that is truly reflective of the diversity of Canadian society. Only then can all Canadians have faith and trust in its outcomes.

Our government has made important strides on this front. Since the beginning of my mandate, I have appointed indigenous jurists to the bench, along with other visible minorities, persons with disabilities, and members of the LGBTQ2 community. These numbers will continue to grow with time and as the legal profession becomes more diverse. Our justice system will certainly be the richer for it.

In addition, many have suggested that peremptory challenges contribute to the under-representation of indigenous people on juries. This is also likely true for black Canadians and other marginalized populations. In this respect, I wish to underscore what the Prime Minister said earlier today. We will bring forward broad-based, concrete reforms to the criminal justice system, including changes to how juries are selected.

These are but two concrete steps that we can take to address the under-representation of indigenous people as jurors, judges, and professionals. I look forward to the debate today, as I am sure others will have helpful and innovative solutions to propose.

*Government Orders*

I also look forward, in the near future, to introducing reforms to the criminal justice system that will address not only delays but overrepresentation of marginalized communities. We have worked closely with the provinces and territories on this front. All have agreed that urgent, bold action is needed. There was support among my colleagues and I for improving the bail system to address its disproportionate impact on vulnerable people. Ministers also identified preliminary inquiries, offence reclassification, reform of mandatory minimum penalties, and case management as areas ripe for reform.

Rest assured, we will be proposing reforms that strike an appropriate balance between the needs of victims, indigenous and otherwise, and the need for off-ramps from the criminal justice system. Victims and their families have repeatedly expressed how they feel lost, excluded, and often re-victimized by the criminal justice system. We are working to change this.

Meanwhile, the system cannot see to the needs of victims and tackle serious crime because it dedicates too much of its time and resources to prosecuting vulnerable and marginalized offenders. These offenders need appropriate off-ramps from the criminal justice system, not another ticket back in.

Criminal justice reform is not easy, but current events have highlighted the need for action. We need to work together to adopt evidence-based approaches to criminal justice reform that truly work to make us safer and a more just society.

Before I end, I would like to say this. Reforms to the criminal justice system and the justice system writ large are indeed an integral and necessary step toward reconciliation with indigenous peoples in our country. However, those reforms will only achieve true success if coupled with a new relationship with indigenous peoples.

Today, we heard the Prime Minister, in his historic indigenous policy statement, confirm that all of our relations with indigenous peoples must be based on the recognition and implementation of rights, including self-determination and the inherent right of self-government. New legislation and policy will be developed in the near future and will formalize this approach.

One of the implications of this is that indigenous governments and nations, as they undertake the work of rebuilding their political, social, and economic structures, will play an increasing role in reshaping elements of Canada's justice system. The role of indigenous laws, legal orders, and courts will expand as we continue to evolve Canada's tradition of legal pluralism.

The importance of this cannot be understated. Our justice system has never been static; it changes and evolves. The next frontier in that evolution will see indigenous peoples continuing to craft their own solutions to the crisis in confidence we currently face.

●(1915)

Perhaps more than any one set of reforms, it is the forging of this new nation-to-nation relationship with indigenous peoples, creating a climate of trust with them and a climate of trust in our justice system, that will truly set us on a path of reconciliation.

**The Chair:** Before we go to questions and comments, a reminder to all hon. members that under the rules of debate for committees of

the whole, members are not required to be in their usual seats and will still be acknowledged from where they sit in the House.

**Mr. Mark Strahl (Chilliwack—Hope, CPC):** Mr. Chair, I would like to thank the Minister of Justice for her comments. As a fellow British Columbian, I appreciated what she had to say.

We are obviously here because there has been an outpouring of concern and support about a recent court case and for the Colten Boushie family. All members of this House expressed their condolences to the family for the loss of a young man who had so much life left before the incident that has been the subject of a court case.

The member is the Attorney General of Canada. She is perhaps regarded as the most important lawyer in the entire country. The Canadian Bar Association felt compelled to issue a statement after the Prime Minister and several ministers of the crown issued statements on the weekend. It stated:

The Canadian Bar Association is not commenting on a case that may be subject to an appeal. We have concerns with politicians calling verdicts into question. When parties in a case believe there has been an error, the appropriate avenue is through the appeal process. The integrity of the justice system must be respected.

As a lawyer, as the Attorney General of Canada, I wonder if the minister can comment on that statement by the Canadian Bar Association and tell us whether she thinks ministers of the crown did comment on a specific case and perhaps violated their duty as members of the bar by doing so.

**Hon. Jody Wilson-Raybould:** Mr. Chair, I am happy to respond. I am assuming the member opposite is referring to social media tweets that I, the Prime Minister, and other ministers of the crown put out.

With respect to what has transpired over the last week, I sent out a tweet after the Prime Minister, recognizing and acknowledging the anguish I saw on the faces of the Boushie family and on the faces of Canadians across the country. As the Attorney General of this country, to turn a blind eye and not acknowledge the anguish of people marching in the streets I feel would have done a disservice by not acknowledging the tragic events. It was not commenting specifically on a verdict but commenting generally on the criminal justice system and how that system has been unjust for indigenous peoples, black Canadians, and other marginalized individuals within it. My comments were on the criminal justice system and how we can and must do better. As the Attorney General and the Minister of Justice, I am incredibly proud to stand up here every day to fight for fairness and equality for all Canadians.

*Government Orders*

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Chair, I want to thank the minister for being here tonight. I am thankful that this institution can be used to tackle an issue that has shocked our nation.

We have heard from people, urban and rural, indigenous and non-indigenous, who feel that our system failed Colten Boushie's family. I thank the minister for her comments. When the system fails an individual, there is recourse through appeals, and there is legal precedence, but we are talking about a system that has failed a people. This is a moment of reckoning.

I want to talk about what I did not hear from the minister. I want to get to specifics. I would love to think that great visionary ideas could change the world, but I have come to think that it is changed on the ground.

One of the issues that came out in the Boushie trial was the treatment of the Boushie family by the RCMP; the way it was investigated; the way that, from the beginning, the seeming criminal was the boy who was dead on the ground; and the way his family was considered criminal and his friends were considered criminal. Every step of the way, in the way the RCMP handled it, set a tone that we see across social media now with some really ugly racist trolls misrepresenting what happened.

What the family has asked for is some form of oversight and investigation of the RCMP's actions in the Boushie killing and also an oversight process in Saskatchewan, where the RCMP are not subject to outside, independent review, as exists in other jurisdictions.

Would the minister talk to the Minister of Public Safety and admit to this House and to indigenous people in Saskatchewan that out of this there will be a process and that an independent review of police actions will be a priority? Whether it is in Thunder Bay or Val-d'Or or anyplace else where these actions happen, we need to have this indigenous lens to make sure that justice is done and done fairly by the police.

• (1920)

**Hon. Jody Wilson-Raybould:** Mr. Chair, I appreciate the important comments about a moment of reckoning. I could not agree more that we are at a time right now when things have to change. We have to turn words into action, and I am committed to doing that.

I, as well, had the opportunity, along with the Minister of Public Safety, to sit down and meet with the Boushie family a couple of days ago. What they imparted to both of us was the need to ensure that we continue to build relationships and that we continue to find solutions to the systemic challenges that exist within our criminal justice system.

I will say this. Racism, discrimination, and bias have no place in that system, and we have to do everything we can to eradicate that to ensure fairness and equality.

At that meeting, to the member's point, they raised the issue of the RCMP. The Minister of Public Safety and his office are working with the Boushie family, connecting them with the appropriate people and assisting them in that regard. As the member has asked,

of course I will talk to the Minister of Public Safety to follow up, not only with respect to the request of the Boushie family but to ensure that we continue to work collaboratively, he and I, to address all issues, from the time someone enters the criminal justice system to the point when they are incarcerated. We can do better.

**Hon. Jane Philpott (Minister of Indigenous Services, Lib.):** Mr. Chair, I want to reassure the Minister of Justice that, like other members in this House, I am delighted that she is putting a priority on criminal justice reform. We will all support her in that.

I believe that the minister knows that one of the issues I have been concerned with is the severe overrepresentation of indigenous children in the foster care systems across the country. When we follow what happens after that, we can see that among missing and murdered indigenous women and girls, many were once in foster care, in very large numbers. When we look at the number of indigenous people in the criminal justice system and prisons, huge numbers of them were once children in foster care.

In light of how we are going to address the foster care system and the overrepresentation of indigenous peoples, the minister and the Prime Minister talked today about a recognition of rights and how when we recognize the rights of indigenous peoples, that will fundamentally change their lives.

I want to know how the minister thinks this recognition of rights framework will support our work to address the severe overrepresentation of indigenous children in care and how it might help us keep those children with their families.

**Hon. Jody Wilson-Raybould:** Mr. Chair, that is an incredibly important question. There are many negative reasons why indigenous individuals and other marginalized communities find themselves in the criminal justice system. The minister pointed out having been in the custody of the child welfare system.

In terms of what the Prime Minister spoke about on the recognition of rights and creating a framework, this is an opportunity to ensure that we are listening to indigenous communities, listening to citizens within indigenous communities, and creating the space to ensure that it is indigenous parents and communities that take care of their children and have control over the jurisdiction of child and family services. This is the opportunity to inject traditional approaches into child welfare issues, ensuring that children can stay within their families and communities and not be removed, which has certainly been shown to pave the way into the criminal justice system, which many individuals do not leave. We can do better than that.

• (1925)

**The Chair:** Before we resume debate, I would again remind all hon. members that while we are in committee of the whole, and the format invites a less formal exchange across the aisle, to keep an eye on the Chair so I can give some cues as to the remaining time. From time to time, I would ask them to check and keep their comments directed to the Chair.



*Government Orders*

I am at a slight disadvantage. I have a height disadvantage to begin with, but when I am seated in this big chair, it is that much more accentuated. Since we are not able to stand, I and other chair occupants will signal when members are getting close so we can make sure members are not taking more time than might be available to other hon. members.

Resuming debate, the hon. member for Kamloops—Thompson—Cariboo.

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Chair, tonight the House of Commons is stepping back from its usual business and taking a few hours to discuss the experience of indigenous people in Canada's justice system.

For the past week, Canadians have engaged in an intense, emotional discussion about the outcome of the trial concerning the death of Colten Boushie. There have been protests across Canada and passionate debate among many concerned with justice. This sad situation has touched a nerve with all Canadians.

The outcome of this trial does not change the fundamental facts of the situation: A young man's life has ended, tearing him away from his family and his closest friends. I think every member of the House can agree that this was a tragic situation. First and foremost, our thoughts, prayers, and condolences are with Colten's family and friends.

I lived in a community where there were an indigenous and a non-indigenous community side by side, and we did have some challenges over the years. However, I learned from those challenges that the job of our leadership is to try to calm people and create a sense of unity rather than a sense of division. It is certainly incumbent upon all of us to help these communities in Saskatchewan heal. We have to continue to have difficult conversations that unite rather than divide, and do so with respect and recognition that we are all working to build a better Canada.

When we have difficult situations like this, we should always be open to ensuring that more Canadians have trust in the justice system. Of course, we also need to acknowledge that we have a system that has been built and improved over decades of careful work. Conservatives have always been ready to listen to voices seeking change in our justice system, especially for the benefit of victims and their families.

In office, our previous Conservative government passed over 30 pieces of legislation to keep Canadians safe while putting the rights of victims ahead of the privileges of offenders. We also created the federal victims strategy and the Office of the Federal Ombudsman for Victims of Crime. We provided significant resources to the aboriginal justice strategy and the indigenous courtwork program, which enable indigenous communities to take a greater role in the administration of justice in Canada.

We introduced Bill C-2, the Fair and Efficient Criminal Trials Act, which made important reforms to jury selection laws to allow for a larger jury if the judge thought it was necessary. The same bill helped to protect the identity of jurors.

We authorized the Canadian Victims Bill of Rights, the first law to entrench the rights of victims of crime into a single piece of legislation. As the former attorney general, Peter MacKay, said when

the legislation was introduced, "every victim deserves to have an effective voice and to be heard".

I remember when we were developing that particular piece of legislation. There was a very tragic case near the riding I represent where an 18-year-old girl had been brutally murdered. The court process was continuing, but the family was able to participate in Mr. MacKay's process so that they could share their experiences and hopefully help make that particular piece of legislation better.

I acknowledge that trial many years later. It is still going on. It was 2011 when the daughter was killed. There was an automatic presumption that the parents were suspects because they were family. They experienced some very difficult moments. At the round table, I remember them talking about not being able to say goodbye to their daughter because they were in the RCMP office. It was profoundly impactful to hear them talk about not only the very difficult loss of their daughter, the murder of their daughter, but also the immediacy of the RCMP process. It was an awful experience for them, and it informed the Victims Bill of Rights.

We had 30 pieces of legislation. In contrast, we know that the current government has not passed a lot of legislation. There were a number of articles out a while ago comparing the Liberals' record of actually getting legislation through the House to our record. To be quite frank, in two and a half years, the Liberals have failed to table any legislation to improve Canada's justice system. We are hearing that they have to do something, but they are two and a half years in. They do not have anything on the table yet for us to look at.

● (1930)

We have to wonder if this is even a priority for the government. There is scant mention of justice issues in past remarks and in the mandate letters, and nothing in the Prime Minister's speech to the UN. Recently, since this tragic case, the Liberals have referenced the 2013 report by former Supreme Court Justice Frank Iacobucci, but until this week, it was never acknowledged or put out there as something they were going to look at. We have all heard media reports that some form of legislation will be coming in the near future. It almost has the appearance that the Liberals are scrambling to tack on some changes to jury selection, and it almost seems like an afterthought. All of a sudden they are quoting a report that they have not talked about in their time in office.

I talked about the number of measures that we brought forward over 10 years, and I want to talk about the ones the Liberals voted against: ending house arrest for serious offences such as sexual assault and kidnapping; tougher penalties for those who produce, traffic, and import date rape drugs and those who sell drugs near schools; ensuring that state sponsors of terrorism are held accountable for their crimes; ensuring that public safety comes first when dealing with individuals found not criminally responsible; the protection of indigenous women under threat of domestic violence. I could go on.

*Government Orders*

These are things that were focused on protecting the victims, and the Liberals have a history of voting against them. We worked hard to ensure that justice is served swiftly and the rights of the victims are put first.

With this record in mind, if and when the government finally decides to table some legislation in response to this tragic situation, we will take the time necessary to consider it and its effects. This is what Canadians expect us to do.

At this time, we need to respect the independence of the judiciary and ensure that we do not undermine the crown's ability to seek an appeal of this verdict, should it intend to do so. It is not the role of parliamentarians or ministers to assign guilt in this case or any other. It would not deliver justice to the victims or to society at large.

There can be no political point scoring in this case. There are no winners, only grief and sadness. There is a mother without a son, a brother gone, a friend lost. There is a man with the death of another on his conscience, a memory that will not be erased. There is an indigenous community feeling once again that it is left in the cold, its needs and its sense of justice forgotten by the rest of us.

This sad turn of events has moved Canadians and escalated some of the most fundamental debates in our society today. As the official opposition, we will play our part in these discussions, fighting, as we always have, for a justice system that puts the rights of victims first.

• (1935)

**Mr. Marco Mendicino (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I would like to be able to thank my hon. colleague for her remarks, but there was one glaring passage within her presentation that drew some concern from the government side of the aisle. She suggested that this government has not taken any concrete steps whatsoever when it comes to criminal justice reform. We have to respectfully disagree.

Where was the hon. member and her colleagues on that side of the House when this government introduced Bill C-51 to address sexual assault and take down the systemic barriers that have for far too long stopped victims, who are disproportionately represented in the indigenous community? Where was her support? Where was her colleagues' support? Why does she not make mention of that?

To be very particular about it with regard to that legislation, in that context we have ensured that we are going to codify Supreme Court of Canada jurisprudence. We are going to ensure that we are shoring up rape shield laws, which are aimed precisely at taking down the twin myths that have served as systemic barriers, and which would enable victims to step forward to get the justice they deserve.

I ask my hon. colleague in good faith to turn her attention to the good work that is being done on this side of the House. Will she agree?

**Mrs. Cathy McLeod:** Mr. Speaker, I had it wrong. The Liberals have not introduced none; they have introduced one piece of legislation, and we supported it.

We heard tonight the justice minister saying how much work has to be done, how much is undone, and that is what my comments are about. If there is so much work to be done, why is it not before the

House already? Yes, there was one piece, and we supported it. I do accept that I should not have said there was none, but I really think there is a lot of work to be done and obviously it is not getting done.

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, I looked up a report that was made back in 1991, reviewed by the Aboriginal Justice Implementation Commission of Manitoba, which Senator Sinclair was on. The report talked about the use of preemptory challenges to exclude indigenous peoples from jury. I want to read a passage of that report. It says, "We believe that the exclusion of potential jurors on the basis of their race is an unacceptable and probably unconstitutional practice which should be ended by reform of the method of juror selection."

What does my colleague think about that passage from that report, almost 30 years ago? Do we have to wait for another Boushie case to move on these issues?

**Mrs. Cathy McLeod:** Mr. Speaker, I do understand that there have been a lot of reports over the years. It is now two and a half years since the government was elected. We would look at any proposal and give any proposal that the government puts on the table due diligence in terms of what Canadians expect us to do. However, quite frankly, until we have a piece of legislation on the table, there is really not much I can say.

**Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC):** Mr. Speaker, we are all aware in this House that visible minorities, including our indigenous peoples in this country, have experienced and continue to experience acts of hate and discrimination. We are all aware of that. Members would agree that acts of discrimination, whether in person or online, whether through denial of services or at businesses, must come to an end. We have to continue to have difficult conversations that unite rather than divide us, and to do so with respect and recognition that we are all working toward building a better Canada.

I would like to ask the member to speak to ways in which we, together, can take proactive steps to eradicate discriminatory acts toward all people, minorities included, in our communities.

• (1940)

**Mrs. Cathy McLeod:** Mr. Speaker, anyone who has been watching this discussion would see some very passionate debate happening, looking at our system and what we can do. Is it working? Is it not working? What do we need to do to make it better? However, we see that many Twitter feeds and Facebook feeds are filled with vitriol and anger, which is very concerning. Certainly, as parliamentarians, we all have a responsibility to call people on that.

I talked about how we had some difficult challenges in the past in some communities I represented. One thing that started out of that was community-to-community forums, where the leadership of the indigenous and non-indigenous communities, the mayors and councils as well as the chiefs and councils, said, "We need to start talking with each other in a way that is honest and truthful. Let us set our common and shared goals and values."

Anything the federal government can do that might support those conversations that happen in communities, we should all get behind.

*Government Orders*

**Mr. Michael McLeod (Northwest Territories, Lib.):** Mr. Speaker, I appreciate the comments made by my former colleague on the indigenous affairs committee. We talked about a number of issues, and I know she is quite knowledgeable on the issues that are challenging aboriginal people across the country.

I am one of the few MPs who still lives in an aboriginal community. Of the people in my community, 95% are indigenous, so I see these issues every day. Every month, once a month, we will see the court party come in by plane. It is almost a spectator sport, because the community pretty much has to shut down. I live in a small community of 800 people. If there is a callout for 200 jurors, the store has to shut down because all its staff has to show up. The school has to shut down because the teachers have to go. There is a list of people and the docket is so full that sometimes the court party will have to stay two or three days. Normally, the party will not, and it will have to come back, so the court list grows and grows. It is unfortunate because these are people I know. These are people who are related to me. These are my friends. We know the challenges in our communities. We know about the residential school fallout. We know about the addiction problems. We know about the sexual abuse. We know all these things exist, yet we continue to ignore them, and the system stays the same. A royal commission made recommendations 25 years ago that we have pretty much ignored up to now. We need to do more.

I hear from women in my riding who cannot get child support or deal with divorce issues because they cannot manoeuvre in the system we have. How do people in a small aboriginal community out in the middle of the Northwest Territories in a remote situation get access? Over the years things have deteriorated. Support programs have disappeared. Native court worker programs are gone. How do they manoeuvre? They need someone to help them. Now is a good time to start moving forward.

We need a system that allows our elders, who are much respected in our communities, to be part of the process, part of the solution. We need a support system that will deal with some of the people who end up in the correction facilities, the jails.

I heard my colleague say that it is too slow, that we should have done more. Is now a good time to start the reforms to bring changes across the government, which includes justice?

**Mrs. Cathy McLeod:** Mr. Speaker, what we indicated is that we would receive and give due scrutiny to anything the government proposes.

I want to pick up on something the member talked about with respect to his experience of communities closing down. In the very tragic court case I spoke about, the young girl was murdered in 2011. It is now 2018, and the appeal processes are still going on. We heard story after story where, because of the delays, people who had committed horrific crimes are being let off. I really think we have to look at doing something that will move the system along in a more speedy and appropriate way, because it is not acceptable that seven or eight years later a family is having to deal with the pain of reliving the tragic murder of their daughter.

• (1945)

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, I will be sharing my time with the member for Desnethé—Missinippi—Churchill River.

When I heard of the verdict in the trial for the murder of Colten Boushie, I sent out one tweet and one tweet only saying that I went to law school because I believed in justice in this country, but the decision of the court totally devastated that belief. The system needs to change in this country.

I was taught by my elders that the spirit and intent in the words of our treaties that we share with Canada allowed for just co-existence, and the preservation of Indian ways of being and indigenous laws. The injustices that indigenous peoples experience in their daily lives and in special circumstances like murder are built into the Canadian legal system and political framework. The preemptory norm of non-discrimination, a fundamental tenet in international human rights law, requires that indigenous peoples have access to justice on an equal basis to the general population. How we do that is the question.

Lawyers need training and education. Criminal crown prosecutors should have specific directives. Gladue rights only address the problems at the sentencing level. What about before that? It is equally important. Police also need training to establish protocols. We must consider how police investigate themselves when an error or a tragedy occurs.

I strongly recommend that the House consider the 2013 study, “Expert Mechanism on the Rights of Indigenous Peoples” on access to justice. Wilton Littlechild, a well-known grand chief, participated in the promotion and protection of the rights of indigenous peoples. The work has already been done by excellent people at the expert mechanism level in the report that I just referred to by the Manitoba aboriginal commission. We can continue from there.

We cannot discard, in my view, the knowledge and experience of our ancestors and elders, who remind us that the treaties contain all we need for a framework that ensures justice for all peoples who live in this land we call Canada.

**Mr. Randy Boissonnault (Edmonton Centre, Lib.):** Mr. Speaker, I would like to acknowledge the hon. member's commitment to this issue and to indigenous peoples.

I would like to ask him about the importance of a rights-based framework and the implementation of indigenous rights, and the steps needed to make sure that indigenous peoples can enjoy their full rights in the court system, without taking part in the courts to the same degree they are now. What systemic changes does he see that we should be taking as a government, and as parliamentarians, to prevent the next generation of indigenous kids from filling up our criminal justice system and our jails like they do today?

*Government Orders*

**Mr. Romeo Saganash:** Mr. Speaker, I think the basis of our work in all the things that we do, either from a policy perspective or a legislative perspective, needs to be based on the UN Declaration on the Rights of Indigenous Peoples. The norms contained in the UN declaration are the minimum standards for the survival of the dignity, well-being, and security of indigenous peoples in this place.

I am grateful that the government has supported Bill C-262, because that is the kind of basic framework we need in this country.

• (1950)

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, I always appreciate the thoughtful words of my colleague on the indigenous affairs committee.

I am very concerned by what I see as a very difficult situation in Saskatchewan. Communities are experiencing challenges. I already mentioned the anger that we see.

I am wondering if my colleague has any suggestions that we could talk about tonight with respect to how we might support these communities in terms of healing from the very tragic death of Colten Boushie.

**Mr. Romeo Saganash:** Mr. Speaker, as I mentioned earlier, these types of situations have already been studied to death. I mentioned the aboriginal justice commission of Manitoba which looked into the 1971 murder of Helen Betty Osborne. It is a similar case. In this case, the commissioner's report recommended that the Criminal Code be changed with respect to jurors. When I look at that report and the quote that I read a while ago, that is the first step we need to take in this type of situation.

**Ms. Rachel Blaney (North Island—Powell River, NDP):** Mr. Speaker, this is really a question of justice. As a mother of indigenous sons, and as a grandmother of three indigenous grandchildren, Kwastanaya or Naya, Shoshonie, and Little Dude, we have to look at the reality of this case and the beautiful soul that is no longer with us, Colten Boushie. We have to look at our justice system and see what the value of an indigenous life is. That is something that all of us in the House are questioning. All parents of indigenous children across this country are very concerned. We need to know that when our children leave our house their lives are valuable.

I am wondering if the member could talk about how we look at a justice system and how we remind all Canadians that every life, especially those that we have not valued, are valuable.

**Mr. Romeo Saganash:** Mr. Speaker, earlier a member talked about living on a reserve. I still do too.

My dear hope is that this type of case will not surface again in the future. I faced exclusion throughout my life and still do to this day. That needs to stop. The words “reconciliation” and “justice” go together, and if we are truly committed to reconciliation and justice, there cannot be reconciliation in this country in the absence of justice.

• (1955)

**Ms. Georgina Jolibois (Desnethé—Missinippi—Churchill River, NDP):** Mr. Speaker, I rise today to speak about the experience of many first nations, Inuit, and Métis people within Canada's justice system.

I stand here to state that the value of an indigenous young person is more valuable than property, and it should be. Human life is precious and should be respected. I ask why the late Colten Boushie and his family were treated like criminals. Why were Colten Boushie and his family not treated like the victims they clearly were? This past week offers a clear signal of the catastrophic failures of the criminal justice system.

The federal government has a responsibility to ensure that comprehensive changes to the legal system are put in place and that systemic changes be made to improve the justice system. There are indigenous people in my province who feel threatened today. They fear for their safety. All levels of government must play a key role in ensuring that all citizens feel safe in Saskatchewan and everywhere in Canada. The provincial government must address why indigenous people feel unsafe. All levels of government must enact changes to the Canadian justice system to prevent further victimization of indigenous people.

The justice system is failing indigenous people. The under-representation of indigenous people on the Stanley jury has been well documented. It is clear to me that the peremptory challenges used to keep indigenous people off the jury reflected a horrible failure in our treatment of indigenous people in the justice system, but we knew that already, and if we did not know it before, we have certainly come to learn it in the last several days.

There is a huge body of research on indigenous peoples' experience with the legal system. Indigenous people are suffering under its weight. There are more and more reports of youth suicides, increased homelessness, unacceptably high unemployment levels, and a shockingly high rate of incarceration. It seems easier for indigenous people to end up in jail than it is to be given a fair chance to succeed.

We also know that indigenous people are overrepresented in the criminal justice system, both as victims and offenders. Indigenous youth aged 12 to 17 accounted for 37% of provincial and territorial custody admissions. Before they finish high school, there is a good chance indigenous youth will have had encounters with the police and faced criminal charges and incarceration. I repeat that it is 37%. Anyone who does not know that this is a crisis is not paying attention.

Perhaps we could benefit by a review of Manitoba's Aboriginal Justice Inquiry report's recommendations and the Gladue decision, which called on the courts to take into account factors that brought indigenous offenders before the court. At the core of the Gladue process is the imperative of the courts to take into account the impacts of colonialism on indigenous peoples, who feel that they are not valued, that they are disposable, and that they are treated like criminals all the time.

*Government Orders*

Today, the Prime Minister spoke about making changes. If he does not lead his government to make those changes, he risks raising indigenous peoples' hopes again, only to disappoint them again. First nations, Inuit, Métis people, and advocates have been saying for years that prisons and foster care have replaced the old residential school system. Research shows that change must occur so that indigenous peoples' lives can improve. Indigenous youth, elders, and families will have listened to the Prime Minister's words today and again felt some hope. The government must lead the change that has been promised today. Please do not disappoint the indigenous peoples again. Please do not shatter their hopes again.

I echo the sentiment of the chief of the Federation of Sovereign Indigenous Nations, Bobby Cameron, when he said the other day that the verdict in the Stanley case was “nothing new”. It simply “highlighted and exposed the ugliness of justice system in Canada”. The Boushie family was here this week to advocate strongly for meaningful reform. They were encouraged by what they heard. Please do not disappointment them again.

We all learned this week that the justice system is failing indigenous people. I stand ready to work with the government to make the changes that were promised.

● (2000)

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, I want to probe a little this issue of peremptory challenges. I have been reading some of the commentary back and forth in the press on this. Some people have expressed the idea that peremptory challenges affect indigenous people who might otherwise have been jurors, but I have also heard the argument that perhaps peremptory challenges, given equally to both sides, can also be used to remove people from juries who might have a bias against indigenous people.

I am curious to hear the member's thoughts on that argument and if this is an ideal change or if there is the potential for other changes to be made to the jury selection process, recognizing that some at least have argued that there might be unintended consequences of removing peremptory challenges entirely.

**Ms. Georgina Jolibois:** Mr. Speaker, when we look at the words of the peremptory challenge, the keywords are the chosen, the potential jurors, and candidates are “reflective of all communities”.

How can anyone say that an all-Caucasian jury is reflective of the indigenous community, when the victim was Colten Boushie? We are talking about indigenous families, and it was not equal.

Again, it is reflective of all communities. It goes both ways. How would you feel if the scenarios were reversed, and you were the victim and all the jurors were aboriginal or indigenous?

**The Speaker:** I would remind hon. members to direct their comments to the Chair.

The hon. member for Courtenay—Alberni.

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Mr. Speaker, I want to thank my good friend for her important speech. My father, Frank, who is Cree, and my aunts and uncles told me they grew up with discrimination, whether in a restaurant or being pulled over by the side of road by a police officer, unfairly. My grandma, who is 92, who speaks her language to this day, faced discrimination her whole

life. One thing they expected was that, at least in court, they would be treated fairly. They would have an opportunity to defend themselves if they were unfairly charged, or charged for a crime and they wanted to make sure they had an opportunity to defend themselves and present the evidence fairly.

We know the system we are seeing right now is broken, and clearly, it is not a safe place. I would like to ask my colleague and good friend about the importance of the urgency that the government fix this broken system in order to give confidence back to Canadians and to indigenous people, so that they will know that if they have to go to court to defend themselves they will have their fellow citizens there who will reflect the people in their communities, and they will be given justice. Perhaps she could comment on the significance of the government expediting this, to give confidence to Canadians, especially to indigenous people in our country.

**Ms. Georgina Jolibois:** Mr. Speaker, today, we heard the Prime Minister speak and offer really encouraging words, raising hope in the indigenous community. Indigenous people in communities across Canada have wanted and asked for change for decades. They have asked for reforms in the justice system and at various levels. Report after report has occurred, requesting change over and over again.

The families that are here this week are still asking. The indigenous peoples are still asking. I would like to ask the government how it can speed up the process to ensure that progress is being made.

**Mr. Dan Vandal (Saint Boniface—Saint Vital, Lib.):** Mr. Speaker, every time I rise in the House I do so with tremendous pride. I am proud to represent the riding of Saint Boniface—Saint Vital, and I am proud to be a Métis nation member of Parliament.

When I rise, I often think of Louis Riel, who was born in Saint Boniface and currently rests there, because Riel was never granted the same privilege that I am being granted. Louis Riel was democratically elected as a member of Parliament for the constituency of Provencher, not on one or two occasions but on three occasions, yet he was never allowed to rightfully take his seat in the House.

Therefore, today I rise, on the eve of Louis Riel Day in Manitoba, and I reflect on Riel's own treatment by Canada's justice system. Sentenced to death on the charge of treason for defending the rights of the Métis people in Saskatchewan, the jury that sentenced Louis Riel was comprised of six Protestant men of English and Scottish descent.

Over 130 years later, Canada is a much different place, but the colonial legacy of racism and systemic racism remains within our institutions.

● (2005)

[*Translation*]

The Standing Committee on Canadian Heritage recently presented in the House its report on the forms of systemic racism and religious discrimination. I had the honour of sitting on that committee during its study and I heard academics and indigenous advocates speak in detail about the systemic racism that exists in our country today. There is no doubt that systemic racism is present today.

*Government Orders**[English]*

It was during this testimony for the study on Motion No. 103 that Senator Sinclair, who was a witness, stated that “systemic racism is the racism that’s left over after you get rid of the racists.”

The systems, the policies, the procedures in place within our institutions are very often inherently discriminatory as they were built from our colonial heritage and cultures.

It is the systemic nature of this racism that leads to a higher likelihood that bail will be denied for indigenous people. It is the systemic nature of this racism that means indigenous people spend more time in pretrial detention. It is the systemic nature of this racism that leads to indigenous people being more likely to be charged with multiple offences than non-indigenous accused. It is system racism that causes indigenous people to be more than twice as likely to be incarcerated.

The statistics reveal the shocking reality that indigenous people face within the justice system. In my home province of Manitoba, over 70% of the inmates identify as indigenous, yet the indigenous population of Manitoba is 15%.

Indigenous people are not predisposed to violence or criminality, any more than any other population group. Nothing in indigenous culture predisposes this. Nothing in human nature predisposes this. We must face the reality that the long history of colonialism in Canada has led to discrimination and social inequality. The causes of crime must be examined within this context. There are links between poverty, marginalization, and criminal behaviour, but these factors are, again, steeped in systemic racism.

The justice system itself has historically contributed to poverty in indigenous communities in many ways, such as not assisting indigenous communities in enforcing treaty rights, and other rights. The marginalization of indigenous populations is the result of systemic efforts by the government. One needs to look no further than residential schools. Rather than respect the inherent and treaty rights of indigenous people, the government of the day attempted to assimilate the indigenous population.

By continuing to deny indigenous people their inherent and treaty rights, we have perpetuated a cycle of poverty and marginalization throughout many generations.

*[Translation]*

The scars left by the residential schools are still deeply felt in our indigenous communities. Prime Minister John A. Macdonald said that we needed to “kill the Indian in the child”, in other words, remove the child from his or her culture, language, and traditions. The abuse and trauma that residential school survivors experienced have lasting repercussions in their own lives, as well as in the lives of their descendants and on the health of their communities.

- (2010)

*[English]*

This denial of culture is still happening today. We do not know what the long-term impacts of the current crisis within the child welfare system will be, but we do know that indigenous children

across the country are more likely to be apprehended and placed in foster care.

My own province, sadly, has over 12,000 indigenous children in care. Too often they are not placed in culturally appropriate homes. Instead, the history of assimilation of indigenous people is being created within this system. This crisis has often been described as the new sixties scoop, another devastating historical wrong perpetuated by government and colonialism.

*[Translation]*

I hate to say it, but there are people in Canada who grew up fearing indigenous peoples, and particularly indigenous men. They were taught to fear indigenous people. Hate is learned behaviour.

*[English]*

The number of hate crimes perpetuated against indigenous people across the country is still staggeringly high. Compounding the issue is the inconsistent reporting of hate crimes. Victims are too often reluctant to report hate crimes to law enforcement, and we are not able to have an accurate account of hate crimes and hate-motivated violence in Canada. Under-reporting is an acute issue among the indigenous population, due to lack of trust by indigenous communities toward law enforcement.

It is unacceptable that in Canada indigenous men and women are more likely to face violence and murder. In 2015, 25% of murder victims were indigenous. The rate of violent victimization for indigenous women is double that of non-indigenous women. Too many families have undergone the trauma and pain of losing a loved one to violence. I certainly do not want to pre-empt the work of the missing and murdered indigenous women and girls commission, but I hope its work will lead to concrete actions to end this ongoing tragedy.

One of the most frustrating issues in this debate is that none of these issues is new. It was in 1988 that the Manitoba government launched the Public Inquiry into the Administration of Justice and Aboriginal People, and it issued its report in 1991. Many of the problems we are discussing tonight were addressed in this report, and I encourage all members to seek out this report, which was co-authored by Senator Murray Sinclair from Manitoba.

However, we are moving toward a path of reconciliation, and I must end my speech with hope, because I feel hope. In spite of all the sadness, anger, and frustration, I genuinely feel hope. We are all in this together, whether we are Liberals or Conservatives, indigenous or non-indigenous. We are all in this together and we need to find our way out of this together.

Indigenous people of Canada deserve better, and I truly believe the actions of the government are working to improve the lives of indigenous people throughout Canada. I was very proud to hear the Prime Minister speak today about building a new rights-based framework in collaboration with indigenous people. This comprehensive strategy would work to fully recognize and implement indigenous rights.

*Government Orders*

Ultimately, we cannot solve the issues of systemic violence within our institutions without moving forward toward self-determination for indigenous people. This strategy is an important step toward this goal. Further, the justice minister has begun a broad review of the criminal justice system, which will include a review of indigenous participation within the justice system.

Finally, before taking questions, I would like to thank the family and the loved ones of Colten Boushie for taking the time to meet me yesterday. I share their grief for the loss of their loved one. No family should have to face the pain of losing a loved one to violence.

**Mr. Mark Strahl (Chilliwack—Hope, CPC):** Mr. Speaker, the member mentioned a number of statistics, very troubling and alarming statistics, and unfortunately, as he said, they are statistics we have heard before. I think he would agree with me that one statistic that crosses all cultures, all groups of people in Canada, is that the lower the level of education, the more likely people are to have interactions with the criminal justice system.

Our previous government tried. Bill C-33 was our effort in the previous Parliament to try to improve first nations education, recognizing the difficulty of education in first nations communities, given the history of residential schools. We are talking about the criminal justice system, but I want to get the member's thoughts on the importance of a quality education for first nations and indigenous students, one that is the same as for non-indigenous students, as well as how we can work together to get there so that more indigenous students have a good education, have better options, and are able to make the choices many of us take for granted in non-indigenous communities.

● (2015)

**Mr. Dan Vandal:** Mr. Speaker, I firmly believe—and I do not think there is a member in this chamber who would disagree—that education is a way to a better life, education that is respectful and that respects the cultural heritage of indigenous people, education that respects the indigenous languages of the Métis, first nations, and Inuit people of our country.

I am very proud of what our government is doing. We are investing over \$2.6 billion in the next five years for indigenous education, first nations education, and we feel that is something that is a concrete first step. However, there is much more work to do, and we are committed to doing the work that is necessary, in partnership with first nations, Métis, and Inuit people.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, it has been very encouraging to hear the government members talk about justice. I would encourage Canadians to read a fascinating document supplied by the justice department that gives the real view of indigenous justice. That was the factums that were provided to the B.C. Supreme Court to fight the St. Anne's residential school survivors.

However, the government's position is so shocking in attacking reconciliation and attacking the basic rights of indigenous people that it had those factums put under a sealing order. It had the trial put under a sealing order. Even after it won, they are still under a sealing order, because if Canadians knew what the government's legal arguments against indigenous people are, everything this Prime Minister said today would be seen to be a mockery. That's because if

they were to look at the most belligerent, militant opposition to indigenous rights in this country, they would see that it is the Justice Department of Canada.

It has been there from day one. The government spent \$100,000 fighting a young Cree girl getting orthodontic surgery and \$4 million fighting Cindy Blackstock. The government spent over \$110 million going after indigenous rights with legal matters in 2013, when it only spent \$66 million at CRA. My belief would be if the government spent as much going after international tax cheats as it is willing to spend going after indigenous rights in the courts, we might see a better Canada.

If we are going to look at true reconciliation, will the Liberals start to address the justice department and ensure that the Department of Justice Act starts to defend indigenous rights instead of attacking them time and time again, whether it is treaty rights, individual rights, or the rights of indigenous children? We need to know that the government is serious, and it is going to have to start with taking on the justice department.

**Mr. Dan Vandal:** Mr. Speaker, it is fairly obvious that the member across the way was not present today to hear the important announcement or the important speech this evening by the justice minister on what this—

**Mr. Charlie Angus:** I have a point of order.

**The Speaker:** I am confident that the hon. member for Timmins—James Bay is rising to ask me to point out that we do not draw attention to the presence or absence of a member in the chamber.

**Mr. Charlie Angus:** I was here.

● (2020)

**The Speaker:** The hon. member is insisting he was in the chamber, but in any event we do not draw attention to the presence or absence.

The hon. member for Saint Boniface—Saint Vital.

**Mr. Dan Vandal:** Mr. Speaker, let me rephrase that. It is fairly obvious the hon. member across the way was not paying attention when the Prime Minister today spoke passionately about our new rights-based framework that we are going to be advancing in partnership with indigenous, Métis, and Inuit populations. It is quite obvious to me that the hon. member across the way was not paying attention when the justice minister, a half hour ago, spoke passionately about leading the way toward better defining the rights that exist in section 35 of Canada's Constitution.

For too long, section 35 has not been defined. We are committed to working with indigenous populations from coast to coast to help define those rights. That is something that is starting immediately, and we are 100% committed to getting the job done.

*Government Orders*

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, I want to pick up on some of the comments my colleague from Chilliwack made. He talked about education being absolutely critical. The Conservatives and all parties in this House supported first nations having control of first nation education and things like Anishinabek Nation Education Agreement Act. However, I have noticed that as part of that process there was one unfortunate thing, which is that children in the communities that live side by side are not going to school together anymore.

When children go to school together, play sports together, and have birthday parties together, they create a bit of a shared understanding of culture and become friends. This goes back to the comment I made earlier about what we can do as parliamentarians, not only with respect to the healing or what needs to happen in Saskatchewan, but to make sure that we do not create that divide.

This was one of the things that was a bit of a loss. Although we certainly support and understand the reasons for first nations needing to assume control over their education, there was that loss of opportunity within the communities.

**Mr. Dan Vandal:** Mr. Speaker, I will repeat that I believe every member in this chamber believes: that education is the key to a better future.

I know that we have been doing some good work on the education front in my home province in Manitoba. The government has recently signed an agreement for a first nations educational authority, representative of, I believe, a dozen first nations in Manitoba, to control their own education and to set the curriculum for the students who are in those schools.

We have to continue talking and negotiating in good faith. We need to listen. One of the hardest things to do in this job is to listen, to really listen without interrupting, and to try to get to a mutual space where there are benefits for all parties. I think that is what “nation-to-nation” means, and we are committed to moving forward in that way.

**Ms. Jenny Kwan (Vancouver East, NDP):** Mr. Speaker, I come from an urban riding. It is also the third-largest urban aboriginal community riding in the country.

Twenty years ago we had a situation of an indigenous man named Frank Paul being picked up by the police while intoxicated. He was supposed to be brought to the sobering centre to sober up. Instead, the police officer dragged him into an alley in the Downtown Eastside and dumped him there, where he died of hypothermia.

There was obviously outrage from our community, and we called for an inquiry. An inquiry was conducted, and we ultimately found out what had happened. The police chief made an apology to the family, and police training, education, and so on took place.

In the case of Colten Boushie, I am wondering whether or not the member agrees that there should be an inquiry held so that we learn from these kinds of lessons. “Never again” should not be repeated over and over again in different scenarios, such as in the cases of Frank Paul and Colten Boushie.

I would like to hear the member's answer.

**Mr. Dan Vandal:** Mr. Speaker, what is imperative in the Colten Boushie situation is that we learn to understand everything that led to the unfortunate occurrence of Mr. Boushie being shot. I am a firm believer in prevention. We have to put the social systems in place, the supports and assistance to families, so that unfortunate instances like that are prevented.

I know we can do better and I know we can learn from this.

● (2025)

**Hon. Rob Nicholson (Niagara Falls, CPC):** Mr. Speaker, I am pleased to have this opportunity to speak in the House on the experience of indigenous peoples within Canada's justice system.

First, I would like to reiterate that our thoughts and prayers continue to go to the members of the Boushie family on the tragic loss of their son, their nephew, their brother. No family should ever have to endure such pain. Our hearts are united with the Boushie family at this most difficult time.

I want to spend a bit of time talking about the Conservative Party's record in supporting victims of crime.

My colleague from Kamloops—Thompson—Cariboo, who has shown leadership on this issue, pointed out something very important, and that was that our colleague, the Hon. Peter MacKay, introduced the Victims Bill of Rights. Again, this is completely consistent with where the Conservative Party is, has been at in the past and continues to be. It became law in 2015. That was not the only thing we had done.

We passed Bill C-2, the Fair and Efficient Criminal Trials Act, which among other things amended the Criminal Code to allow the swearing in of up to 14 jurors to ensure a trial could be completed. It also had other provisions. One of them was special protections for aboriginal women under the threat of domestic violence. This is known as the Family Homes on Reserves and Matrimonial Interests Rights Act. Again, this is an important step forward to updating Canada's laws.

Another example is that the Human Rights Code in our country did not include indigenous peoples. They did not have the protections that all Canadians deserve. Our government did that. We said that it was important for everyone in the country have those protections.

I want to be clear that the Conservative Party is always interested in ways to improve Canada's justice system.

We talked about Bill C-51, the only bill the government did bring forward, but we supported it. We will not take the position the Liberals took with the previous government when they basically opposed everything we did. We will look at any way to improve Canada's justice system.



*Government Orders*

This past week, the heartbreaking death of Colten Boushie warrants discussions about the challenges first nations people face. All Canadians want to have fair and equitable treatment for all indigenous people. In fact, if we look at what we did in government over 10 years, they were all consistent with helping to support victims and people in the criminal justice system. One of the significant resources was to expand the aboriginal justice strategy, which enabled aboriginal communities to have increased involvement in the local administration of justice.

During the 2008 fiscal year, as an example, approximately 113 programs were funded and they served nearly 400 indigenous communities. We continued to renew that as part of our economic plan. In fact, in 2014, we renewed it for another two years. Why? Because we believed it was important.

One of my colleagues on the other side said that the native courtroom program had ended. It certainly did not end under our government. It was one of those programs in which I was very interested. It was known as the aboriginal court workers program. It assisted indigenous people to understand their right to speak on their own behalf or to request legal counsel, and to better understand the nature of the charges against them. It was very important. It assisted indigenous people with the administration of the criminal justice system, with special awareness given to the values, customs, languages, socio-economic conditions of indigenous people, and ensured there were no communication barriers between indigenous people and those involved with the administration of the criminal justice system.

Let me be clear. The Conservative Party of Canada has always been interested in hearing from Canadians on ways that we can improve the criminal justice system. Certainly the heartbreaking death of Colten Boushie warrants a discussion about the challenges faced by first nations people. We would welcome and carefully consider proposed legislation that would improve the justice system, while maintaining the independence of our justice system.

● (2030)

Judicial independence is protected in our Constitution, and it guarantees anyone accused of a crime that his or her case will be heard by an independent and impartial tribunal. Independence is necessary for public confidence in the fairness and impartiality of our justice system. It is a cornerstone of Canadian democracy. Fairness for all Canadians includes everyone, indigenous and non-indigenous. We all deserve that protection.

As I have stated, I am in favour of seeing more indigenous jurors and working with the indigenous community with other justice-related issues, including indigenous policing. Just two weeks ago, I was honoured to meet with the Association of Iroquois and Allied Indians on indigenous policing and law-related issues. We discussed how we could support indigenous police services. One way of doing that would be to ensure they would be listed as first responders.

I hope the government will act on the recommendations of this group. It is extremely important that we give it assistance. The government must bring first nation policing in line with other police services. There is nothing wrong with that, and it makes sense. Those forces need to be protected under strong legislative frame-

works, and afforded the same resources and support as federal and provincial police forces.

Underfunding jeopardizes the adequacy of policing in indigenous communities, and there have been examples, which I was told about, among the nine first nation police services in Ontario. For instance, I was told that they were not legislated under the Police Services Act and therefore were not required to meet the adequacy standards of other local police services. There have been a couple of articles on how this can work to the disadvantage of people who need the help.

Therefore, if the government is looking for ways to help out indigenous communities, certainly this is one way. Ensure they get the same protection and the same resources as other policing services do. Again, I heard this about a week ago from groups in Ontario that this was what they should have. If the government is looking for ways to do this, this is something on which it could move forward.

We continue to be prepared to encourage more indigenous representation and input into our justice system. That is important. As I have stated already, politicians, regardless of how powerful they are, must also respect the independence of our judicial system. If it is interfered with, it may have the unfortunate effect of impeding the crown's ability to launch an appeal.

On the weekend, I made a statement about the Boushie case. I recognized that the verdict in this case must have been difficult for all those involved, especially for the family members. However, I am pleased they are in Ottawa this week.

Again, we are open to suggestions on these things. I believe you will get more support from us for worthwhile initiatives. You will probably get more support from us than we received from you in the last Parliament. However, we have to work together.

**The Speaker:** As an experienced member, he knows well that comments are to be directed to the Chair.

Questions and comments, the member for Niagara Centre.

**Mr. Vance Badawey (Niagara Centre, Lib.):** Mr. Speaker, many people know the member is a former colleague of mine going way back to our formal lives in municipal government. He is also a colleague of mine in the Niagara region. We work very closely together on many different issues and initiatives, and I want to thank him for that.

However, there is no question that this issue has shocked the nation. I heard the word "reckoning" earlier. It is a day of reckoning, and I agree. That is somewhat of an understatement. This is a point in time where it is all hands on deck, all 338 members in the House of Commons working together to move those yardsticks down the field with respect to this file. There is a need to put more of a lens on indigenous peoples, on their treatment, and respect, respect being the key word, to create a Canada where everyone belongs.

*Government Orders*

With all the investments and attention this government and past governments have given, whether it be through education, health care, infrastructure, and the list goes on, would the member opposite agree that we can continue to work together to add a third word to those two words we hear quite often? We have heard “truth” and “reconciliation”. Would the member opposite agree that the word “resurgence” would move the yardstick down the field even quicker? We would then have “truth”, “reconciliation”, and “resurgence”. Does the member opposite believe that with that we can work together to achieve that resurgence through dialogue, respect, and an overall effort to bring this nation to one where everyone belongs?

● (2035)

**Hon. Rob Nicholson:** Mr. Speaker, I have known the hon. member in public life, going back at least a couple of decades.

I thank him for that suggestion. That is exactly what we have to do. We have to move forward on these. There was quite a bit of criticism of the Department of Justice but in many ways the department has considerable insight into these.

I remember when I was on justice committee, listening to Don Piragoff, an outstanding individual in the Department of Justice. He pointed out that many times people who were caught up in the criminal justice system had administrative offences that otherwise were not criminal offences but they piled up on them.

For instance, if a person gets arrested and he or she is told not to be on the street after 9 o'clock, not to be in a bar, not to have anything to drink, those in and of themselves are not crimes, yet many times people who might have addiction problems and have been arrested go out. If they are drinking or if they are on the streets, it then piles up. It becomes far more complicated to deal with an individual who faces all kinds of charges. I really appreciate my colleague pointing that out.

We have to look at what really happens in our country with respect to indigenous peoples. I spoke of indigenous police forces in the province of Ontario. We have to look at ways to help them. We can make changes so they are in a better position.

During all of the years I was in government, I was a big supporter of the aboriginal court worker program. It made sense to help people to ensure they understood the system. People are having problems understanding what goes on in the system or what the system is all about, and this is part of the dialogue we are having here. We need to have this dialogue.

I hope the government will bring forward constructive amendments or legislation. I hope it has some ideas on this because we will look at them very carefully.

**Ms. Jenny Kwan (Vancouver East, NDP):** Mr. Speaker, injustice happens at many levels in the policing system.

I will share another story with the House.

Today is February 14. It is the day of the missing and murdered indigenous women and girls memorial march, which took place in my riding and across the country. A daughter of someone I know went missing and was found murdered. Her remains and the evidence related to her case were lost in a locker that people forgot about. Charges ultimately were not laid and there was no justice for

the family as part of the missing and murdered indigenous women and girls. Even with an inquiry, no justice was served.

Here we are in this situation now. This is the historical pattern of our country. We can substitute the examples with different scenarios, but the theme is the same, systemic discrimination over and over again for indigenous peoples.

My good colleagues put forward a suggestion that the government adopt a legal framework based on UNDRIP, so we could stop this kind of pattern from repeating itself over and over again. Would the member support that?

● (2040)

**Hon. Rob Nicholson:** Mr. Speaker, what the hon. member says is consistent with one of the points I brought up, and that is that indigenous police forces would help on this. I was a big supporter of it when I was in government, and I am still a big supporter. I met with these individuals from the province of Ontario and they told me about the challenges they had with getting recognition at the federal and provincial levels. I told them it was a great idea, that we had to do this because it made sense.

With respect to missing and murdered indigenous women, I hope the resources of our country go toward finding out who did these crimes. The complete focus should be on those who committed these crimes and then bring them to justice. This is what we need to do.

There have been some challenges with the inquiry. I am hopeful that resources will be put toward to finding out who did these horrible crimes and then make them face the justice.

**Ms. Jenny Kwan:** Mr. Speaker, I will follow up on that, because in the case that I mentioned, they knew who the accused was, and he was the worst mass murderer in the history of Canada, Robert Pickton. The issue was that because they lost the evidence, they were not able to pursue the case and lay charges.

My question is this. These are all, I suppose, symptomatic of the issue. What we need to get at are the foundational issues. If we do not change them, nothing will change, and history will repeat itself over and over again. On that foundational piece, is it not the case that we now need to adopt the legal framework of UNDRIP so that we can change the foundational aspects of the systemic discrimination that has riddled this country for 150 years?

**Hon. Rob Nicholson:** Mr. Speaker, the member mentioned the Pickton case. She can check that one of the pieces of legislation Conservatives brought forward was that people who commit these horrible crimes can be subject to consecutive sentences. If there is one conviction against a person and then that is it, victims asked, “What about my daughter? What about my sister?” That was one of the steps we brought forward. We sent out the message that all victims count, that there are consequences for everyone who commits these horrible crimes. That was one of the things I was proud we did, to make consecutive sentences.

*Government Orders*

It is important that we do that, and that is exactly what we did, because it was the right thing to do. I would meet with the victims of these mass murderers and they would say that nothing is happening, that they were convicted with no trial, that there is nothing for their daughter, their granddaughter, or their sister, and I said that is completely wrong. The court should have the ability to impose consecutive sentences. That is the right thing to do, and that is what we did as a government.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, people watching will really appreciate the emphasis the member is putting on identifying practical solutions. It is important that we discuss the larger issues and concerns, but it is also important that we talk about specific practical solutions and consider the implications.

I do not know if the member will have time to answer both of my questions, but I would like to hear the member's thoughts about the Iacobucci report and whether the government has responded to that up until now. I am also curious to hear his views on issues around jury selection and the discussion around peremptory challenges. Maybe he has time for one of those points in response.

**Hon. Rob Nicholson:** Mr. Speaker, I do not know what the government is going to propose. We go back a long way on this. Once upon a time, when I first started out in the legal profession—

• (2045)

**Mr. Marco Mendicino:** It wasn't that long ago.

**Hon. Rob Nicholson:** It wasn't that long ago, Mr. Speaker, just a couple of years ago.

At that time, only the crown had the right to peremptory challenges. Defence lawyers did not. I remember when it was extended to defence lawyers, I said that it makes sense, that it evens it out, and it is fair to both sides. I am not sure what the government is proposing on this, or if it is going to propose anything, but we will have a look at it when it comes forward with something, hopefully.

**Mr. Marco Mendicino (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, it is a privilege to rise on this day, a day on which the Prime Minister stood in this House to announce that we will introduce legislation to enshrine, finally, the recognition and implementation of the rights of indigenous peoples as the basis for all relations between indigenous peoples and the Government of Canada.

I was also proud to join the Minister of Justice in this take-note debate as she described in detail the hard work and great progress we have made on criminal justice reform. The many examples include Bill C-51, which would strengthen sexual assault laws; Bill C-46, which would strengthen our impaired driving laws; and Bill C-16, which would protect gender expression and identity under the charter. We have also made significant progress in renewing our relationship with indigenous peoples, one that is based on respect and the right to self-govern.

How are we doing this? We are doing it in a number of ways: one, by implementing the RCAP recommendation to create two separate departments, one that is mandated to focus on indigenous-crown relations and the other a department to focus on the provision of indigenous services; two, by embracing the UNDRIP principles; three, by the creation of the working group, which is currently

reviewing all federal laws and policies to ensure that Canada is fulfilling its constitutional obligation with indigenous peoples; and four, by creating and enshrining 10 principles which inform our relationship. This is merely a starting point, in a renewed approach, where we are supporting the rebuilding of indigenous governments and nations while, in turn, reducing the use of the courts to resolve conflict.

Ultimately, this work will help assist Canada to overcome the legacy of colonization and achieve true reconciliation with indigenous peoples. This is a historic moment, one for which indigenous peoples have been advocating for many decades. As we move toward the next 150 years of Canada, we envision a country that is more inclusive of first nations, Inuit, and Métis peoples. Making the shift is fundamental to the growth and prosperity of Canada.

In terms of this take-note debate, let me say a few words.

[*Translation*]

Indigenous peoples are concerned because they do not know if the criminal justice system will treat them fairly, whether they are victim or accused. As the government strives to establish a nation-to-nation relationship with indigenous peoples, we must recognize and resolve these problems.

[*English*]

Let me speak for a few moments about the very well-documented, systemic challenges which currently exist in our criminal justice system. In this regard, the statistics reveal a number of concerning trends.

Indigenous people are more likely than any other Canadian to be victims of crime. Indigenous people are more than twice as likely to be victims of violent crimes than non-indigenous people. Indigenous women are also three times more likely to experience sexual assault.

Over 1,200 indigenous women and girls have gone missing or have been murdered. Sixteen per cent of all women murdered in Canada from 1980 to 2014 were indigenous, although they make up 4% of Canada's female population.

In 2015-16, indigenous adults accounted for 27% of admissions to custody in provincial and territorial institutions, and 28% of admissions to federal institutions. This is about seven times higher than the proportion of indigenous adults in the Canadian adult population. The overrepresentation is more pronounced for indigenous women than it is for indigenous men. In 2014-15, 38% of female admissions to provincial custody and 31% of female admissions to federal custody were indigenous women. Indigenous youth are also overrepresented in our jails. They are only 7.5% of the Canadian youth population, but they account for 35% of admissions to provincial and territorial correctional services.

*Government Orders*

These statistics are telling, and they call on us to do the important work that is before us now. What is that work?

In light of these trends, we are taking action to improve the experience of indigenous people in the criminal justice system. Specifically, we have taken steps to strengthen programming to improve outcomes for indigenous people when they come in contact with the criminal justice system as both victims and accused.

[*Translation*]

The 2017 budget set aside approximately \$11 million in permanent funding for the indigenous justice program, and the 2016 budget boosted permanent funding for the indigenous court-work program by \$4 million. These programs offer support to reduce recidivism and tackle the root causes of delinquency among indigenous individuals in an effort to reduce their contact with the criminal justice system.

• (2050)

[*English*]

Alongside the National Inquiry into Missing and Murdered Indigenous Women and Girls, the Department of Justice has also undertaken two new victim service initiatives to provide direct assistance to families. The first is funding the creation of family information liaison units, a new service to help families access available information about their loved ones from multiple government sources. Second, the department is providing additional funding for indigenous community-based organizations, non-governmental organizations, and victim services to support the delivery of culturally responsive and trauma-informed services for families of missing or murdered indigenous women and girls.

Of course, we know that funding alone is not enough. That is why our government has also been engaging with indigenous people and with all Canadians to assess the problems faced by indigenous people in the criminal justice system. This engagement has taken place through round tables on our indigenous justice program. I have been privileged to participate in that broad national round table engagement process along with the Minister of Justice.

More broadly, under the leadership of the Minister of Justice, our government has also undertaken a review of Canada's criminal justice system to ensure that it is just, compassionate, and fair, and promotes a safe, peaceful, and prosperous society.

What we are hearing is that the challenges facing Canada's indigenous community, including overrepresentation, which I have already alluded to, are top of mind when it comes to this government's agenda, when it comes to consultations and reform.

As our government continues the important work towards reconciliation with indigenous peoples, we have also developed 10 principles respecting Canada's relationship with indigenous peoples, principles which base the relationship between indigenous peoples and the federal government on the right of self-determination, and relationships based on recognition and implementation of rights. The 10 principles are intended to be a starting point for a recognition-based approach to changing federal laws, policies, and operational practices that recognize indigenous peoples.

[*Translation*]

Lastly, the national inquiry into missing and murdered indigenous women and girls was established in December 2015, and work began in September 2016.

The independent commission was tasked with examining the systemic causes behind the violence that indigenous women and girls experience and their vulnerability to violence, as well as the institutional policies and practices put in place as a response to violence, including those that have been effective in reducing violence and increasing safety. The commission was then asked to make recommendations on concrete measures to end this national tragedy and honour and commemorate missing and murdered individuals.

[*English*]

What are the steps moving forward? While the important initiatives I have described are critical to improving the experience of indigenous peoples, our government recognizes that we can and must do better for all Canadians. While it would be inappropriate for me to speak about the specific circumstances around the Stanley case, we must recognize the historic patterns that exclude and victimize indigenous Canadians. Part of our work in understanding and recognizing victimization is to meet with and listen to indigenous Canadians. Listening to Canadians in this way and expressing our empathy does not undermine the operation of the criminal justice system; rather, it will serve to strengthen it. Some of the concerns we have heard this week relate to the jury selection process, and the Minister of Justice has indicated our government's willingness to look at those provisions as part of our overall criminal justice review.

More broadly, our government, led by the Department of Justice, is currently developing an action plan to reduce the overrepresentation of indigenous peoples in the criminal justice system, both as victims and as offenders. The goal of this action plan is to advance federal efforts toward responding to the Truth and Reconciliation Commission's calls to action respecting adult and youth indigenous overrepresentation. We will continue to develop the action plan through engagement with indigenous partners and collaboration with provincial and territorial governments.

In conclusion, all Canadians know that we can and must do more to reshape the experience of indigenous Canadians in our criminal justice system. We must do this work in partnership with indigenous peoples, recognizing our role and our efforts to continue on the path of reconciliation.

• (2055)

**Mr. Mark Strahl (Chilliwack—Hope, CPC):** Mr. Speaker, the member mentioned that it would be inappropriate to talk about the Stanley trial in particular, and yet the Minister of Justice and Attorney General of Canada, the Prime Minister of Canada, the Minister of Crown-Indigenous Relations, the Minister of Indigenous Services all commented on this case when it came forward, prompting the Canadian Bar Association to issue what I would say is an extraordinary statement. It said:

*Government Orders*

The Canadian Bar Association is not commenting on a case that may be subject to an appeal. We have concerns with politicians calling verdicts into question. When parties in a case believe there has been an error, the appropriate avenue is through the appeal process. The integrity of the justice system must be respected.

Could the member explain why several ministers in his government failed to understand why that was necessary?

**Mr. Marco Mendicino:** On the contrary, Mr. Speaker, one does not have to comment on the specific verdict of this case, which of course the government and the minister would not do, to acknowledge that it is the Boushie family members who are the victims of this tragedy. What we have done is listened and extended our condolences to the family as a result of the loss of their son. We have listened very closely to the concerns they have expressed in their experience.

The sad part is that this is not an isolated experience. This is something we have seen that has been well documented by retired Supreme Court justice Frank Iacobucci. It was documented by Senator Sinclair when he was still a judge in Manitoba. It has been well documented and indeed is replete in the jurisprudence of the Supreme Court of Canada.

I would put back to my hon. colleague that it is high time for the Conservative Party of Canada to acknowledge there are indeed systemic challenges within our criminal justice system, which call upon the important work the government is doing on the path to reconciliation.

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Mr. Speaker, we are very happy to hear that we all sit on the same side concerning the terrible issue of Colten Boushie and what his family has been through. Obviously, we agree there is a huge, 150-year-old issue. I can appreciate the government wants to tackle it, but please enlighten me and explain the term “framework”. We keep hearing about a framework of measures. What are you referring to?

[*Translation*]

**The Speaker:** Order.

The hon. member must address his comments through the Chair. Members must not use “you” or “vous” here unless they are speaking to the Chair.

The hon. parliamentary secretary.

[*English*]

**Mr. Marco Mendicino:** It must have something to do with the late hour of this take-note debate, but I understood that his question was to me, through you, Mr. Speaker. Thank you for clarifying the rule.

In response to his question, setting a framework is principally about changing our attitudes in our relationships with indigenous peoples. It is about moving away from a colonial construct, where for 150 years we have used our institutions to put the burden of proof on indigenous peoples to establish a right to safe and drinkable water, to health and education, and to equal access to all those services every other Canadian should and does enjoy. Instead, we are saying that we recognize that indigenous peoples have the inherent right to self-govern, to self-determine, and to autonomy. They have the right to choose the path of their own destiny.

That is what today's speech was about. It was about a catalyst. It was about starting a new chapter, which this government will write with great pride. I look forward to working with my hon. colleague, and indeed all members, in that work.

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Mr. Chair, I would like to thank my colleague for having gone into such detail about all the work being done by justice. One of the things I was quite struck by earlier was when the Minister of Indigenous Services talked about the tie-in to child and family services and the huge impact it has on many of the issues we are discussing today. It really struck me, when I thought about the work we have been doing on the heritage committee on systemic racism and religious discrimination, how an approach goes beyond one department. Even when we are discussing an issue like justice, it is really across government.

Perhaps my colleague could help us by discussing how the framework announced today ties in to all of it to buttress what they are doing.

● (2100)

**Mr. Marco Mendicino:** Mr. Chair, I congratulate my colleague on her recent promotion to chair of the heritage committee.

I think what she is getting at, quite appropriately, is how it is necessary to take a whole-of-government approach when we talk about embarking on the work of reconciliation. That whole-of-government approach is crystallizing the work of the working group, in which a number of different ministers, including the Minister of Justice, the Minister of Crown-Indigenous Relations and Northern Affairs, the Minister of Indigenous Services, the minister of housing, the Minister of Fisheries and Oceans, and the Minister of Natural Resources, are coming together to put that whole-of-government lens on how we close the gaps that have been erected as a result of systemic barriers, which were not designed intentionally but have, over time, resulted in a lack of full participation of indigenous peoples in every facet of life.

She is quite right to point out that as we embark on this work, we have to take a look at the full continuum of what it means to participate in our democracy.

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Chair, the parliamentary secretary to the Minister of Justice was defending the tweets by the numerous ministers that directly followed the verdict in the Boushie case. Perception matters. Certainly I am not a lawyer, but there are many in the legal community, including the bar associations, who clearly feel that this overstepped a boundary.

Because he is a lawyer by training, I would like him to talk about what *sub judice* means and about the important rules for juries once they reach a verdict, in terms of being able to share their perspectives on how they came to their decision, so that people who are listening to the debate tonight might understand these two fundamental rules.

*Government Orders*

**Mr. Marco Mendicino:** Mr. Chair, having worked a number of years in the criminal justice system as a prosecutor, I am confident that the minister and the Prime Minister have not commented on the verdict. I think it is important to set the record straight. What they have done is empathized and extended their condolences to members of the Boushie family, who are the victims in this tragedy.

What is regrettable is that the Conservatives have yet failed to show the same kind of empathy. This traces back to their 10 years in government, when they refused to implement the Kelowna accord and when they refused, towards the end of their 10 years, to call an inquiry into missing and murdered indigenous women and girls. That is fair comment. What we are looking for at this point is some partnership on the important work of reconciliation. They should join us when it comes time to restore, rebuild, and renew a relationship with indigenous peoples. We will do that.

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Chair, I would like to ask a quick, general question about citizen participation on juries. Can the parliamentary secretary tell us whether this issue was raised during the discussions on the criminal justice reform?

Does the government intend to support citizen participation on juries by giving jurors better financial compensation and breaking down some of the barriers that prevent people from doing jury duty, such as geographical and financial barriers?

**Mr. Marco Mendicino:** Mr. Chair, I thank my colleague for his important question.

The Standing Committee on Justice and Human Rights is currently examining the issue of compensation for jurors and other resources. That work is still under way.

•(2105)

[*English*]

I would absolutely echo the sentiments articulated by my colleague. It is important that we look at the question of representation and under-representation of all peoples, especially indigenous peoples, on our juries. This is something that was studied very carefully by Justice Iacobucci in 2013. He made a number of recommendations to the Ontario attorney general. We are going to have the benefit of that report as we continue to have this important conversation so that everyone gets the justice he or she deserves.

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Mr. Chair, I welcome this opportunity tonight to discuss and learn about the experience of indigenous people within our justice system.

There is no question that indigenous people are grossly overrepresented in the system, and there are many varied opinions why this is. This evening's debate was precipitated by the unfortunate event in my home province of Saskatchewan, when a young aboriginal man by the name of Colten Boushie was killed. I am not going to go into any of the details, as I believe everyone knows about this court case.

I had the chance to meet Colten's mother and some of his family members today. I personally expressed my condolences to her, and in return, she said that I have a warm heart, and it is beating. I also

learned of the racist attacks her friends and neighbours have faced over the last few days in Saskatchewan.

I believe Colten's mother, Ms. Baptiste, is watching the debate here tonight. It is my sincere wish that she can take some comfort in knowing that there are people here who are genuinely concerned about the well-being of the indigenous peoples of Canada.

As I said earlier, there are many options on the causes of the overrepresentation of indigenous people in our justice system. I believe one of the core elements is the educational system. Prior to entering politics, I was a school board trustee for many years, so I have first-hand knowledge of the educational barriers that face many first nation youth in my province and of the dismal graduation rates.

My wife Ann has over three decades of experience helping indigenous students reach their goals. She was a classroom and resource teacher. Now my daughter Courtney and my son Geoff have followed my wife's footsteps and are educators. They all have first-hand experience with first nation students in their classrooms. I believe the many hours of conversations, both at home and at board meetings, have given me a pretty good perspective on where we can improve in this area. In fact, as a member of the indigenous and northern affairs committee, I moved the following motion last November 28, 2017:

That, pursuant to Standing Order 108(2), the Committee undertake a comprehensive study of Indigenous education and graduation rates from secondary schools; that the scope of the study include standards for high school graduation, standard curricula, standard qualifications for educators and statistics for national graduation rates from reserve schools in comparison to Indigenous students off-reserve and also to non-Indigenous students; that the witness list include responsible Indigenous Services department officials, band councils, band members, Statistics Canada officials, First Nation organizations responsible for delivering education services such as First Nations Education Steering Committee, and community groups; and that the Committee report its findings to the House within twelve months of the adoption of this motion.

My motion has not been voted on yet, but I would like to take this opportunity to encourage all my committee colleagues to support this study. I would also say that I am encouraged by the Prime Minister's statement earlier today when he said, "Indigenous youth should not grow up surrounded by the things that place them at elevated risk for suicide, such as poverty, abuse, and limited access to a good education and good health care."

I am a firm believer that an education is a powerful tool. It can open many doors, and I would like to see many more doors opening for Canadian indigenous children, not slamming shut behind them as they enter the justice system.

Just this afternoon, I had a conversation with Bobby Cameron, who is the chief of the Federation of Sovereign Indigenous Nations.

•(2110)

He explained that their intention with the inherent and treaty rights memorandum of understanding with the Saskatchewan Indigenous Cultural Centre, with the Office of the Treaty Commissioner, and the Saskatchewan School Boards Association is to educate and create more knowledge on the whole aspect of inherent and treaty rights as first nations people, to help curb some of the false attitudes and perceptions that some people have, and to make it mandatory for all high school students in Saskatchewan to take a hereditary treaty rights class in order to earn a grade 12 diploma.

*Government Orders*

He is absolutely right. Non-aboriginal peoples in this country also have to learn more about the rights of aboriginal peoples, which they are entitled to under our own Constitution. Anyone doubting this needs to only read section 35.

In the news release announcing the MOU, treaty commissioner Mary Culbertson said, "Education was the vehicle used to oppress first nations people". Through education about the spirit, the intent, and the treaty relationship, "Reconciliation can be one day achieved (and) education will be the vehicle to take us there."

Last week, I had the opportunity to speak at the second reading of Bill C-262, an act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples. During my comments, I noted that the Minister of Justice and Attorney General of Canada was chairing a cabinet committee reviewing Canada's laws, policies, and operational practices to ensure that the Government of Canada is fulfilling its constitutional obligations and implementing its international human rights commitments, including the UN Declaration on the Rights of Indigenous Peoples. The committee undertook this review a year ago, and to my knowledge, we have not yet seen a report. Let me just say it is a step in the right direction.

I am also encouraged by the comments made recently by Saskatchewan's new Premier Scott Moe and our justice minister, Don Morgan. They both agree that there are some serious and probably uncomfortable conversations that have to be had on racism, on rural crime, and on the justice system. Premier Moe stated:

We respect the decisions of the justice system and its independence.... But as we move forward it's incumbent on us as a government to have those very important, very challenging discussions with our aboriginal community in the province, and all of our communities in the province.

He went on to say:

I've been made aware of a number of comments that are racist. There's no place for that in the province of Saskatchewan.... This isn't an easy thing to talk about for anybody, but it's something we have to talk about.

Justice minister Don Morgan said:

...we want to hear from first nations leaders, but I think the comments that people are making, that they want to see more indigenous people involved in the system, is a fair comment.

He also said:

I think we're open to have those kinds of discussions with the federal government. ...we'd be willing participants....

As Conservatives, we are always interested in hearing from Canadians on ways in which we can improve Canada's justice system. We would welcome and carefully consider proposed legislation that would improve the justice system.

Finally, my remarks this evening have made reference to the province of Saskatchewan a number of times. I would like to assure everyone watching this take-note debate that these problems by all means are not limited to my home province. They are a national problem and they require a national plan to overcome them. It is the duty of all 338 of us, as representatives of the citizens of this country, in concert with the indigenous representatives, to work on these critical problems and find solutions.

● (2115)

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Chair, I would like to ask the member what his suggestions are with respect to changes that could be made in the criminal justice system or other systems to reduce the percentage of aboriginal people who are incarcerated. As was mentioned in many previous speeches, it is much higher than the population at large.

**Mr. Kevin Waugh:** Mr. Chair, as government they need to propose, and in opposition we need to react. I am going to say this many times.

When I was a school board member in our province, as I reached a community of northern Saskatchewan my first stop was the cemetery. Why did I do that? I wanted to see how many youth we had lost. I have done this over and over for many years. It tells the story of a community before I even enter the community. If there is a gravesite entering a community in my province, I always stop, because that is the truth. Nobody needs to tell me the truth, because I see it when I walk among the graves. I look at when they were born and when they died.

We have talked about suicide. We have talked about hope. I have talked about hope many times, and I will again in my further comments about what we can do with respect to education to give our young people in this country hope.

**Ms. Sheri Benson (Saskatoon West, NDP):** Mr. Chair, my hon. colleague from Saskatoon—Grasswood and I share a community. We represent citizens in Saskatoon. It is a community that I know we both love. Obviously, from his comments, he understands that we have some challenges. They are not unique to Saskatchewan, but they are challenges that people right across Canada know about. We had a police department in Saskatoon that dropped indigenous people off on the side of town who froze to death. We have had lots of challenges, and there are things we need to do. I liked his comments about education.

To follow up on the comments of my colleague across the way about what changes we need to make or what role education plays in perhaps not having indigenous people overrepresented in the justice system, I wonder if the member could share some ideas on how he thinks those two are linked. What role does education play in people's lives and why is it that indigenous people are not doing well in our education system?

**Mr. Kevin Waugh:** Mr. Chair, it is all about partnerships. I was a school board trustee before I came here. I was on the executive of the Saskatchewan School Boards Association. I was a member of the Saskatoon board of education for a number of years. It is partnerships.

For the first time ever, we worked with the former aboriginal affairs minister, John Duncan, for two to three years in our city, and the Whitecap Dakota First Nation. The graduation rates for indigenous students in this country are deplorable. What are we going to do? There are two things we can do. We can leave them the way they are right now in this country, which is horrible, from Newfoundland to British Columbia, on the island, or we can do something about it.

*Government Orders*

Through the former minister, John Duncan, we made a partnership with the Whitecap Dakota where our teachers in the Saskatoon public school division had a chance to go out and learn treaty education right on the reserve. We paid our teachers and our principal to go out there and to teach first nation education. Also, in doing that, we went to the grades 3 and 4 on the reserve, and then we welcomed them back into our city. In fact, we named a school after Chief Whitecap. It is in my riding.

Members should think about that, the partnership of the Saskatoon board of education and the Saskatchewan school boards reaching out to the Whitecap Dakota, one of the founders out there, and we named our school Chief Whitecap School. It is part of our education system, one that we in Saskatchewan are very proud of.

● (2120)

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Chair, I recently visited a prison in my own riding and I was struck first of all by, unfortunately, the very high proportion of indigenous people in that prison and, second, by the very low rates of education that I was told those inmates had attained. It speaks exactly to the important points that my colleague made. He also highlighted the importance of solutions happening at the local level, not just coming from the national level but also of local communities becoming involved.

I wonder if the member can speak a bit more to the importance of local engagement and local partnerships and also what role the national government can play in encouraging local communities to have the resources and the know-how to form these kinds of partnerships that come out of particular local realities.

**Mr. Kevin Waugh:** Mr. Chair, there is some great work happening in this country, and not only in my school division that I came from in Saskatoon. It is happening everywhere. We all know education is the doorway to prosperity. It gives first nations students a chance.

In my province I want to tip the hat to the mining companies that have reached out to northern Saskatchewan, companies like Cameco and Areva, where they have given first nations in the north a chance for employment. Unfortunately in the last year, uranium prices have come down and the companies had to lay off 845 people, but do members know what the company of Cameco did? Even though people were laid off, the company guaranteed for one year 75% of their wage. The company wants to keep those people. It wants to reach out to them. What a fantastic proposal by Tim Gitzel, the CEO of Cameco, knowing that they are going to need those workers back, that they are very valuable, and that they have a connection with the north. That, to me, speaks volumes about our industry in the province of Saskatchewan.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Chair, I found the personal reminiscences of my friend from Saskatoon—Grasswood and the work he did on the school board to be quite inspiring.

I am just wondering about turning our attention to another part of needed education, and that is the education of settler-culture Canadians to understand the issues. I do not think we will be able to achieve reconciliation without a far deeper appreciation on the part of settler-culture Canadians of the wrong that has been done and

of the intergenerational searing pain and injustice that remains present. It is not historical. It is present throughout indigenous communities from the residential school system. I wonder if as an educator, the member can think about what we need to do to educate settler-culture Canadians as has been recommended by the Truth and Reconciliation Commission.

**Mr. Kevin Waugh:** Mr. Chair, we have to use our resources. One of the greatest resources we have, which is not being used, are the elders. They are there for us. They want to participate in first nations education. They just have to be tapped to come and tell their story.

I know when I first got on the board of education, I did not know what smudging meant. I did not know it was that important, but for first nations students when they got up in the day and wanted to come to school, that was part of their culture. It is a give and take. I needed to learn that, and a lot of us in the system need to learn that. When we do learn their cultures, we have a better understanding and it is easier for students to get up in the morning and go to school. That is the biggest obstacle that we have in this country, where kids from K to 12 are still in bed at 10 and 11 in the morning and do not come to school, and we pay for it later.

● (2125)

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Chair, *mahsi cho*.

[*Member spoke in Gwich'in*]

[*English*]

As with all my speeches in the parliamentary precinct on the traditional territory of the Anishinabe Algonquin people, I would like to thank them: *gunalchêesh* for the spiritual, uplifting ceremonies that I have attended with them.

We too have stories of horrible, dark events, not only in the justice system but in many other aspects of life as well. However, I would like to spend my limited time tonight offering some possible routes forward to hope, based on some of the successful initiatives created and implemented by Yukon first nations.

For thousands of years, indigenous Canadians have lived and survived here just fine. They governed themselves. They had their own justice system. They had their own traditional laws. Their traditional way of life was successful. Now look at indigenous people in today's justice system. Is that working well? Clearly, from previous speeches, no.

Do members think that putting indigenous people in touch with traditional laws and processes that have served them successfully for thousands of years might help? Many in Yukon first nations feel they will.

I will give some successful examples now, and it is important to note that these successful initiatives did not come from governments but from the Yukon people themselves. They were created by Yukon first nations.



*Government Orders*

As the Prime Minister said today in his speech, which I think will be one of the most historic speeches in this House of Commons on indigenous people, self-determination is foundational. I would like to take this opportunity to highlight some of the ways that Yukon first nation governments, in partnership with other levels of governments, are moving forward with reconciliation and creating a more inclusive system when it comes to indigenous people in Canada's justice system.

It is fitting I should speak today, as today we mark the 45th anniversary of Together Today for Our Children Tomorrow. On February 14, 1973, a delegation of Yukon first nation chiefs presented Prime Minister Pierre Elliott Trudeau with the historic document "Together Today for Our Children Tomorrow". This was one of the first land claims accepted for negotiation in Canada, and it became the basis for negotiating the Umbrella Final Agreement signed in 1993, followed by 11 Yukon first nation land claim and self-governing agreements that are in place today.

These modern treaties are viewed across Canada and around the world as the leading model for new relationships with indigenous people. As part of the self-government agreements, first nations have gained the authority to administer justice. While these provisions are still being negotiated with a number of Yukon first nation governments, we are seeing some interesting developments as they move forward.

The Teslin Tlingit Council signed its Administration of Justice Agreement with the Government of Canada and the Government of Yukon in 2011, the first of its kind in Yukon. Through this, they have enacted their own Peacemaker Court, an important step in allowing the Teslin Tlingit Council to administer its own laws and govern its citizens.

Not unlike federal, territorial, and provincial governments, many Yukon first nation governments have justice departments. These departments deal less with punishment and more with child welfare, healing, and restorative justice through traditional knowledge and traditional processes of justice.

The Kwanlin Dün First Nation in Whitehorse has also implemented a unique, successful community safety officer program. The first nation administers its own officers to patrol and respond to incidents within the McIntyre subdivision, while working with RCMP, Whitehorse bylaw officers, or Yukon conservation officers. The program has seen police calls in the area drop by an unprecedented 40%.

Yukon first nations are also working on expanding the capacity of Gladue reports production in the justice system. In the fall, the Council of Yukon First Nations, with funding from Yukon's Department of Justice, hosted a workshop on writing Gladue reports, the first step in building a reserve for the much-needed service in the community, building on the success of the many that have been used in the courts and reducing the rate of incarceration of indigenous people.

As members can see, when we work hand in hand with first nation governments, we begin to build a system that is more inclusive and better accommodates the experience of indigenous people in Canada.

To conclude, what are possible avenues to reach exits back into the light?

● (2130)

First, consider consensual and existing customary practices. Second, consider peacemaker courts, like in Teslin. Third, consider indigenous traditional processes for resolving disputes. Fourth, consider wilderness, land-based treatment, such as the Kwanlin Dün First Nation and other Yukon first nations have used for decades.

Fifth, and the next three are three items that if anyone, officials in provincial, federal, or territorial governments, is watching, these are things that could reduce huge numbers of people in the justice system, that could save millions upon millions of dollars, and reduce massive amounts of human suffering. The first one is that it has to be remembered that over half the people in the justice system are either on a substance or getting the money to get that substance. That has to be dealt with first.

Sixth, huge numbers of people who should not be in the justice system have mental illnesses. That has to be dealt with first. Seventh, the third one, a huge percentage of the people in the criminal justice system who should not be there have FASD. If that is dealt with, it would reduce immense human suffering.

Eighth, consider the successful wellness courts that occur in the Yukon and have been there now for a number of years. Ninth, consider the Teslin Tlingit Council justice diversion program based on traditional Tlingit justice. Tenth, consider the Kwanlin Dün First Nation justice program that promotes awareness, understanding, prevention, empowerment, and healing. Eleventh, consider Kwanlin Dün's outpatient drug treatment program and youth land-based, wilderness-based, and adventure-based treatment.

Twelfth, consider alternative sentencing, such as circle sentencing practised by youth justice programs. Some people suggest that circle sentencing is an easy route out of jail, and that is totally untrue. Just imagine having to face a circle of family and friends to apologize, to explain what had been done, and to take a punishment from them. It is much harder for these offenders, much more successful but much harder for these offenders to do that. Some of them do not want to do that, but it has been proven time and time again. Vern White, a former police chief in Whitehorse, a former police chief in Ottawa, and a Conservative senator was a big supporter of these diversion programs, of alternative restorative justice.

*Government Orders*

On the recidivism of people, I gave three big ways to take a lot of people out of the system. The other is dealing with recidivism. It is 60%, 70%, 80% of people who come out of jail and go back in, under normal circumstances. In one instance of this circle sentencing, this restorative justice, the alternative sentencing that I just talked about, in the Dawson City youth program told me that recidivism was zero. That is an incredible success story, compared with 60%, 70%, 80% of people going back into the jails.

The member for Abitibi—Baie-James—Nunavik—Eeyou said that the definition of hope, given by Nelson Mandela was that when there was darkness all around, there is still a point of light.

I hope that tonight I have given 12 possible avenues to move towards that point of light.

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Chair, on this side of the House we are very interested in what the member for Yukon had to say on this particular issue.

The member talked very passionately about a whole vision and gave a number of examples of opportunity that he saw for a better future, and a better future for the justice system. I have to think it has to be frustrating for the member because he is in government now, and it has been two and a half years with no substantial movement made in terms of almost anything.

As we are looking at moving forward, perhaps it will not only be the justice system and what needs to be done next. The member knows what it is like to be in communities that sometimes have the tensions related to a tragic incident. What will the member recommend that the government do to help de-escalate some of the tensions they are feeling in Saskatchewan right now?

• (2135)

**Hon. Larry Bagnell:** Mr. Chair, I hope that if we implemented some of these 12 examples I gave, they would start to reduce the tensions, as they have in my area. I was careful to try not to boast or talk about what the government has done, but for all these programs I just mentioned, I could have mentioned the dollar figures the government came in with to support the first nation initiatives. Some were \$300,000; some were \$700,00.

The self-government agreements that allowed these justice agreements that I read out were all signed. Four of them were signed while I was a member of Parliament. I think this is an example of the way forward, the way to reduce those tensions.

As I said, it is not perfect. We are taking far too long to negotiate justice agreements, but they are not easy.

I think they are an advantage over some areas. People around the world are looking at these agreements as a way of moving forward with indigenous peoples in their nations.

**Mr. Richard Cannings (South Okanagan—West Kootenay, NDP):** Mr. Chair, perhaps the member could comment on some of the underlying causes of the issues we see with indigenous peoples today, particularly the wanton destruction of indigenous culture through the residential school system, and especially the loss of language, which is really the core of culture.

I grew up in Penticton on the edge of a reserve, but I was 25 years old before I heard someone speaking an indigenous language fluently. That was in the cafe in Lee's Corner in the Chilcotin.

A few years later, I met someone I had grown up five kilometres from in Penticton who spoke fluent Nsyilxc?n, the language of the Okanagan peoples. I had no idea there were even people who could speak that language fluently. Now we see a revival of that language, as the member mentioned, through initiatives of the indigenous peoples of the Okanagan putting on classes. I have sat in classes all day, listening to people speak Nsyilxc?n. It is a very humbling experience for me.

I wonder if the member could comment on getting at some of these root causes.

**Hon. Larry Bagnell:** Mr. Chair, I love that question, because it allows me to say something I wanted to say in my speech, but I did not have time.

The parliamentary secretary was just in the Yukon to meet with aboriginal peoples and discuss how we are going to implement our new language program, to do exactly that.

However, I want to tell a story about a young woman. We had a circle, a couple of months ago, of young indigenous women. This woman had spoken at the United Nations. She said some people say the way out of this misery, the poverty of first nations people, or of any people, is to give them a job. She said it is all backward. It is exactly as the member said: what they need first is the revitalization of their culture, of their language. Then they have pride in themselves. Then they will have no problem getting the education we talked about tonight. They will have no problem getting the jobs we talked about tonight.

It is that cultural revitalization that gives them the same pride that everyone else has in their historical culture, and they can move ahead like everyone else.

**Ms. Pam Damoff (Oakville North—Burlington, Lib.):** Mr. Chair, I thank the member for Yukon for his very moving speech. I also want to thank him for all the efforts in his own riding in changing lives within his community.

I heard him mention Gladue reports. I will be speaking about them myself a little later, but I wonder if he could speak to the importance of those within the criminal justice system. The fact they are being done well in his community is something that is really important. That is not the case all across Canada. I wonder if he could speak about what they are and why they are important within the justice system.

• (2140)

**Hon. Larry Bagnell:** Mr. Chair, the justice system has a provision that in sentencing we have to take into account the history of aboriginal people. Other than that, when someone comes before a judge, they do not have that much time. The judge does not know them as a person. Most judges, until we get more first nation judges, do not know the entire different background of the residential schools or the intergenerational problems or the different cultures people come from. A Gladue report paints this all out. It describes the person. The judge gets to know the person as an individual, not just as an entity in front of him.

*Government Orders*

With that detailed information about how that person is different from all the other people who have appeared before the court, the judge can then follow the justice system's rule of being sensitive in sentencing.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Chair, in the context of reforms to the justice system, I want to recognize the work the member has done with his private member's bill on FASD. I was pleased to support the bill. The previous Conservative member for Yukon had done a lot of work on this issue as well. It has been a non-partisan issue. Hopefully we will see some progress at some point with respect to recognizing the role that kind of situation can play in the justice system.

One of the other issues we need to be sensitive to in the justice system is judicial independence. At the same time, we need to look at issues within the system and strengthen it.

Some people have raised concerns about comments that have been made by politicians with respect to a court decision in a context where nobody really knows what happened inside the jury room and what those deliberations were. The jury is not in a position to necessarily defend the reasons for its decision.

Could the member comment on the issue of judicial independence and whether he thinks the comments made by the Prime Minister and the justice minister were appropriate in that context?

**Hon. Larry Bagnell:** Mr. Chair, I want to thank the member for his support of my bill on FASD and people not being treated appropriately in the justice system. I really appreciated his support. He and I tried to collect further support, and we certainly moved the goalposts.

When I go into schools, I talk about the independence of the judiciary and the importance of that. I use a pie chart. If they look at all the boxes, the one box that is not connected to anything else in government is the judiciary. That is what separates us as a modern and free democratic society. Politicians do not interfere in the justice system. We can get put in jail just like anyone else. The Prime Minister follows the same laws as everyone else, and that is important.

From what I have heard, everyone in the House understands that concept. We make the laws and the judiciary implements them. That is an important concept in our democracy.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Mr. Chair, I rise to speak to this take-note debate on indigenous Canadians and Canada's justice system, in particular, the many issues and challenges facing indigenous Canadians in their interaction with the justice system. Those issues and challenges are not new. They are long-standing. They are rooted in the history of Canada.

The fact is that far too many indigenous Canadians have a profound mistrust of the justice system. They do not feel they are represented. They do not feel they are included. They do not believe the system is fair. They do not have confidence that if they were charged with an offence, they would receive a fair hearing or a fair trial. They hold a deep suspicion toward law enforcement rather than viewing law enforcement as a partner in keeping their family and community safe. In short, they believe that far too often the justice

system has not been just and has not rendered justice for indigenous Canadians.

The basis for this mistrust is deep rooted. It arises from a number of systemic issues that goes back many generations. That includes a history of discrimination toward indigenous Canadians. The result of that is that there has been a multi-generational mistrust of the criminal justice system.

The integrity of Canada's justice system and the maintenance of public confidence in that system depends not only on justice being done, but the perception that justice is being done. In that regard, there is considerable work to do. The fact is that closing that gap, building trust, building confidence among indigenous Canadians in Canada's justice system is complex, it is challenging, it is going to take time, and it is going to take hard work.

Among the challenges is the fact that there are cultural differences in traditional indigenous approaches toward conflict resolution. There also needs to be a recognition that this level of mistrust is not something that is abstract for many indigenous Canadians, but something that is very personal, that is very real, that is a part of their individual experiences and the experiences of their families, friends, and neighbours in their interactions with the justice system and actors within the justice system. It is no secret that many of those interactions for many indigenous Canadians have not been positive ones.

● (2145)

As I say, it is going to take continued dialogue among indigenous and non-indigenous Canadians alike, respect, and mutual understanding, and it will require sharing the truth. That is important as part of this process toward reconciliation, a multi-generational process that will require the continued involvement and engagement of all Canadians.

While we have this debate and dialogue in the House, which hopefully will continue, it is important to look at the long term. It is also as important, as we do that, not to lose sight of some of the simple, straightforward, and practical things that can be done to enhance confidence on the part of indigenous Canadians in Canada's justice system.

One of the issues that has been discussed quite widely over the last week or so has been the representativeness of juries, the fact that we have seen an under-representation of indigenous peoples participating in juries and how that can impact upon public confidence in the administration of justice. This is not a new issue. It has been studied in a number of jurisdictions, including Canada. Most recently, former Supreme Court Justice Iacobucci studied this issue in some detail for the Government of Ontario and issued a report in 2013.

I have not had an opportunity to read the report in its entirety. There were 15 or 16 recommendations, most of which were for the province of Ontario. I cannot speak to all of the recommendations. Having not read the report in its entirety, I cannot say that I endorse all of the recommendations. However, having the opportunity to read parts of that report, it struck me, based upon some of the recommendations of Justice Iacobucci and some of the observations he made, that there really were practical things that could be done.

*Government Orders*

One of the things that Justice Iacobucci observed was that many indigenous Canadians just did not have much interaction with the justice system, other than relatively negative interactions. There is a lack of awareness and as a result of that lack of awareness, a lot of indigenous people are not necessarily as inclined to participate in any way in the justice system, including in juries. Therefore, working with indigenous leaders and communities to talk about collaboration, education, and the justice system is an important step.

The justice committee, of which I am a member, over the last few months has undertaken a fairly comprehensive study, hearing from a wide range of witnesses on issues that face jurors. While the focus of that study was largely on issues around stress and PTSD, a recurring theme was the lack of support and remuneration for jurors. Justice Iacobucci touched on that. In particular, he noted, and it was certainly noted in evidence before the committee, that indigenous peoples and other marginalized Canadians were particularly impacted by the little remuneration that jurors received and the general lack of supports they were provided for doing nothing more than their civic duty.

• (2150)

Those are two very practical, minor things that could be done. There is a long list of other things that could be done, but we need to move forward, reflecting certainly on the past but trying to work together to achieve true and meaningful reconciliation, because it will not be achieved unless we are all in it together, all Canadians, aboriginal and non-aboriginal.

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Chair, the member's speech was positive and thoughtful. It was very compelling because we have all identified a major problem and it is great when we all work through it together.

The member raised a very interesting point. I am not a lawyer, but I heard a lawyer mention the other day that justice needs not only to be done but it needs to be seen to be done. He raised that very interesting point. I am curious. People read the paper and say that the judge should have done this or that, but they were not in the court. They do not know what all the evidence was. Just using the example of the average person, not with aboriginal people involved, how does the member think we can deal with that problem where justice needs to be seen to be done as well? How can we educate people better? It is a very interesting idea.

• (2155)

**Mr. Michael Cooper:** Mr. Chair, seeing that justice is seen to be done includes ensuring and working to increase the participation of indigenous Canadians. Part of the problem here is when we see a lack of participation, for example, of indigenous peoples serving on juries and when we see indigenous communities who do not have a good relationship with law enforcement, who do not trust the court system, who do not believe that the system is fair. It includes outreach. It includes efforts to increase that participation. It also includes education for those who are actors within the justice system, whether they be crown attorneys, judges, or law enforcement officers, about some of the issues facing indigenous Canadians to create greater understanding and sensitivity to issues facing indigenous communities.

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Mr. Chair, right now the status of women committee is studying the

experience of indigenous women in the justice system and in jails. The stories we are hearing are 100% terrible. It is an even worse story than we had understood.

A particular theme that has come from a great number of the witnesses is that extra burden that was put on indigenous women when the previous Conservative government brought in mandatory minimum sentencing. It took away the discretion of judges. Say, for example, a woman is an accessory to a crime. Her car is used as the getaway vehicle and her boyfriend is charged. It used to be that the judge could say, "You can serve your time on the weekends and you can get your sister or your grandmother to look after the kids on the weekends when you're in jail." That is all gone. That judicial discretion is gone because of what the Conservative government put in place.

Here is an example. Jonathan Rudin from Aboriginal Legal Services of Toronto:

What happens then is that the person goes to jail, and if they don't have someone to look after their kids...they will lose their kids...Even if the person gets their children back, they will have been removed from their families.... [T]hat experience of being taken from your family and put into foster care...is incredibly damaging.

How could this be happening in this country at this time? We know how much damage generations of residential schools did to disrupt family parenting, and our judicial system is doing it right now. The Liberal government two years in has not kept its campaign promise to—

**The Chair:** Sorry, we have to move on.

The hon. member for St. Albert—Edmonton.

**Mr. Michael Cooper:** Mr. Chair, I would respectfully disagree with the hon. member for Nanaimo—Ladysmith on her observations with respect to mandatory sentences.

I fully support mandatory sentences. I believe that individuals who commit crimes need to be held accountable. That being said, in terms of the issues around the overrepresentation of indigenous Canadians in our justice system, we have to deal with some of the underlying systemic issues. That includes providing opportunities in education. It is why our previous Conservative government invested some \$10 billion in education directed toward indigenous Canadians. It involves providing training, jobs, and opportunities, because at the end of the day, we are not going to see true and meaningful reconciliation unless indigenous Canadians have the opportunities and tools to participate in the economy to achieve a level of economic autonomy that for many indigenous peoples is sorely lacking in this country.

• (2200)

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Chair, I also know my colleague is a lawyer by background. I had asked this of another lawyer in the House earlier; however, I did not get a clear answer. I wonder if he could explain the concept of what a jury is and is not allowed to do with respect to any decisions that are made, so that the people who might be watching can understand some of the limitations that are placed on jurists.

*Government Orders*

**Mr. Michael Cooper:** Mr. Chair, in response to the good question from the member for Kamloops—Thompson—Cariboo, pursuant to section 649 of the Criminal Code, jurors are prohibited from discussing any aspect of their deliberations. When a jury deliberates, once that verdict is reached, those deliberations are confidential. In that regard, I would say that the comments made by the Prime Minister and the Minister of Justice with respect to the outcome of the trial involving the individual who killed Colten Boushie were unhelpful. While we can all agree that this was a great tragedy, and that the victim is Colten Boushie, we must also respect the administration of justice. That includes the sanctity of verdicts rendered by jurors, and the process that is in place, including the appeal process.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Chair, my hon. friend from St. Albert—Edmonton spoke of the clear lack of trust of indigenous people in the criminal justice system. The member for Timmins—James Bay spoke of the question of racism within police forces. We know that a lot of women who are in danger in communities do not go to the RCMP for help because they do not believe they are safe there. I take my friend from St. Albert's point that it might be unwise to comment on the verdict and what the jury did, but I have no hesitation in commenting on the horrific way the RCMP treated Colten Boushie's family in the immediate aftermath of his killing. Admittedly, it is a difficult topic to raise here, but what can we do to ensure that the immediate interface between the RCMP and indigenous peoples is not one where I suspect there is deep systemic racism within those police forces?

**Mr. Michael Cooper:** Mr. Chair, in response to the member for Saanich—Gulf Islands, I cannot speak to the interactions the Boushie family had with the RCMP following Colten Boushie being shot and killed. Obviously, some of the allegations that are coming forward about some of those interactions are deeply concerning. However, I will say that the men and women in law enforcement who risk their lives every day to keep our communities safe do a very good service for communities across this country. I have a lot of respect for the law enforcement community. I believe the vast majority of police officers do their very best to treat all the individuals they encounter, including indigenous peoples, with respect. However, there is obviously still work to do regarding further education and further awareness. What we have to do if we are going to move forward is take an approach of trying to work together to move forward and be better rather than pointing fingers at one another.

• (2205)

**Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.):**

*[Member spoke in Cree language]*

*[English]*

Mr. Chair, I come here as an indigenous person and as a Canadian, someone who believes in the goodness of people, especially when we can get them away from the Internet.

This is a great day, when we have seen our Prime Minister make an announcement on indigenous rights and the self-determination of indigenous peoples within Canada.

Over the past two years, we have seen a tragic chain of events that has demonstrated the divide that exists within our nation. Racism does exist. It is an ugliness in the underbelly of our state.

One of my responsibilities, one of our responsibilities, is to live together in a good way. There is, though, a divide in places like Battleford. Battleford is representative of what goes on in our nation. I hear it from my relations and cousins who see racism in the lower expectations in the education system and in schools when we tell children that they are not suited for that type of work or that course. We cannot do that.

We see the racism in child services, the racism in health care services, when even my father could not obtain cancer care when he was dying from lung cancer. We see racism when people go shopping in malls and are followed around, or racism when we have interactions with the police and are carded. Do we always trust the police? Many do not in our society.

Battleford represents a chance for us to look within ourselves and ask what type of nation we desire for ourselves, and especially our children. We can choose to be consumed by hate, by division, and by rage, but if we have the courage to extend our hand, we will gain so much more.

On Sunday, I said that I felt sorry for the Stanley family. Many may express disbelief. Some have said that I have betrayed my people, that I am a traitor, that I should die.

The taking of a life is wrong, either accidentally or purposely. Mr. Stanley will need to live with that for the rest of his life. He took a life, and his life is forever changed. If it were me, my conscience would weigh heavily, and I feel sorry for that situation.

A young man has lost his life, and I feel the greatest and deepest sorrow for the Baptiste, Boushie, and Wuttunee families. The dreams of a young man are gone forever. All the dreams of his family for his future are gone. He was a young man full of hope. He cared about his friends. He loved his mother, his uncles, and his sister. He had a great potential to make a positive contribution to his community. He was a man who should not have died, a man who deserves justice.

In January and February 2017, I walked on the traditional territories of 41 first nations, from Battleford to Winnipeg. I walked many, many miles, and I talked to many people. The land I walked on has seen the feet of my ancestors. It is land that was full of the spirit of my people. It also contained the spirits of others, farmers who have tilled the soil for over 100 years. I met with farmers and heard about their concerns in places like Cochin, Shellbrook, Prince Albert, Weldon, Melfort, Humboldt, Muenster, Melville, Esterhazy, and Fort Qu'Appelle. I heard about their love of the land and how they worked hard, about their dreams and their needs.

As indigenous people, we do not live here by ourselves. We live side by side with others. They will not be leaving any time soon. We signed treaties, such as in 1817, when Lord Selkirk and Chief Peguis worked together to save the Selkirk settlers who had arrived in Red River, near Winnipeg, in -40 degree weather, feeding them, clothing them, housing them, looking after them, caring for them.

*Government Orders*

I was told by an elder, Winston Watnee, that if I cry, my children will die. I remember hearing him by listening to a cassette tape. He sang those words as my mother drove her car across the Prairies, coming from Calgary, where she could not find work and we could no longer afford an apartment and where we were living in a car from May until October. We arrived at a powwow in Battleford, the traditional territory of my people. We met Winston and bought his cassette.

● (2210)

I listened to those words and that song, *See the Arrow*. That vision is engraved in my memory. It is the model I try to use with my children, to always keep a smile on my face and to always be happy, but to face reality nonetheless.

The young man who died, *pun*, is a representative of many in this country. His story talks of the ills of our society, a justice system that is broken. From his needless death comes a chance at reform, at building a better and more inclusive structure of the state. My message is this: If we let the rage consume, can we have the future we need? If we yell, will the people listen to us or will they tune us out? Once we have salted the earth, will we be able to feed our children?

I call upon leaders in our heartland, in all municipalities across this country, in churches, in communities, and in first nations, to extend a warm hand of reconciliation, to take the time to meet and learn how we can work together.

One can never convince a man of one's point through rage. How many municipalities have met on a regular basis with first nations chiefs and councils? Not very many have. There are some, but not enough. How many have common projects, where they work together on things of local importance? How many first nations invite local municipal leaders and provincial leaders to their community and band meetings, or even to celebrations? What is our common project at the local level?

The new Premier of Saskatchewan has offered many solutions. What role can we all play to build the bridges to ensure that justice and the rule of law are paramount, to ensure that we live together in a good way?

It is easy to attack and to fight, but is that the legacy we need in our society? I would say to church leaders and religious leaders that we need to find a way to start conversations in our parishes and in our churches. We need to attend the sun dance, to see and to understand indigenous peoples. We need to attend the churches so that we may understand other people's perspective. We also need to attend mosques to understand all perspectives that make up this great nation.

In 1994, I was in South Africa. As a young man, I had the chance to see up close the great work of Mandela during the first free and fair elections of South Africa. I heard him speak. He put aside division and the rage that he had, and worked with those who had stolen decades of his life. He wanted a better future.

I am certain that the imperfect justice system will move forward even tomorrow, but we must find that common ground. The question should not be only about obtaining justice for a young man, but about how to prevent this from occurring in the future. How do we

create a society where people do not feel they need to reach for a gun because they feel the state has been absent?

We do not live in a lawless society. We live here with our values, our common values. We just need to find a way of expressing them so that we can both understand those values.

I would ask the leaders of all communities and especially those people online, how do we create a society where all citizens have equal opportunity?

In closing, I have a challenge for people to invite someone from outside their regular community and network over for a meal, someone they would not normally invite; make it a meal of reconciliation; break bread together; learn, and especially extend that hand of reconciliation, which we need so much in this time.

*Tapwe.*

● (2215)

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Chair, I always appreciate the independent perspective the hon. member brings when he talks about issues. I think it is a strength for members of Parliament to think through issues themselves and come to their own conclusions.

I would be curious to hear him talk a bit more about the issue of reconciliation. He talked about some of the frustrations people feel in both indigenous and non-indigenous communities. What does he think we can do? What does he think could happen at the local level to encourage greater understanding, greater co-operation, and a greater sense of common purpose as we go forward?

**Mr. Robert-Falcon Ouellette:** Mr. Chair, I remember when I first arrived in Winnipeg, I had a naming ceremony for my young child. We lived in the suburbs, which generally are not indigenous neighbourhoods. We decided to invite over some of the neighbours. Even though many of the people were 40 to 50 years old, this was the first time they had had any extended interaction with an indigenous family as they participated in a ceremony celebrating the life of a beautiful little girl. Spending that time together was an important moment for me. Many of us have become fast friends. One lady, in particular, down the road, is like a grandmother to my children, even though she is not of my blood or from the soil I am from. Nonetheless, I consider her family and like a grandmother to my children. She is loved very much. That would not have happened if I had not taken the time to extend a hand of simple friendship.

That is what is most important. It is not simply what we do here in Parliament but what people can do back in our communities, what they do in Humboldt, Esterhazy, and Melville—places where I have been.

I remember a young man named Moose, in Melville. He was a construction worker. He invited me out for a couple of drinks. We went to a bar and met with other farmers. We had a wonderful evening. I had a wonderful time learning about all the challenges farmers face. I would not have known that. It informed my thoughts here in Parliament.

*Government Orders*

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Mr. Chair, we know the relationship between first nations and the criminal justice system has been bad for a long time. As much as the government likes to say it is improving, in many ways, it is not, especially where I live in Courtenay—Alberni. There is systemic racism. We see it in policies of today, in court cases today in my riding, which the member knows all about.

There have been multiple commissions and inquiries, spanning decades, regarding or advising on first nations and the criminal justice system, from the Donald Marshall inquiry in 1989 to the Royal Commission on Aboriginal Peoples in 1996 to the Truth and Reconciliation Commission in 2015. All of them recommended significant changes to the criminal justice system. The federal government has idled, only for things to get worse. We have finally reached a crisis point, which is what happened to the Boushie family.

While I am posing my question, I would like to send my condolences to the Boushie family on behalf of the people of Courtenay—Alberni.

Could the member tell us if the government will commit to an inquiry into the relationship between first nations people and the criminal justice system with a mandate to recommend serious change? We need to do it expeditiously, working together with first nations people. Will the government idle, or will it idle no more on this issue?

**Mr. Robert-Falcon Ouellette:** Well said by my friend from Courtenay—Alberni, Mr. Chair. I had the opportunity to visit him in his community.

My colleague is right. There are a lot of studies. I have a study here by Chief Justice Murray Sinclair, from 1991, about the aboriginal justice inquiry in Manitoba. The report lays out many of the recommendations concerning the jury system that the Liberal government might be reviewing and implementing.

I cannot speak specifically to what the government may or may not do in this case. I hope what the Prime Minister announced today will offer the opportunity to look at the structures of our interactions with indigenous peoples and to perhaps allow indigenous peoples the right to have their own justice system that meets constitutional requirements in Canada and the rule of law, ensuring that there is a transparent and open system. I am sure they can design their own systems that respect their values, which my friend from Yukon talked about earlier. There are many things we could be doing.

I hope first nations have the courage to act and put forward proposals they would like to see for themselves, because at the end of the day, it has to come from first nations. It cannot simply come from the House of Commons.

• (2220)

**Ms. Pam Damoff (Oakville North—Burlington, Lib.):** Mr. Chair, my question to the hon. member has to do with the importance of ceremony. When I was at Buffalo Sage Healing House, I met a woman who talked about going from surviving, when she was in an institution, to healing, and a lot of it had to do with the fact that she was taking part in ceremony.

I wonder if my colleague could speak to the importance of that and the healing journey for indigenous men and women who find themselves in corrections.

**Mr. Robert-Falcon Ouellette:** Mr. Chair, it does not matter what ceremony it is. It could be from a Christian tradition, Buddhist, or Muslim, but I think it is important for human beings to have some form of faith. It gives people hope for the future, a knowledge that even though times are sometimes very difficult, there is a purpose in life, that they have value and are loved by someone, and that they can carry on no matter what the situation.

In the prison system or the corrections system here in Canada, I know it is very important. I know there are many great people doing lots of work. I see it all the time at the Sundance, where people who have had some very difficult lives come to do a form of penance in order to strengthen their own spirit, so that they can face the challenges when they go home, of addictions, issues, and ills that they face in their families, and to pray for loved ones who are very ill.

We need to do anything we can to support that, any type of faith, so that people feel the path they need to follow is important. We need to make sure we are supporting them in taking that path.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Chair, the Truth and Reconciliation Commission report had a lot of specific calls to action. The hon. member mentioned how many cities meet with chief and council.

I have had occasion, through the Federation of Canadian Municipalities, the big city mayors' caucus, to hear the Mayor of Winnipeg, Brian Bowman describe some of the things that are going on in Winnipeg and other cities where the municipalities have taken on their share of what they see as a call to action within the Truth and Reconciliation Commission report, and pursued that.

Would the member reflect on those things in his own community? It certainly had impressed me to meet with mayors who, themselves, would say that they have to see these things, look at the medicine wheel, consider healing in these ways, and we really have to be deeply committed to reconciliation. They were not just mouthing the words. I found a deep commitment across much of the municipal order of government leadership across Canada. Does the member have any reflections on that?

**Mr. Robert-Falcon Ouellette:** Mr. Chair, Mayor Brian Bowman from Winnipeg has done a phenomenal job. I was a candidate against him and I recognize the great work he has done for Winnipeg. We have an aboriginal advisory council. Even our Winnipeg police force has two positions reserved for indigenous peoples in order to build a better understanding.

We had a former police chief, Devon Clunis, who spent an awful lot of time trying to build relationships with indigenous communities, to make sure that they felt the police were not there against them, but that they were there to help them and be protective of them. A lot of work goes into that each and every day in Winnipeg. There is always room for improvement. There are times when the police simply cannot respond to all the requests. Sometimes we have some issues with police response times in Winnipeg.

*Government Orders*

Nonetheless, they are on the road to trying to build a better society. However, there are so many issues that we face about needing an urban aboriginal strategy, including meth problems, opioid problems, and housing issues. I have 1,400 homeless people in my riding, many of whom were in the care of the state as children. I have 7% of the homeless population in my own riding. It is a dire situation that needs addressing with a whole-of-government approach, which I think the Prime Minister talked about today, as well as many other members in the House.

• (2225)

**Mr. Murray Rankin (Victoria, NDP):** Mr. Chair, I am happy to rise this evening on such a critically important issue. I will be sharing my time with my colleague, the hon. member for Nanaimo—Ladysmith.

It was back in the 19th century when a famous British judge said that justice must not only be done but must manifestly be seen to be done. I think a lot of Canadians see what has happened in the last while as something that certainly appears to have been a problem. The family of Colten Boushie has said that passionately. The legacy of colonialism, which is at the root of this issue, shows that it is not just an appearance issue but a reality issue.

In the very short time that I have this evening, I want to talk about one particular issue, and that is the ability to use what are called peremptory challenges in the jury system, to effectively prevent anyone from the indigenous community to be a juror or to prevent black people from being on juries. We have seen this in cities across the country. In rural areas, it is even worse for first nation representation on juries. That is why I was so happy today to hear the Prime Minister say that the government would fix the juror-selection process. As justice critic for the New Democratic Party, we will work hand in hand to try to make that happen quickly.

I was also pleased to listen to the passionate speech of my colleague from Abitibi—Baie-James—Nunavik—Eeyou. He talked about working hand in hand with the Prime Minister on the broader agenda, what the Prime Minister referred to as the framework for recognition and implementation of indigenous rights. That is a larger agenda, and it is long overdue. We heard the member pledge, as the NDP critic on indigenous issues, to work carefully and fully with him in an effort to achieve reconciliation.

Let me speak about the specific issue with which the Prime Minister started his remarks, and that is the issue of peremptory challenges. Canadians may not understand that it is open to both the crown and the defence to have what are called peremptory challenges to jurors for no reason at all, perhaps the colour of the person's skin, but they do not have to give a reason. They have a certain number of peremptory challenges that each side can bring to bear. In addition, they have the ability to challenge a proposed juror for cause, of which there is unlimited ability to do that.

I want to read what Mr. Justice Murray Sinclair, now Senator Sinclair, wrote in 1971 after the murder of Betty Osborne. He was asked to do a study on the justice system and aboriginal people in the province of Manitoba. The way he started his report was chilling. He said, "We believe that the jury system in Manitoba is a glaring example of systemic discrimination against Aboriginal people." Then he went on to say, "If a significant portion of that public is not

properly represented on juries, it would not be surprising to discover that a portion of the public never comes to view the justice system as anything other than a foreign and imposed system." That says it all.

That is why, among the recommendations made so long ago, Justice Sinclair said that there was a need to get rid of the ability for peremptory challenges to occur, and that was one of his key recommendations.

More recently, Professor Kent Roach said exactly the same thing. He says that it is time to get rid of this discriminatory practice. He calls peremptory challenges an invitation to discrimination, and I could not agree more. However, he says something else. He says that he hopes the government will take seriously, that the time for additional studies is over.

We have studied these issues to death and it is time for us to look at indigenous systems of justice, perhaps the greater use of sentencing circles, as the former chief judge of the Yukon Territorial Court, Barry Stewart, pioneered. There are a number of reconciliation issues and restorative justice initiatives we can take, but there is one thing we can do in this session of Parliament right now, and that is get rid of the use of peremptory challenges in our jury system.

• (2230)

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Chair, I appreciate that the member stayed on one topic and elaborated on it, and it is great for this debate, but I want to ask him about something else. It is something I did not have a chance to get to.

There are three stages in the justice system: the causes to get there, what happens during the process, and then what happens after. I would like to ask the member about what we can do in the earlier stage. I did not get a chance to address that at all. Some people do not believe in root causes. I certainly do. What things could we do before someone gets there that would stop a lot of people from actually getting there?

**Mr. Murray Rankin:** Mr. Chair, obviously there needs to be a greater understanding in indigenous communities of the law enforcement system, because I think it is a foreign system. That was what Mr. Justice Sinclair said so long ago, in 1971, and it is certainly no different now. There needs to be an understanding that perhaps we can use our systems, but perhaps we can put the systems that come from those indigenous communities themselves to greater use.

In a lot of the self-government agreements that my friend will be aware of, there is emphasis on trying to restore some of those systems, including a greater use of elders. It is not a foreign imposed system, but is part and parcel of the community where they live so it makes sense to them and speaks to them in their reality. That is among the first and most important things we can do.



*Government Orders*

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Chair, I would like to ask the hon. member a follow-up question about his comments on peremptory challenges. Obviously, this is an important issue and one with a lot of history. Some of the commentary I have seen suggests that although these challenges could be used in an inappropriate way, they could also be used to remove people who may have a bias against people of an indigenous background. In a sense, they could be used in multiple ways.

As members have pointed out, of course the jury in this case was not representative. Is the peremptory challenge the best solution to that issue, or are there other possible solutions or ways of proceeding? Are there positives and negatives associated with these challenges, or does he see them as just negative?

**Mr. Murray Rankin:** Mr. Chair, obviously there is always a balance in these things. We keep them around the Criminal Code. Obviously, some people thought they made sense. I note that back in the eighties they were repealed in the United Kingdom, and I do not see why we cannot do it now.

I would say that challenge for cause can be expanded, and we can ask more questions, as happened in cases like the Williams case just before the Gladue case about whether there is a racial basis. Is someone able to dispassionately discharge his or her responsibilities as a juror, yes or no? The Americans spend endless amounts of time on jury selection. They have experts on jury selection. We do not do it nearly as much. We do not have nearly the data to use. However, I think we could use the challenge for cause a lot more effectively to get at whether there is any bias in a potential juror. An expanded use of challenge for cause would replace the peremptory challenges that exist in the Criminal Code.

Much of what we need to do is recognize the administration of justice is primarily a provincial issue. I would hope the Minister of Justice would take on what has happened here today, the Prime Minister's commitment, her speech, those of all members, and ask why we not go to the federal, provincial, and territorial justice ministers and make these changes a priority. We cannot do it alone.

However, what we can do alone, one of the few things we can do on our own, is simply repeal the section of the Criminal Code that allows the peremptory challenges to persist in our system. That is one thing we can do in this session of Parliament without any provincial or territorial involvement. I urge the government that it do just that.

• (2235)

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Mr. Chair, I am sorry that we are here tonight. I am sorry to Colten Boushie's family. I am sorry that in a time of deep grieving they had to come to Ottawa to meet with the government. I am grateful for the generosity of their time and for the very strong voice of Colten's sister, in particular. I think she will be a future leader of our country. I am sickened by the racist language in social media and on our radio networks that has been unleashed by this. I am horrified. I see a lot of nodding heads from all parties here.

What we are hearing in our country is sadly summed up by my colleague, friend, and former Snuneymuxw chief in Nanaimo—Ladysmith, where I am honoured to serve. Former Snuneymuxw

chief Kwul'a'sul'tun, also known as Doug White III said, on behalf of the B.C. Aboriginal Justice Council in the wake of this ruling:

The reality of this verdict drags Canada's justice system out from behind the window dressing of reconciliation rhetoric and exposes real problems that we must urgently address together.... Today, Canadians across the country are doubting whether this system, that clearly discounts the lives of Indigenous peoples, has anything at all to do with justice....

With my colleagues from all parties at the status of women committee, we have been studying the experience of indigenous women in Canada in the justice system and in the incarceration system. Indigenous women make up 30% of the total incarcerated population in Canada, and of federally sentenced prisoners, 36% are indigenous women. Here is how one witness we have had at committee described her experience. Vicki Chartrand from Bishop's University said:

Indigenous women end up on the deepest end of the system, and continue to be subject to some of the most restrictive levels of penal practices, such as maximum-security classifications, segregation, involuntary transfers, physical restraints, strip searches, lockdowns, use of force, dry cells, institutional charges, lack of medical attention, and also with higher rates of self-harm and suicide. When you end up on the deep end of the system...you often don't come out alive.

Mandatory minimums still exist in our country. The Liberal government promised to end them. It has not taken that power, and indigenous women, because judges can no longer exercise their judicial discretion, are being forced to serve time for a crime they may well be an accessory to, but it is putting their children into foster care, and this country is carrying on its tragic and destructive history of separating indigenous parents from their children. Why this could not have been done on day one of the government's term in office, I have no idea.

We have had recommendations from the United Nations committee to end discrimination against women, in 2016. I have been asking every witness at committee, "Are your recommendations on indigenous women in the justice system being addressed by this government?" They all say no. Seventeen of the 94 calls to action in the Truth and Reconciliation Commission are specifically focused on indigenous peoples' experience in the justice system. Again, witnesses at our status of women committee are saying there really has been no progress. In two years, with all the goodwill in the world, I do not understand why.

Dr. Ivan Zinger, of the Office of the Correctional Investigator, said:

I will say the practice of taking a women with acute mental illness and putting her into an all-male institution, completely isolated, all alone in a unit, is shameful and a violation of human rights.

There is no room for this in Canada. When do we have bureaucrats saying such appalling and condemning things about our government in Canada? This, again, is not a practice that has been ended by correctional services in Canada. It has not been ordered to be ended by the government.

*Government Orders*

Forgive me for saying it. This country cannot afford any more just good intentions. To go back to the old food aid concerts, words are not enough. This government has so much goodwill. We have the House with us. We have made promises and commitments on reconciliation, and now with rulings like we had, with the racism that is being unleashed across the country, we must turn these good intentions into actions. We must do better. I cannot even say do better. We must legislate. We must change our rules. We must bring legislation into the House that turns good words into action.

• (2240)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Chair, I completely agree with my hon. colleague and neighbour from Nanaimo—Ladysmith that we need to move to remove mandatory minimums from our criminal justice legislation. Almost two years ago I introduced a private member's bill, Bill C-269. It was a lot of work actually to cull all the individual mandatory minimums that had been brought in under the Harper era and put them in one private member's bill to make it easy to get rid of all of them, except for those for the most serious of crimes where we would not want to remove them.

I also note that the situation on Vancouver Island for indigenous women is particularly egregious. I want to offer my colleague the opportunity to speak to the lack of remand centres for indigenous women on Vancouver Island, and the additional specific discriminatory treatment that they face due to this lack of facilities. I ask if she would like to comment further on the systemic discrimination in criminal justice, particularly as it applies to us locally on Vancouver Island.

**Ms. Sheila Malcolmson:** Mr. Chair, the separation of indigenous women from their communities and families when they have to leave our region to be incarcerated in other facilities compounds the problems that got them into the justice system in the first place. They become increasingly isolated.

We heard a very interesting circularity from a number of the witnesses. Gladue reports are supposed to bring into sentencing additional considerations around the impact of residential schools or of children being in foster care. The indigenous women at committee are telling us that the Gladue reports are having the opposite effect. They are identifying them as a higher-risk inmate. They are putting them into more isolation and more segregation, which makes them unable to participate in the programming that happens within the jails, which makes them ineligible for the nice earlier parole, the controlled release from prison. This means that they are even more likely to be dislocated from their families, dislocated from their culture, and maybe more likely to reoffend. It is a mess and the government has work to do. We want to work with the government.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Chair, I want to ask my colleague for her comments on the ways in which we support victims in general in the criminal justice system. We may have some disagreements about particulars in terms of how to approach these issues, but supporting victims was one aspect of the system that was very important to our last Conservative government. We did things like pass a victims' bill of rights. Specifically, when things happen to people as a result of criminality, what can the federal government do more to support

those who are victims, to provide them with resources and supports and ensure that those supports are culturally appropriate or responsive to the particular needs of victims from indigenous communities?

**Ms. Sheila Malcolmson:** Mr. Chair, I have lost track at committee of the number of witnesses who have said that the first thing we should do that would make things better for indigenous women in the justice system and incarceration is to undo the damage done by the Conservative government by its imposing mandatory minimum sentencing. It took away judicial discretion. It is breaking women from their families. It is continuing and perpetuating interruption in parenting. It is inhumane. We are way out of step with the rest of the world on this. We want to see it undone. We want to see the Liberal government, two years into its mandate, actually keep the Liberals' campaign promise in this regard.

**Mr. Gord Johns (Courtenay—Alberni, NDP):** Mr. Chair, I want to thank my good friend from Nanaimo—Ladysmith for her important work. One thing that my colleague from Victoria talked about is the peremptory challenges that take place in jury selection. This terrible tragedy and certainly this court case have shone the light on something that most regular Canadians did not even know existed, that the crown prosecutor or the defence can remove individuals from jury selection just for the colour of their skin or what they look like. This is something that crosses all political lines. It is clear that it is an injustice. Maybe the member could speak about the urgency of the situation and that the government needs to fix this and remove this provision.

• (2245)

**Ms. Sheila Malcolmson:** Mr. Chair, I will echo the words of my colleague, the New Democrat member of Parliament for Abitibi—Baie-James—Nunavik—Eeyou. There are a lot of things that can be done by the government with the majority that it has and the good intentions that it has. We appreciate the Prime Minister's words, but they mean nothing unless he really acts. He said again and again, "Let us make sure it happens for real this time." We need action and implementation starting tomorrow.

**Ms. Pam Damoff (Oakville North—Burlington, Lib.):** Mr. Chair, as I rise on the traditional unceded territory of the Algonquin nation, I am deeply grateful to participate in this very important debate on the experience of indigenous peoples within Canada's justice system.

As vice-chair of the status of women committee, I have listened to compelling testimony while we studied the overrepresentation of indigenous women in the justice system. Indigenous women are overrepresented in all aspects of the criminal justice system in Canada. Indigenous women in Canada experience violence at a rate almost three times that of non-indigenous women, and report experiencing more severe forms of violence than other women. The rate of sexual assault of indigenous women is three times higher than for non-indigenous women. They are also overrepresented as victims of homicide.

*Government Orders*

Between 2008 and 2017, the number of indigenous women inmates increased at the alarming rate of 60%.

Indigenous women and girls grow up facing intergenerational trauma as a result of parents who never learned to parent because of the impact of colonial policies, such as the residential school system and the sixties scoop; lack of mental health supports in the community; addiction; poverty; violence and abuse; and lack of access to education. One thing is very clear. The justice system has failed indigenous women every step of the way.

I had the privilege of visiting five corrections facilities in Edmonton last month, including the Edmonton Institution for Women and the Buffalo Sage Wellness centre, a healing lodge run by the Native Counselling Services of Alberta. At Buffalo Sage, I had the honour of taking part in the circle with Elder Vicki and hearing from female offenders, women who had survived what life had thrown at them and are now on a healing journey immersed in their culture, on the road to rehabilitation and reintegration, women who had attacked and escaped violent abusers and themselves ended up in prison, women whose lack of housing and poverty led them into the criminal justice system, and women who lost their children to the foster care system. These women are warriors whose strength is beyond anything I have ever seen.

I also had the privilege of visiting Pê Sâkâstêw, a men's healing lodge, where I had a memorable meeting with a 39-year old who first came into the justice system at 12 years old as a young offender. After a life in and out of jail, one that included abuse and addictions, he is serving a sentence for robbery, and is now on his own successful healing journey. He lives as a man in prison and as a woman outside, and prefers the "he" pronoun. He is on work release in the community. He has reconnected with his community for the first time in 20 years. He is another person with tremendous strength who is connecting with his culture, and that connection is guiding him on his healing journey. I can honestly say I will never forget him or any of the people I met over those two days.

During the study, we heard that women are the fastest-growing prison population, and indigenous women make up close to 70% of the prison population in some institutions. Mandatory minimums do not work. In fact, we heard they lead to higher rates of recidivism. If we really want to get tough on crime, we will stop sending people to jail, people whose poverty and life circumstances have put them in the criminal justice system. We should start treating the problems that brought them into the criminal justice system.

I met a woman at the Edmonton Institution for Women whose life would have been much different if she had been sentenced two days earlier, two days before mandatory minimums came in to effect. We heard from countless witnesses that mandatory minimums need to go, and that judges need discretion in sentencing.

The need for restorative justice has been heard time and time again. The Gladue reports provide recommendations to the court about appropriate sentencing and factors to be considered during sentencing, such as background, abuse, underlying issues such as FASD or substance use, residential schools, and more. This was a right won at the Supreme Court of Canada. However, Gladue reports are not always used properly. Not all provinces even have trained writers to prepare Gladue reports. We heard that in many

circumstances, these reports are actually used against the offenders at parole hearings.

With respect to other issues, we heard about the lack of access to adequate representation during trial. We heard about the need for civil legal aid to assist women in gaining custody of their children or with other matters in family court. We heard that lawyers, judges, and police officers often lack awareness of the impacts of colonialism and colonial practices such as the residential schools. We heard about the need for culturally appropriate trauma-informed education for those who work in the criminal justice system. We heard about the need to reach out to communities to recruit more indigenous police officers, parole officers, corrections officers, lawyers, and judges, and about providing the supports to ensure their success in their chosen field.

● (2250)

We heard that victims of crime were afraid to go to the police. Certainly, the recent case of an indigenous woman who was sexually assaulted, who was jailed for five days to ensure she would testify against her assailant and was even transported in the same van with her assailant to court, illustrates that the fear indigenous women have is very real.

Nearly half of all indigenous offenders were removed from their homes in childhood. I applaud the commitment of our Minister of Indigenous Services to fix this broken foster care system. Enhanced mental health services and the need for those services 24/7 are sorely needed within the corrections institutes as is the proper diagnosis, treatment, and support for those living with FASD.

The previous government did away with accelerated parole, which was designed for low-risk, non-violent offenders to be released from prison at the earliest possible date to serve the remainder of their sentence in the community, thus providing a better chance for their rehabilitation and reintegration. We need to reinstate this important tool to remove indigenous women from prisons and put them back into their communities.

Indigenous women who find themselves in the correction system also need greater supports in the community upon release. Too often women find themselves without safe and affordable housing, and without a job. One witness described it like legs of a stool. Without all four legs, the stool collapses. Take away housing and employment and the woman most certainly will collapse, ending up back in the cycle of poverty, perhaps in an abusive relationship, or a return to jail.

*Government Orders*

One of the most concerning things we heard was that the prison classification system was designed for men but it was used to women. The result is that more women are sent to maximum security prisons where they have less programming in general, less opportunities for culturally-appropriate programs, more segregation, and less family contact.

Two provisions of Corrections and Conditional Release Act should be used more: section 81 and section 84. Section 81 allows for indigenous communities to oversee the care and custody of indigenous offenders who would otherwise be in a federal prison. Section 84 allows for an indigenous community to propose a plan for an interested and consenting indigenous inmate's release and reintegration in the community.

My time is limited tonight, so I am not able to list all of the issues facing indigenous women in the justice system. However, I encourage all members to read our report and recommendations when it is complete.

Our government is listening to the voices of indigenous women and girls. In budget 2017, our government provided long-term and stable investment in the indigenous justice program; and programs to divert offenders from Main Street courts in appropriate circumstances or community-based justice programs, leading to transformative change in the lives of individuals, families, and communities by providing an opportunity to address underlying issues of addiction and mental health concerns.

Our government also committed to provide \$65.2 million over five years and \$10.9 million thereafter to address the overrepresentation of indigenous offenders in the criminal justice system and help previously incarcerated indigenous people heal, rehabilitate, and find employment in the community.

In addition, through the indigenous community corrections initiative, our government will provide contribution funding to support training and capacity building within indigenous communities to help them implement community-based projects that will assist in the reintegration of indigenous offenders and provide alternatives to incarceration both on reserve and in urban centres.

I will close by paraphrasing a witness from the Indigenous Bar Association in Canada who said that:

Indigenous women have lived on this land for 15,000 years, and for 14,850 of those years, they were strong leaders in the community. We can and must return them to this role and can only do that by working side-by-side with indigenous people to fix the criminal justice system.

• (2255)

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Chair, I have two question for the member.

First, the member spoke about FASD as being one of the issues. I know she voted in favour of Bill C-235, which recognized FASD in the justice system, as did I. At the time, the government, the front bench, did not support the bill, so there was a difference of opinion. Therefore, could the member speak to that bill with respect to why she made a different choice than the ministers?

Second, I would like to ask the member about the issue of indigenous victims of crime. I asked a previous speaker about how we supported victims of crime. We know that indigenous people are

disproportionately likely to be victims of crime. Immediately my response to that question was to go back to the issue of indigenous offenders, which needs to be discussed as well. However, does the member have thoughts specifically on what we can do to better to support indigenous people who are victims of crime?

**Ms. Pam Damoff:** Mr. Chair, I did support the private member's bill from my colleague, the member for Yukon.

When I was in Edmonton, one of the mental health professionals there actually said that if he had one wish, it would be that they could better diagnose, treat, and support people who have FASD within the corrections system. Of course it needs to extend beyond just within the corrections system, into the community. If we can treat FASD before people ever come in contact with the criminal justice system, it would be better for them, their families, and all of us.

I did wholeheartedly support the hon. member's bill. I appreciate the support of the member from across the way. I do hope that it is something we can move forward with and really make a difference in the lives of people who are living with FASD.

On the member's second point, to do with indigenous victims of crime, as I mentioned, indigenous women in particular are disproportionately victims of crime and victims of violence. Sadly, those victims often end up in the criminal justice system. That is not always the case, but we have heard that, for indigenous women, quite often that is the pathway they take.

We have also heard how the parole board includes, when they wish to, victims in the parole board hearings. Not all victims of crime are willing to be part of that, but they are included if they wish to be in the parole board hearings. I think it is important that their voices are heard throughout this process. Certainly indigenous people, indigenous women in particular, are disproportionately victims of violence and victims of crime.

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Mr. Chair, I share my colleagues', both my Conservative and Liberal colleagues', sadness that the Liberal cabinet did not support the private member's bill to include fetal alcohol syndrome considerations in sentencing.

If the government had voted yes, if it had not voted its own member's bill down, it would have achieved the truth and reconciliation call to action number 34. The government promised it was going to implement all of them. That was a lost opportunity.

*Government Orders*

Another one, also one of the calls to action, call to action 32 asks the government, and this was a campaign promise, to reverse the mandatory minimum sentencing brought in by the Conservative government. My colleague sits on the status of women committee with me. We have heard Debra Parkes, Jonathan Rudin, Rajwant Mangat, all legal professionals on the issue of indigenous women in the justice system and the incarceration system. They have all said the government should undo the mandatory minimum sentencing requirement and allow judges judicial discretion. It would have a huge impact for women in prison and their families.

Will my colleague work with me to have the government start tomorrow to undo that damage? It could be done.

**Ms. Pam Damoff:** Mr. Chair, I wholeheartedly agree with my colleague. We have not heard one person come to committee to say that mandatory minimums were the right thing to do. They are just simply wrong. As I mentioned, they increase rates of recidivism.

When I visited Edmonton, it was not just the one woman to whom I spoke. It came up repeatedly, both from offenders whom I met, as well as people working within the system, that mandatory minimums do not make Canadians safer. We need to get rid of them.

I am hopeful that one of our recommendations from our committee will be to get rid of mandatory minimums. I certainly will work with any member of the House from any party to see that happen.

• (2300)

**Mr. Mark Strahl (Chilliwack—Hope, CPC):** Mr. Chair, a few years ago, I toured the Kent maximum security prison, which was in my riding at the time, and I was struck by two things. I was expecting to see a bunch of old men, people who were serving out long life sentences. In fact, I found a bunch of very young men, and I was told by the people there trying to provide some training to those inmates that none of them had graduated from high school. Most of them, if they were lucky, had a grade 8 or grade 9 education.

I wonder if the member can talk about the importance of education across all demographics, but specifically for indigenous Canadians. Our previous government tried, with Bill C-33, to work out a system so that no matter where people lived in Canada, whether on reserve or off reserve, they could get the same level of education. That effort did not bear fruit. It fell through, but I wonder if she could talk about the importance of education in giving hope and opportunity to indigenous people and all Canadians.

**Ms. Pam Damoff:** Mr. Chair, it is funny that the member mentioned that, because I, too, was struck when I went to Edmonton max how young the people there were and the fact that the younger

people were in the maximum security institution and the lifers were actually in the minimum security institution.

In terms of education, indigenous children are still funded at about two-thirds of what children across Canada are funded for their education. The last numbers I remember seeing I think were \$9,000 for indigenous students and about \$12,000 for students living in my riding of Oakville North—Burlington.

Certainly education for all Canadians is critical. For people with a high school education, it is difficult to find a job. Probably most of them do not even have an elementary school education, quite frankly, and that is what sent them into a life that has led them into corrections.

Sadly, though, when they are in a maximum security institution, they are not getting any education. There is very little programming there, so by sending them away to a maximum security facility, without any access to programs, to education, or to skills training, we are not preparing them very well to be integrated into society again.

**Mr. Robert-Falcon Ouellette (Winnipeg Centre, Lib.):** Mr. Chair, I would like to ask a question concerning cultural training for law enforcement officers. This was a recommendation I believe the committee heard from Teresa Edwards. I think cultural training is something that is always important.

Does the member believe that this would go a long way toward making people more aware of some of the fundamental issues indigenous people face in the justice system but also the historic issues indigenous people face in general?

**Ms. Pam Damoff:** Mr. Chair, the quick answer is yes. We heard that culturally appropriate education for police officers, for law enforcement, and for lawyers would go a long way in making our criminal justice system far more sensitive to the people they are working with in the indigenous community.

**The Assistant Deputy Chair:** It being 11:04 p.m., pursuant to Standing Order 53.1, the committee will rise and I will leave the chair.

(Government Business No. 20 reported)

• (2305)

[*Translation*]

**The Assistant Deputy Speaker (Mr. Anthony Rota):** Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 11:05 p.m.)



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