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Chair

Mr. Anthony Housefather

Standing Committee on Justice and Human Rights

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• (1230)

[*English*]

The Chair (Mr. Anthony Housefather (Mount Royal, Lib.)): Good afternoon, everyone. Welcome to the Standing Committee on Justice and Human Rights as we continue our clause-by-clause review of Bill C-75.

I want to take this opportunity to thank all of the personnel who were able to work so hard to have this early extra meeting. Thank you to the clerk, the legislative clerks, and the analysts. It is really appreciated. Thank you as well to the translators and everyone else who really helped out. It is much, much appreciated.

I also want to thank the members and the officials from the Department of Justice who were able to accommodate their schedules. It is much, much appreciated.

Before I go to our next clause—that will be clause 87—I want to advise members of the committee that over the weekend the vice-chairs and I had a conversation. To expedite the bill, we agreed that on those clauses where there are no amendments, we will agree that they are deemed adopted on division. That's with the exception of clause 278 of the bill, which relates to routine police evidence.

This will allow us not to have to put our hands up each time to vote on the clauses where there are no amendments. Can I confirm whether that is okay with everyone?

Some hon. members: Agreed.

The Chair: Okay. I will deem that confirmed. We will adopt on division the clauses that have no amendments, other than clause 278.

(On clause 87)

The Chair: We have amendment CPC-48.

Mr. Cooper, go ahead.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Thank you, Mr. Chair.

This amendment again relates to the reclassification of offences in Bill C-75. Bill C-75 would make the offence of dangerous operation of a vehicle causing bodily harm to be prosecutable by way of summary conviction. This amendment would maintain that offence as strictly indictable.

The Chair: Thank you very much, Mr. Cooper.

Is there any debate?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 87 agreed to)

(On clause 88)

The Chair: We will move to CPC-49.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is another amendment dealing with reclassification. Bill C-75 would water down sentencing for an offence related to an unseaworthy vessel and unsafe aircraft. This would maintain the status quo, which is to treat that offence as strictly indictable.

The Chair: Thank you very much.

Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 88 agreed to)

(On clause 89)

The Chair: We have amendment CPC-50.

Mr. Cooper, go ahead.

• (1235)

Mr. Michael Cooper: Thank you, Mr. Chair.

This is again related to reclassification. It's amazing how many serious indictable offences are being reclassified in Bill C-75. This would maintain the offence of failure to stop at the scene of an accident as an indictable offence. Bill C-75 would make it prosecutable by way of summary conviction, potentially.

On this one, I would ask for a roll call vote.

The Chair: Is there any discussion?

Mr. Clerk, we'll have a roll call vote, please.

(Amendment negated: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 89 agreed to)

(On clause 90)

The Chair: We have amendment CPC-51.

Mr. Cooper, go ahead.

Mr. Michael Cooper: This amendment would simply maintain for the applicable section the current 18-month sentence.

The Chair: Do you mean that it would maintain the current 18-month sentence as opposed to moving it to two years less a day?

Mr. Michael Cooper: Let me just seek clarification.

The Chair: Maybe we could ask the official.

Carole, could you please clarify?

Ms. Carole Morency (Director General and Senior General Counsel, Criminal Law Policy Section, Policy Sector, Department of Justice): That's my understanding, because it's already—

The Chair: It would leave it at 18 months instead of making it two years less a day.

Ms. Carole Morency: —under summary conviction. That's correct.

The Chair: Are you sure you want to move that?

Mr. Michael Cooper: Sorry, I was on the wrong amendment.

The Chair: Currently I'm at CPC-51.

Mr. Michael Cooper: Now I'm clear as to which amendment we're on. I apologize for the delay. As you can appreciate, the amendments are voluminous here.

The Chair: They are.

Mr. Michael Cooper: Mr. Chair, this amendment is, in my opinion, a fairly significant amendment. It deals with the very serious indictable offence of impaired driving causing bodily harm. Bill C-75 seeks to water down the sentence for impaired driving causing bodily harm, an offence that currently carries a maximum 10-year sentence, taking it down to a sentence that could be at most two years less a day, and as little as a mere fine, if it were prosecuted by way of summary conviction. We heard overwhelming testimony from victims of impaired driving who pleaded with the members of this committee to amend Bill C-75 to not water down sentences for impaired driving causing bodily harm.

I remind members of the committee that when we're talking about impaired driving, we're talking about the leading criminal cause of death and injury in Canada. Each and every day, between three and four Canadians are killed at the hands of impaired drivers. In addition to that, dozens more are injured at the hands of impaired drivers. Reclassifying impaired driving causing bodily harm to a hybrid offence from what it is today, which is strictly an indictable offence, sends the wrong message. It sends the message that impaired driving is really not that serious an offence.

Should there be any doubt about that message, I would reference some of the statements that were made by Liberal MPs on this committee last week when we were dealing with Conservative amendments related to terrorist-related offences. Bill C-75 waters down several terrorist-related offences. We said that it was wrong, that it shouldn't be, and we brought forward amendments. It was very encouraging to see members on that side do the right thing and support those amendments.

Randy Boissonnault, the member for Edmonton Centre, is on record at the committee as saying that he supported those Conservative amendments because terrorist-related offences are “very serious offences”. Well, Mr. Chair, so is impaired driving

causing bodily harm. I urge members of this committee to be consistent, to do what they did with respect to terrorist-related offences and to treat impaired driving causing bodily harm as a serious offence by keeping it a strictly indictable offence.

Thank you, Mr. Chair.

• (1240)

The Chair: We have Mr. Fraser, and then Mr. McKinnon.

Mr. Colin Fraser (West Nova, Lib.): Thank you, Mr. Chair.

With regard to this offence in particular, I note that impaired driving is a problem in Canada. Bill C-46, which this committee dealt with not long ago, includes a number of measures to deal with impaired driving on our roads caused by alcohol or other substances. It provides a whole host of measures that will actually have the impact of deterring people from driving while impaired, as well as having resources available for police in order to get convictions for those offences.

My friend references the terrorism-related offences and advocating genocide, which were the subject of a good discussion at the last committee meeting. I would note that there were a number of reasons why Liberal members decided that those ones should not be hybridized and were distinguishable in many respects from the other offences that are not to be de-hybridized, so to speak.

The rationale for the hybridization of offences is to allow Crowns proper discretion, in the appropriate cases, to proceed by way of summary offence. The sentencing principles remain the same. It allows Crowns more discretion in order to judge on a case-by-case basis the appropriate procedures to use and to actually help deal with delay.

That was the purpose of hybridizing offences. There's no question that there is a distinction from other offences that this committee has already debated. I note that Bill C-46 deals in a comprehensive and effective way with the scourge that is impaired driving on our roads. That's why I will not be voting in favour of this amendment.

The Chair: Mr. McKinnon, go ahead.

Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.): Thanks, Chair. My comments are fully along the lines of Mr. Fraser's.

I want to mention that there is certainly a philosophical divide between the two sides of this table regarding the matter of hybridization. I want to emphasize that this bill waters down no sentences.

The realm of sentencing that's possible after hybridization is the same as it was before hybridization. It just gives the prosecution more discretion when it comes time to prosecute an offence, which we know is going to be helpful in terms of helping things proceed more expeditiously through the system. There's no sense whatsoever of watering down any offence. That's it.

•(1245)

The Chair: We have Ms. Khalid, and then Mr. Cooper to close.

Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.): Thank you, Chair.

I echo the words of my colleagues Mr. Fraser and Mr. McKinnon in saying that we worked very hard through Bill C-46 to ensure that our roads are safe. I spent a lot of time on it.

I will reiterate what I've said—and what my colleagues have said—over the past number of days as we've gone through clause-by-clause, specifically in dealing with hybridization. We have to take a more contextual approach to how we deal with the challenges that our court system is facing, including delays. I believe that hybridization is going to be one of the factors to ensure that delays are cut down within our court system by making our system more efficient and actually more fair as well.

Thank you, Mr. Chair.

The Chair: Thank you, Ms. Khalid.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

I think some of the comments made by my colleagues, all of whom I respect as members of this committee, are off base, with due respect.

Mr. Fraser has suggested that Bill C-75 does not impact upon sentencing principles, and other Liberal MPs have repeatedly said something similar, including the Minister of Justice. I know Mr. Fraser is not attempting to mislead the committee, but I think it is a misleading statement.

Of course it doesn't impact on sentencing principles. Sentencing principles weren't impacted in relation to the terrorism-related offences, but that wasn't why we proposed these amendments on the terrorism-related offences or on impaired driving causing bodily harm. Evidently, that was also not the basis for the Liberal MPs last week to do the right thing and support our amendments on the terrorism-related offences.

What Bill C-75 does do, contrary to the statement of Mr. McKinnon, with respect to terrorism-related offences and with respect to impaired driving causing bodily harm, is water down sentences for those offences. It waters down those sentences by making the maximum sentence go from 10 years to a maximum of two years less a day if prosecuted by way of summary conviction. That has absolutely everything to do with sentencing, Mr. Chair, and there was no basis, no evidence tendered before the committee, to justify why impaired driving causing bodily harm should be treated in this way instead of the way it is, rightly, presently treated, which is strictly as an indictable offence.

Of course we know, generally speaking—and I've made this point before, but I think it's important that it be made yet again—that the evidence before the committee is that, in terms of giving discretion, it is in fact going to be far less transparent, in terms of electing whether to proceed by indictable offence or summary conviction offence. We know it's going to result in more cases being downloaded onto our overburdened and overstretched provincial

courts, since 99.6% of criminal cases are already heard before provincial courts. It's going to reduce the Jordan timeline from 30 months to 18 months before a delay is deemed presumptively unreasonable.

Bill C-75 does not address those issues, but it does send the wrong message. It makes it more likely that individuals who are charged with impaired driving causing bodily harm are going to get nothing more than a slap on the wrist, and quite frankly, Mr. Chair, victims and all Canadians deserve better than this.

I would just read into the record a quote from Markita Kaulius, the president of Families for Justice, who lost her daughter at the hands of an impaired driver. She said, "Bill C-75 is a terrible bill for victims and for public safety." Sheri Arsenault, who lost her son Bradley, appeared before this committee and said, "This government bill is telling Canadians loud and clear that impaired driving is not considered serious and, in fact, it's not even considered dangerous."

Mr. Chair, I would encourage members opposite to listen to the victims and do the right thing: treat impaired driving causing bodily harm as the serious offence it is and support this amendment.

•(1250)

The Chair: Thank you.

Mr. Rankin, go ahead.

Mr. Murray Rankin (Victoria, NDP): I've been silent and will not likely participate in much of the back and forth about each of these efforts to hybridize. I would just like to say again for the record, because we've been away for a while, that we also take the view that hybridization is not the way to go here.

We have said over and over again that the minister has failed to accept the mandate in her mandate letter to deal with mandatory minimum penalties, something that was promised to the Canadian people, and something that is studiously avoided in a 402-page bill. That would make judges accountable for the sentences they deliver.

This bill allows Crown counsel, in the privacy of their offices, to decide with no transparency how to proceed. We think that's wrong. We think it doesn't do the job. I associate myself with the remarks of my colleague Mr. Cooper. This is a massive downloading to the provinces, where most of the action in criminal law already is. There's a certain ad hocery about choosing some that we won't hybridize and others that we will. I find the whole thing misguided.

Thank you.

The Chair: I think everybody has put back on the record what they had on the record from the first meeting in terms of everybody's positions.

Mr. Michael Cooper: I would request a roll call vote.

The Chair: Mr. Clerk, we will have a roll call vote on amendment CPC-51.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

[*Translation*]

(Clause 90 agreed to)

[English]

The Chair: There are no amendments on clause 91, so it's deemed carried.

(Clause 91 agreed to on division)

(On clause 92)

The Chair: We have CPC-52.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is again an amendment dealing with the reclassification of offences under Bill C-75. This amendment would maintain the status quo by keeping the offence of impeding the attempt to save a life as a solely indictable offence, as opposed to what Bill C-75 would do, which would make it a hybrid offence prosecutable potentially by way of summary conviction.

The Chair: Thank you very much.

Is there any discussion? If not, we'll move to a vote on CPC-52.

(Amendment negated [See Minutes of Proceedings])

(Clause 92 agreed to)

The Chair: On clauses 93 to 98, there are no amendments, so we'll deem them carried on division.

(Clauses 93 to 98 inclusive agreed to on division)

The Chair: We have a new clause, clause 98.1, proposed in CPC-53.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is an amendment that I believe deals with a gap that was identified during the committee hearings on Bill C-75, in which, for whatever reason, the maximum sentence for sexual assault as a summary conviction offence is 18 months, as opposed to two years less a day. What this amendment would do is increase that to two years less a day so that it's consistent with the other offences.

•(1255)

The Chair: We're on CPC-53.

Mr. Rankin, go ahead.

Mr. Murray Rankin: This is probably a question best addressed to the officials.

Is the objective here to create a mandatory minimum of jail time or not? The proposal is to create a mandatory minimum for disarming a peace officer. Am I right? It's currently a hybrid offence in the code, with a maximum penalty of 18 months on conviction. I'm not clear what the intent here would be.

The Chair: We're on CPC-53.

My understanding is that this is a sexual offence where there's a mandatory minimum for children under the age of 16—if the victim is under 16—and there's no mandatory minimum if the victim is over the age of 16. What is being proposed is two years less a day for those over 16, but because there's a mandatory minimum, you didn't

change the clause for those 16 and under, and you've left the summary offence at 18 months instead of two years less a day.

The Conservative amendment would conform the two years less a day for both under 16 and over 16, especially given that it would be deemed to be a more serious offence if the person was younger, which is why there's a mandatory minimum there and not for over 16. I think that's what the amendment is.

Mr. Murray Rankin: All right. Thank you.

Mr. Michael Cooper: That summarizes the intent of this amendment perfectly.

The Chair: Can I ask the justice officials about this? Given that the sentence for a younger person... I mean, there's a mandatory minimum there because I guess we deem that to be even more serious than the other sentence. Would there be an issue, in your view, with making them conform at two years less a day? Is there any justice issue that you see?

Mr. Matthew Taylor (Acting Senior Counsel, Criminal Law Policy Section, Policy Sector, Department of Justice): The only thing I would say is that if you adopted this amendment, you would be re-enacting the mandatory minimum penalty that's currently provided. The maximum penalty, as Mr. Cooper has said, would then be consistent with the other maximum penalties proposed for summary conviction offences, but you would want to apprise yourself of the fact that you would be re-enacting the mandatory jail sentence.

The Chair: When we say “re-enacting”, though, I understand that the law, whether we re-enact it or not, is there. If we do nothing, it's there. If we re-enact it, it's there. It's still the same mandatory minimum period. Is that correct?

Mr. Matthew Taylor: That's correct.

The Chair: It's only a political question of re-enacting, but in Bill C-46, did we not re-enact mandatory minimums in different places?

Ms. Carole Morency: One, it's a drafting protocol. In terms of why Bill C-75, as introduced, does not propose to increase the maximum to two years less a day for those over 16, it would have involved repealing the provision that is there now and then re-enacting the provision with the mandatory minimum penalty. In this case, as the minister has said before and as I answered before as well, this bill is not addressing mandatory minimum penalties, pending a broader review of sentencing issues writ large.

In Bill C-46, there were some mandatory minimum penalties that were omitted and that this committee adopted, again, to put back into the package. Those mandatory minimum penalties, including \$1,000 fines, are everywhere in the impaired driving provisions and have not been subject to charter challenges in the way that higher MMPs in the other areas are.

This committee may also know that under the previous government, Bill C-26 had increased all of the maximum penalties for all child sexual offences to two years less a day. At that time, that was done knowing that it was at a different maximum than it was for adults as well, in section 271.

The chair is correct in the sense that it's there already, but as a drafting protocol, that would be a factor that influences government bills in terms of how they're prepared and produced.

The Chair: Mr. Rankin, go ahead.

Mr. Murray Rankin: Thank you for that, but I'm still Monday-morning confused here. Are we being asked by this process now to re-enact a mandatory minimum? Is that what we're doing here right now?

Ms. Carole Morency: Well, that's what my understanding—

Mr. Murray Rankin: Are we voting for a mandatory minimum?

Ms. Carole Morency: The motion is seeking to increase the maximum from 18 months to two years less a day for victims over the age of 16. But in doing so, the process in this motion, the way it's drafted, would repeal what is there in the Criminal Code now—

• (1300)

Mr. Murray Rankin: —and re-enact a new mandatory minimum.

Ms. Carole Morency: —and re-enact the entirety, which includes a mandatory minimum as well as a higher maximum on summary conviction.

Mr. Murray Rankin: Okay. Thank you.

The Chair: I think I'm very clear now on the amendment and the provision. Thank you very much for the explanation.

Is everybody on the committee clear?

We'll move, then, to a vote on CPC-53, if that's okay.

(Amendment negated [*See Minutes of Proceedings*])

(Clauses 99 to 103 inclusive agreed to on division)

The Chair: Amendment X-65 was already dealt with. PV-11 was already dealt with. X-66 was already dealt with. LIB-8 was already dealt with. They were all already dealt with by our other votes.

Sorry for the confusion, everybody. Clause 104 is adopted as amended, with the bawdy house amendment.

(Clause 104 as amended agreed to on division)

The Chair: Just so everybody's clear, these were changing lines in the bill. Based on the substantive decision we made to repeal sections 210 and 211, this clause will be amended to remove sections 210 and 211. We already made those decisions by the substantive one, so there are no further amendments. Those amendments are now included in the clause we've adopted on division.

(Clause 105 agreed to on division)

(On clause 106)

The Chair: We are on CPC-54.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

We're back now onto some of the amendments dealing with the reclassification of offences. I was quite alarmed that Bill C-75 seeks to water down sentencing for the offence of material benefit from trafficking. Right now, the maximum sentence is 10 years. Bill C-75 would make it possible that the maximum sentence for material benefit from trafficking would be two years less a day, and of course as little as merely a fine.

It's really unclear on what basis the government has decided to treat a material benefit for trafficking, which, I think we should agree, is a serious offence, as something that could be punishable by as little as a mere fine. I would encourage members to support this amendment by maintaining that this very serious offence as strictly indictable, and I would call for a recorded vote.

The Chair: Is there any discussion?

Mr. McKinnon, go ahead.

Mr. Ron McKinnon: I would just like to comment again that whether this is hybrid or not, the maximum sentence remains at 10 years. Hybridization does not change that. Even if we don't hybridize, there's nothing to say that a court or prosecution couldn't come in and recommend a sentence of a year, or six months, or 18 months. That doesn't change. What does change of course is that the prosecutor can elect to proceed in a way that seems more appropriate to the circumstance. It increases the flexibility of the Crown in deciding how to prosecute an offence. That's why I can't support this amendment.

The Chair: We'll go to a recorded vote.

Mr. Michael Cooper: I have a comment in relation to that. What it actually does, as Mr. Rankin alluded to earlier, is to take away the discretion of a judge. It takes away the discretion of a judge to impose sentence with respect to sentencing. In fact, it would tie the hands of a judge when it comes to sentencing, from 10 years to two years less a day, and that decision would be made without any level of transparency by likely an overworked Crown prosecutor. We think it's the wrong approach.

The Chair: Mr. Fraser, go ahead.

Mr. Colin Fraser: I just want to ask Mr. Cooper a question, because time and again I hear that somebody could be subject to a penalty of as little as a fine.

Wouldn't you agree with me that if the Crown elects to proceed by indictment, or for something that is a straight indictable offence, many of those offences could be dealt with by way of a fine?

• (1305)

Mr. Michael Cooper: It makes it far more likely that a mere fine would be handed out, and of course with respect to any jail time, anytime you go by way of summary conviction, you're basically taking jail time completely off the table for all intents and purposes. It waters the sentencing down; there's no question about it.

Again, it's unclear why we're watering down this specific offence, other than because the government just said that it would reclassify anything that was for 10 years.

Mr. Colin Fraser: With great respect, Mr. Chair, the two years less a day can be a maximum, but that can easily be completed as jail time. That is obviously still up to the judge based on the sentencing principles. I note that he didn't directly answer the question, but I would submit that most indictable offences can actually be dealt with by way of a penalty as mere as a fine, despite the rhetoric from the other side.

Mr. Michael Cooper: Of course when you look at statutory release provisions and so on, first of all, there's a big difference between 10 years and two years less a day, and even if the judge gives the maximum of two years less a day, when there is regard for a statutory release etc., serious meaningful jail time for, again, a very serious offence is virtually, or nearly, being taken off the table.

Mr. Colin Fraser: I have one final point on that. It has to do with the circumstances of the offence and the circumstances of the offender, and that doesn't change with respect to the sentencing principles.

Thank you.

The Chair: We've been asked for a roll call vote on CPC-54.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 106 agreed to)

(On clause 107)

The Chair: We're now on CPC-55.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is dealing with yet another part of Bill C-75 that waters down sentences for indictable offences. This amendment would address the offence of withholding or destroying documents in the context of trafficking, to maintain that offence as a solely indictable offence.

The Chair: Thank you very much.

Is there any further discussion on CPC-55?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 107 agreed to)

(On clause 108)

The Chair: We will move to clause 108 and CPC-56.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is an amendment again dealing with watering down sentences. Among the serious offences that this government saw fit to water down is none other than abducting a person under the age of 16. I can't believe it, but we actually have an amendment in Bill C-75 that would potentially water down sentences for kidnapping a minor. That is obviously a very serious crime and should be treated as a solely indictable offence in the same way that Liberal MPs rightfully saw fit to make terrorism-related offences subject to being prosecutable solely by way of an indictable process.

The Chair: Thank you very much.

Mr. Michael Cooper: I request a recorded vote.

The Chair: Ms. Khalid, go ahead.

Ms. Iqra Khalid: Thank you, Chair.

I thank the member for raising an issue about which I know we are all concerned. My understanding is that there are a number of other offences with respect to kidnapping, and having read the actual text

of the offence itself, I find there are other offences that would elevate the nature of the criminal charges that are laid by our law enforcement to be very different from what is actually encoded in the code.

Quite honestly, Mr. Chair, when we talk about the abduction of minors, about gender-based violence, and about vulnerable communities, last week I was quite disgusted, I have to say, when I spoke about gender-based violence and I watched the member opposite roll his eyes at gender-based violence issues.

I believe that hybridization will, in fact, address the issues of our court system, and that it will address the issue of delays. I believe that our government has a very contextual, fulsome approach with respect to issues of gender-based violence, and I'm completely opposed to this amendment.

Thank you.

● (1310)

Mr. Michael Cooper: Mr. Chair, first of all, I take great exception to the insinuation by the member—

An hon. member: —but you did.

Mr. Michael Cooper: —that I somehow don't take gender-based violence seriously. I have no recollection of what she alleges I did, and to the degree that I did it, I can assure the committee and the honourable member that it had nothing to do with what she was referencing in respect of gender-based violence. I think the member should apologize.

The Chair: I think everyone on this committee respects one another. We all respect one another. The member has clarified that this was not his intention if indeed he did it, and that probably satisfies everybody. Okay?

Let's move to a vote on CPC-56.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 108 agreed to)

(On clause 109)

The Chair: Next we move to clause 109 and CPC-57.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is again another amendment to water down offences related to kidnapping. After watering down sentencing for kidnapping someone under the age of 16, now this government has seen fit to water down sentencing for abduction of a person under the age of 14.

I don't think anything more needs to be said. Maybe Mr. MacKenzie wants to comment on this in terms of the impact of this very serious offence in his community of Woodstock.

Mr. Dave MacKenzie (Oxford, CPC): The recent incident in Woodstock illustrates the seriousness of that, and I would suggest to you that the Tori Stafford situation is very serious and we have to be careful.

The chair mentioned the difference between the under 16 and over 16 in the other part, and there is a bit of a message, maybe a big bit of a message, when we change the rules with respect to sentencing. Certainly this is one that would bear retaining the current status.

The Chair: Thank you.

Mr. Fraser, go ahead.

•(1315)

Mr. Colin Fraser: I take Mr. MacKenzie's points very well, and obviously we can all think of cases that are egregious and have been completed in the most heinous ways, and that should face the full force of the law. However, these offences can be completed in a range of ways. We can agree that there are some that are far more serious than others in the ways they have been completed. I would note, just referencing a point that was raised earlier with respect to the availability of a fine, that, for example, our code currently has available for this offence a fine alone. I'm not saying or suggesting that it would be appropriate in almost any circumstance, but it is available because we do trust our courts to take into account the circumstances of the offence and the circumstances of the offender when exercising the duty to impose fit and proper sentences in accordance with our laws and the sentencing principles.

When we talk about certain examples, sometimes the rhetoric can become focused on the most egregious circumstances and the most egregious offences, but those are not the only ways that these sorts of offences can be completed. It is important to bear that in mind.

Thank you.

The Chair: Mr. Cooper, go ahead.

Mr. Michael Cooper: Well, Mr. Chair, let's again reiterate what we're talking about here when Mr. Fraser talks about appropriate discretion and circumstances of each case. We're talking about kidnapping a minor under the age of 14, and this government is saying it may not be so serious, so we can now just take away discretion from a judge to fashion an appropriate sentence and leave it to the Crown.

I think Mr. MacKenzie's point is well taken and it's reflective of the way this government does business, as we saw quite disturbingly with respect to Terri-Lynne McClintic, Tori Stafford's killer, who did kidnap a little girl and is now no longer behind bars but in a healing lodge, and this government has shrugged its shoulders. They've defended that policy in respect of a child killer, and here we are now, a few weeks after that, voting on an amendment to water down sentences for the abduction of a minor, a child under the age of 14. It's despicable.

The Chair: For clarity, she is in a medium-security facility. For clarity, this offence can also talk about a non-custodial parent who takes a child under that age. There are various circumstances under which somebody could be charged with this offence, and I think again the position is clear.

Everybody has had their chance to speak.

Mr. Michael Cooper: I would ask for a recorded vote.

The Chair: It will be a recorded vote on CPC-57, please, Mr. Clerk.

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 109 agreed to)

The Chair: On clause 110, amendment X-72 is no longer applicable based on the decision related to summaries, so there is no amendment to clause 110.

(Clause 110 agreed to on division)

(On clause 111)

The Chair: We'll move to clause 111 and CPC-58.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Chair.

This is another amendment dealing with another section of the Criminal Code being watered down under Bill C-75. This amendment relates to the offence of material benefit from sexual services. Bill C-75 would water down that sentence. This amendment would maintain it as a strictly indictable offence.

I would ask for a recorded vote.

The Chair: Is there any further discussion?

Mr. Clerk, can we have a recorded vote, please?

[*Translation*]

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

[*English*]

(Clause 111 agreed to)

(Clauses 112 and 113 agreed to on division)

(On clause 114)

The Chair: We'll go now to CPC-59.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is again an amendment related to the reclassification of offences under Bill C-75 from strictly indictable to hybrid offences. This relates to subsection 291(1) of the Criminal Code, which is the offence of bigamy. This amendment would maintain that offence as a strictly indictable offence.

The Chair: Is there any discussion on CPC-59?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 114 agreed to)

(On clause 115)

The Chair: We are on CPC-60.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is an amendment again dealing with the reclassification of offences. Bill C-75 would water down the offence of procuring a forced marriage from what is currently treated as an indictable offence to potentially a summary conviction offence if the prosecutor elected to do so.

I would ask for a recorded vote.

•(1320)

The Chair: Is there any discussion?

Mr. Clerk, can we please have a recorded vote?

[*Translation*]

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

[*English*]

(Clause 115 agreed to)

(On clause 116)

The Chair: We go now to CPC-61.

Mr. Cooper, go ahead.

Mr. Michael Cooper: This is another amendment dealing with reclassification. This would amend Bill C-75 so that the offence of polygamy would not be watered down to a hybrid offence but would remain a strictly indictable offence.

The Chair: Is there any further discussion?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 116 agreed to)

(On clause 117)

The Chair: Our next amendment is CPC-62.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this amendment deals with another watering down under Bill C-75. The offence that the government is proposing to water down here is forced marriage. We think forced marriage is a very serious offence and should be treated as a strictly indictable offence.

I'd ask for a recorded vote.

The Chair: Is there any further discussion on CPC-62?

Mr. Clerk, can we have a recorded vote, please?

(Amendment negatived: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 117 agreed to)

(On clause 118)

The Chair: We'll now turn to CPC-63.

Mr. Cooper.

Mr. Michael Cooper: This is an amendment addressing the reclassification of offences in Bill C-75. This amendment would be to maintain the offence of pretending to solemnize marriage as a strictly indictable offence.

The Chair: Is there any further discussion?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 118 agreed to)

(On clause 119)

The Chair: Let's look at CPC-64.

Mr. Cooper, go ahead.

Mr. Michael Cooper: This is another reclassification amendment. This amendment would be to maintain the offence of marriage contrary to law as a strictly indictable offence.

The Chair: Is there any discussion on CPC-64?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 119 agreed to)

(On clause 120)

The Chair: We move on to clause 120 and CPC-65.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This is another amendment dealing with reclassification. Bill C-75 would reclassify the offence of libel known to be false from a strictly indictable offence to a hybrid offence. This amendment would maintain the status quo of its being treated strictly as an indictable offence.

•(1325)

The Chair: Is there any discussion on CPC-65?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 120 agreed to)

(On clause 121)

The Chair: Next we move to CPC-66.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Not to continue sounding like a broken record, but this is another reclassification offence, in this instance dealing with the offence of extortion by libel. Bill C-75 reclassifies it to be a hybrid offence. This would maintain it as a strictly indictable offence.

The Chair: Is there any further discussion on CPC-66?

(Amendment negatived [*See Minutes of Proceedings*])

(Clause 121 agreed to)

(On clause 122)

The Chair: We go to CPC-67.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this amendment deals with reclassification of the offence of advocating genocide.

Mr. Chair, I don't think I need to explain why advocating genocide is a serious offence, and I would certainly hope that the members opposite would do the right thing and maintain this offence as a strictly indictable offence.

I would ask for a recorded vote on this one.

The Chair: Absolutely.

Mr. Fraser, go ahead.

Mr. Colin Fraser: Thank you, Mr. Chair.

I made statements earlier, at the last meeting, regarding both terrorism-related offences and this one, regarding advocating genocide. For those reasons I will be supporting this amendment.

The Chair: Ms. Khalid, go ahead.

Ms. Iqra Khalid: Thank you, Chair.

What we saw in Pittsburgh really moved me in a way that I feel we need to do more. We need to continue to be really strong advocates against genocide. In understanding the nature of where we are right now—and keeping in mind Mr. Fraser's comments about the very small number of offences that are prosecuted under this provision—I feel this should not be included in the hybridization section. I am really in solidarity with all those who have experienced genocide, and I will continue to do my part, as I know that all of our members will do their part, to ensure that we don't face this again.

Thank you, Mr. Chair.

The Chair: We've asked for a recorded vote, please, Mr. Clerk.

(Amendment agreed to: yeas 9; nays 0 [*See Minutes of Proceedings*])

(Clause 122 as amended agreed to)

The Chair: Clause 123 is carried. There are no amendments.

(Clause 123 agreed to on division)

(On clause 124)

The Chair: We'll now move to clause 124 and CPC-68.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Chair, this is again related to reclassification of offences. This amendment would make the offence of theft a strictly indictable offence, as opposed to what Bill C-75 proposes, which is to make it a hybrid offence.

The Chair: Is there any discussion on CPC-68?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 124 agreed to)

(On clause 125)

The Chair: Next we move to clause 125 and CPC-69.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: This is another reclassification amendment. This would maintain the offence of fraudulently taking cattle as a strictly indictable offence.

The Chair: Mr. Fraser, go ahead.

Mr. Colin Fraser: Can I ask the department for just a little bit of clarity about what, actually, the offence here pertains to?

• (1330)

Mr. Matthew Taylor: Just very quickly, it's all related to conduct around the theft of cattle, whether it's defacing a brand on an animal to deceive other people that the cattle actually belong to the person who's defaced the brand, or just the fraudulent taking of cattle. It's a historical offence. It relates to early Canada and property interests in cattle, and the importance that cattle had in the lives of many individuals. That's the rationale for this distinct offence.

Mr. Colin Fraser: Thank you.

Mr. Chair, in light of those comments, it would appear to me that it's appropriate that there can be a range of ways that this type of offence could be completed, and therefore having it as a hybrid offence would make sense to me. Therefore I won't support the amendment.

Mr. Michael Cooper: Mr. Chair, just to respond to Mr. Fraser's comment, that may or may not be so, but that's really the problem with Bill C-75. The government has just copied and pasted dozens and dozens of sections of the Criminal Code and simply said, "We're reclassifying all of them" to make them hybrid offences, without anything more. I say that's not good enough. It's not good enough in the face of no evidence, no consideration given in the course of the committee to this particular section, why Parliament at one time treated it as an offence that should be solely indictable, and what the government proposes to do today.

On that basis, we are taking the position that we are going to maintain the status quo in respect of all of these offences. If there comes a time when there is a place and a time to actually look at this offence and hear some evidence and get an understanding of the history of this particular section of the Criminal Code, maybe that could be done. That's not the approach that this government has decided to take.

The Chair: Okay. Everybody's comments were made.

(Amendment negated [*See Minutes of Proceedings*])

(Clause 125 agreed to)

(On clause 126)

The Chair: Next we move to CPC-70 and clause 126.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Thank you, Mr. Chair.

This amendment, again, deals with the reclassification of an offence. This offence is taking possession of drift timber. For the same reasons I provided in the case of the offence related to cattle, I would similarly urge that this offence be, at this time, maintained as a strictly indictable offence.

The Chair: Thank you very much.

Ms. Khalid, go ahead.

Ms. Iqra Khalid: Thank you, Chair.

I would just ask the department and the analysts what the nature of this offence is. What does this entail?

Mr. Matthew Taylor: It's very similar in the sense that it particularizes a certain type of theft, in terms of lumber or driftwood or equipment related to the lumber industry. My hunch, again, is that historically its presence in the code relates to the importance of that industry in the early years of Canada as a country. That would be my understanding of how that offence operates.

The Chair: Thank you very much.

Ms. Iqra Khalid: Sorry, I have some further questions.

Do you know how many offences have been laid under this specific section?

Mr. Matthew Taylor: I don't have that data with me. I don't think it's many, but we would have to verify that with our colleagues at Statistics Canada.

Ms. Iqra Khalid: What is the maximum prison sentence with respect to this?

Mr. Matthew Taylor: The maximum is five years.

Ms. Iqra Khalid: That's five years in prison for stealing lumber.

Thank you.

The Chair: I will now move to a vote on CPC-70.

(Amended negated [*See Minutes of Proceedings*])

(Clause 126 agreed to)

(On clause 127)

The Chair: Next we move to CPC-71, on clause 127.

Mr. Cooper, go ahead.

•(1335)

Mr. Michael Cooper: Thank you, Mr. Chair.

This, again, is a reclassification amendment. Bill C-75 would reclassify the offence of destroying documents of title to a hybrid offence. This would maintain it as a strictly indictable offence.

The Chair: Is there any discussion on CPC-71?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 127 agreed to)

(On clause 128)

The Chair: On clause 128, we have CPC-72.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this amendment relates to reclassification. Bill C-75 would reclassify the offence of fraudulent concealment; namely, everyone "who, for a fraudulent purpose, takes, obtains, removes or conceals anything" is currently subject to a solely indictable offence, with a term of imprisonment of up to two years.

The bill would reclassify it; this amendment would maintain it. We do note that even in the case of two years versus two years less a day, a day is important. We're going to urge for the passage of this amendment.

The Chair: Is there any discussion on CPC-72?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 128 agreed to)

(Clause 129 agreed to on division)

(On clause 130)

The Chair: On clause 130, we have CPC-73.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Chair, this amendment is again related to reclassification of offences. This particular offence involves an individual who has masked his or her face. It's the "Disguise with intent" section of the Criminal Code. Bill C-75 would hybridize this offence. We would urge that it be maintained as a strictly indictable offence, as it presently is under the Criminal Code.

The Chair: Is there any discussion on CPC-73?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 130 agreed to)

(On clause 131)

The Chair: On clause 131, we have CPC-74.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this is again a reclassification amendment, to maintain the offence of possession of instruments for breaking into coin-operated or currency exchange devices as a strictly indictable offence.

The Chair: Is there any discussion on CPC-74?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 131 agreed to)

(On clause 132)

The Chair: On clause 132, we have CPC-75.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Again, it's reclassification of the offence, to maintain the subject offence related to the selling of automobiles as a strictly indictable offence.

The Chair: Mr. Fraser, go ahead.

Mr. Colin Fraser: I have a quick question for the department. What's the maximum sentence for that as a straight indictable right now?

Ms. Shannon Davis-Ermuth (Legal Counsel, Criminal Law Policy Section, Policy Sector, Department of Justice): It's two years, per section 353 on selling an automobile master key.

Mr. Colin Fraser: I have another one for the department. My understanding is that if someone is convicted of an offence of two years, it would be possible to serve that sentence either in a provincial or in a federal facility. Is that correct?

Ms. Shannon Davis-Ermuth: If it's two years, it would be in a federal facility. If it's two years less a day, it would be in a provincial facility.

Mr. Colin Fraser: Thank you.

The Chair: We'll move to a vote on CPC-75.

(Amendment negated [*See Minutes of Proceedings*]).

(Clause 132 agreed to)

(On clause 133)

The Chair: Next, we go to clause 133 and CPC-76.

Go ahead, Mr. Cooper.

•(1340)

Mr. Michael Cooper: This amendment deals with reclassification under Bill C-75. This amendment would maintain the offence of possession of property obtained by crime as a strictly indictable offence, rather than a hybridized offence as proposed by Bill C-75.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*]).

(Clause 133 agreed to)

(On clause 134)

The Chair: Next we have CPC-77.

Mr. Cooper, go ahead.

Mr. Michael Cooper: This is another reclassification amendment. The subject offence is bringing into Canada property obtained by crime. The amendment would be to maintain the status quo and to treat that offence as a solely indictable offence, rather than a hybrid offence as proposed by Bill C-75.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*]).

(Clause 134 agreed to)

(On clause 135)

The Chair: We move on to CPC-78.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: This is also a reclassification amendment. It is in relation to false pretence or making a false statement, to treat that specific offence as a solely indictable offence, as opposed to a hybrid offence as proposed by Bill C-75.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*]).

(Clause 135 agreed to)

(On clause 136)

The Chair: Next is CPC-79.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Chair, this amendment would maintain the offence of obtaining execution of valuable security by fraud as a

strictly indictable offence, as opposed to a hybrid offence under Bill C-75.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*]).

(Clause 136 agreed to)

(On clause 137)

The Chair: We move on to CPC-80.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Mr. Chair, this amendment, consistent with the other amendments related to reclassification, would maintain the offence of damaging documents as a strictly indictable offence.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*]).

(Clause 137 agreed to)

(On clause 138)

The Chair: Next we have CPC-81.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this is another reclassification amendment that would maintain the offences in relation to registers as solely indictable.

The Chair: Is there any discussion on CPC-81?

(Amendment negated [*See Minutes of Proceedings*]).

(Clause 138 agreed to)

(On clause 139)

The Chair: On clause 139, we have CPC-82.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Mr. Chair, this is another amendment dealing with the reclassification under Bill C-75. This amendment would maintain the offence of using mails to defraud as a solely indictable offence.

The Chair: Thank you very much. Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*]).

(Clause 139 agreed to)

(On clause 140)

The Chair: On clause 140, we have CPC-83.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this deals with financial crime that Bill C-75 seeks to hybridize, namely the offence of fraudulent manipulation of a stock exchange transaction. We believe that this should be maintained as a solely indictable offence.

The Chair: Thank you very much.

Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 140 agreed to)

(On clause 141)

The Chair: Next is CPC-84.

Mr. Cooper, go ahead.

•(1345)

Mr. Michael Cooper: Again, it's on another financial crime that Bill C-75 seeks to water down in the way of sentencing, namely the offence of prohibited insider trading. Unlike the government, we believe that this should be maintained as a solely indictable offence.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 141 agreed to)

(On clause 142)

The Chair: We move on to CPC-85.

Mr. Cooper, go ahead.

Mr. Michael Cooper: This amendment deals with subsection 383 (1) of the Criminal Code, the offence of gaming in stocks or merchandise, whereby an individual is currently guilty of an indictable offence "who, with intent to make gain or profit by the rise or fall in price of the stock of an incorporated or unincorporated company...." Bill C-75 would make this specific offence a hybrid offence. We maintain that it should be a solely indictable offence.

The Chair: Thank you very much.

Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 142 agreed to)

(On clause 143)

The Chair: On clause 143, we have CPC-86.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this is another financial-related offence. The amendment deals with the offence of a broker reducing stock by selling for his own account. This would seek to maintain that offence as a strictly indictable offence.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 143 agreed to)

(On clause 144)

The Chair: We will move to CPC-87.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this is a reclassification amendment. Bill C-75 would make the offence of fraudulent concealment of title documents a hybrid offence. We maintain that it should be maintained as a strictly indictable offence.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 144 agreed to)

(On clause 145)

The Chair: Next is CPC-88.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: Mr. Chair, this is another reclassification amendment. This amendment would make the offence of fraudulent registration of title a strictly indictable offence, as it presently is, unlike what Bill C-75 proposes to do, which is to make it a hybrid offence.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 145 agreed to)

(On clause 146)

The Chair: We move on to CPC-89.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, CPC-89 would maintain the offence of fraudulent sale of real property as a strictly indictable offence.

The Chair: Thank you very much.

Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 146 agreed to)

(On clause 147)

The Chair: Next, we have CPC-90.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Again, Mr. Chair, this amendment would maintain the offence of misleading receipt to be a solely indictable offence.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 147 agreed to)

(On clause 148)

The Chair: We move on to CPC-91.

Go ahead, Mr. Cooper.

•(1350)

Mr. Michael Cooper: Chair, CPC-91 would maintain the offence of fraudulent disposal of goods on which money is advanced as a solely indictable offence, as opposed to Bill C-75, which would make it a hybrid offence.

The Chair: Thank you very much.

Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 148 agreed to)

(On clause 149)

The Chair: Next is CPC-92.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Chair, again, this is a reclassification amendment. This particular amendment would maintain the offence of fraudulent receipts under the Bank Act to be a strictly indictable offence.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 149 agreed to)

(On clause 150)

The Chair: On clause 150, we have CPC-93.

Mr. Cooper, go ahead.

Mr. Michael Cooper: CPC-93 would make the offence of disposal of property to defraud creditors as a solely indictable offence, as opposed to a hybrid offence as proposed by Bill C-75.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 150 agreed to)

(On clause 151)

The Chair: Next, we have CPC-94.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this is another reclassification amendment, which would maintain the offence of fraud in relation to fares as a strictly indictable offence, as opposed to a hybrid offence, which Bill C-75 reclassifies it as.

The Chair: Is there any discussion on CPC-94?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 151 agreed to)

The Chair: There is no amendment on clause 152, because X-110 is not relevant. Clause 319 remained as it was.

It's the same with clause 153, because X-111 was not maintained as a result.

(Clauses 152 to 154 inclusive agreed to on division)

(On clause 155)

The Chair: We move on to CPC-95.

Mr. Cooper, go ahead.

Mr. Michael Cooper: CPC-95 deals with an offence in relation to mines. This would maintain that offence as a strictly indictable offence, as opposed to a hybridized offence as proposed by Bill C-75.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 155 agreed to)

(On clause 156)

The Chair: Next we have CPC-96.

Go ahead, Mr. Cooper.

Mr. Michael Cooper: This is a reclassification amendment. The offence at issue relates to anyone who, with intent to defraud, destroys or mutilates books or documents. Bill C-75 would make that offence a hybrid offence. It's currently an indictable offence. We think it should stay that way.

The Chair: Thank you very much.

(Amendment negated [*See Minutes of Proceedings*])

(Clause 156 agreed to)

(On clause 157)

The Chair: We now move to CPC-97.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Mr. Chair, this offence, which Bill C-75 would reclassify, relates to a false return by a public officer. We think this is a serious offence and it should be maintained as an indictable offence.

I'd ask for a recorded vote on this one.

The Chair: Is there any further discussion?

(Amendment negated: nays 5; yeas 4 [*See Minutes of Proceedings*])

(Clause 157 agreed to)

(On clause 158)

The Chair: I just want to get through to clause 159, and then we're going to break. I want to make sure everybody can get there for member statements.

On clause 158, we have CPC-98.

Go ahead, Mr. Cooper.

• (1355)

Mr. Michael Cooper: Again, it's a reclassification amendment, dealing with false prospectus.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 158 agreed to)

(On clause 159)

The Chair: Mr. Cooper, we have CPC-99.

Mr. Michael Cooper: It's another reclassification amendment. This one deals with the offence of acknowledging an instrument in a false name. We would propose that it be maintained as a solely indictable offence.

The Chair: Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 159 agreed to)

(On clause 160)

The Chair: This is the last amendment we will do, CPC-100.

Mr. Cooper, go ahead.

Mr. Michael Cooper: Chair, this amendment would maintain the offence of applying or removing marks without authority as a solely indictable offence.

The Chair: Thank you very much.

Is there any discussion?

(Amendment negated [*See Minutes of Proceedings*])

(Clause 160 agreed to)

(Clause 161 agreed to on division)

The Chair: We will break now and return at four o'clock in Centre Block, room 253-D.

Thank you very much, colleagues.

The meeting is adjourned.

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